By Mr. RYAN:

H.R. 7321. A bill for the relief of Marie Claudy; to the Committee on the Judiciary.

H.R. 7322. A bill for the relief of Concetta Fruscella; to the Committee on the Judiciary.

H.R. 7323. A bill for the relief of Clarence Gillett; to the Committee on the Judiciary.

By Mr. VEYSEY:

H.R. 7324. A bill for the relief of Sylvia Afante Foster; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 7325. A bill for the relief of Maria Celeste de Almeida Albuquerque; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 7326. A bill for the relief of Hiroski Nakao; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 7327. A bill for the relief of Timber Structures, Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

The SPEAKER presented a petition of the Third Mariana District Legislature, Trust Territory of the Pacific Islands, relative to compensation for Micronesian war crimes, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

HELP TO YOUNG SERVICEMEN

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. GUDE. Mr. Speaker, I am certain that we can all appreciate the difficulty entailed in making the transition from military to civilian life which many of our young veterans are faced with each day. The present inflation makes their plight more difficult than ever before. There is an association of young ex-servicemen, Youngvets, here in the District which has taken the initiative to help these men, and I would like to help "get the word out" in its behalf.

The following letter from Mr. George Umans, executive director of Youngvets, gives a good deal of information about the association. I am pleased to submit his letter for all my colleagues' interest:

YOUNGVETS,
March 10, 1971.

HON. GILBERT GUDE,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GUDE: As a member of your constituency residing in Rockville and as executive director of the Association of Young Ex-Servicemen, I would like to call your attention to our organization.

The Association of Young Ex-Servicemen (AYES) was formed on Veterans Day 1969. It was incorporated pursuant to the District of Columbia Non-Profit Corporation Act with the following stated purposes:

To facilitate the transition from military to civilian status for young people serving in the Armed Forces of the United States, to promote their status and economic welfare individually and as a group, through membership in the Association, and to provide such programs, benefits and services as will further these objectives.

Regular Membership is open to anyone who, at time of application for membership, has been honorably discharged or separated from active duty in the Armed Forces of the United States and has not yet reached his 31st birthday.

As I'm sure you are aware, young veterans find the going difficult these days in many ways—jobs are few, prices are high, decisions about their futures have to be made and new responsibilities have to be faced. There is a lot of talk about helping the young veteran in his readjustment . . . but the Association of Young Ex-Servicemen is doing something about it.

Members share in the sort of benefits which could only be made available to members of large groups. For example, discount purchase facilities are now available in a number of major population centers around the country offering almost any make of new American car at only $100 over published dealer's cost.

Major household appliances, furniture, furnishings, etc., are also available at slightly over wholesale cost. Other items and services are already available at similar discounts, or are being negotiated.

Of particular interest to young servicemen who find themselves financially strapped upon release from active duty is a special group insurance policy for which regular members under age 31 may apply. It provides life insurance coverage at the same rate they paid while in the service.

Though there is also available helpful information with respect to VA benefits, job opportunities, education, etc., it is not intended that AYES will function as a "service" organization like the American Legion dealing with the Veterans Administration, for example. Also, since it is essentially a "benefit" association, neither is it intended that AYES will have any political orientation.

On the other hand, as we enroll a sufficiently large number of 'Nam vets, we hope to be able to obtain a cross-section of their thinking and a good idea of their needs so that their interests will be served.

If I may add a personal note, permit me to extend my thanks for your dedicated service to the people of Montgomery County and our Nation.

Very truly yours,

GEORGE UMANS,
Executive Director.

OPERATION HELPING HAND

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. HOSMER. Mr. Speaker, on March 3, I remarked about a program the U.S. Navy has instituted to upgrade the standard of living of Vietnamese Navy personnel and their dependents. This multifaceted program, called Operation Helping Hand, is now in its second year and is beginning to show a very real progress.

The three aspects of this program are: building dependent shelters, providing a better balanced diet through a food supplement program, and constructing a prototype community for disabled Vietnamese Navy veterans. Operation Helping Hand is not just another giveaway program, but rather one that is essential if we are to establish a strong, loyal, career-oriented cadre within the Vietnamese Navy.

The Navy realized, of course, that it was not possible to finance this 3-year program in its entirety with appropriated funds. It therefore sought a means to obtain additional money from other sources.

When word about the program and the need for $3 million nonappropriated money reached a group of American business and professional men in Saigon, they set out to form a nonprofit foundation to receive private contributions to support the projects. The Operation Helping Hand Foundation was officially chartered in March of 1970. It is headed by Mr. Lincoln C. Brownell who was recently elected as board chairman. President of the foundation is Mr. Clyde Bauer, manager of Civil Air Transport, Saigon.

In September, the Internal Revenue Service granted the foundation tax-exempt status and to date, almost $50,000 in private donations have been contributed. The Operation Helping Hand Foundation is sponsored by several distinguished citizens including Rev. Billy Graham, actor Glenn Ford, Adm. Arleigh Burke, retired, the Honorable Henry Cabot Lodge, author Samuel Eliot Morison, Paul H. Nitze, and a fellow Member of the House, WILLIAM S. MAILLIARD. I, too, am proud to be one of its sponsors. I consider the realization of its objectives to be a vital necessity in transforming the Vietnamese Navy into a viable and professional fighting force which is capable of withstanding Communist infiltration and aggression in Southeast Asia.

Moreover, I feel we owe a great debt to the American sailors and their leaders who have undertaken such an enormous task. It is a very ambitious program, perhaps the most unique ever embarked upon by our Navy. But they are resolved to do whatever is necessary to bring our Vietnamization program to a successful conclusion.

You will be interested to know, that of the $50,000 donated to Operation Helping Hand thus far, almost 50 percent has been contributed by American sailors serving in Vietnam. These are the same patriotic men in uniform who are laying their lives on the line every day so that Vietnamization will succeed.

Quite frankly I feel that our men over there deserve a great deal more support from this side of the globe. I urge each and every Member of this body to support this crucial program in which our fighting men believe so strongly.

SST

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. CARTER. Mr. Speaker, I would like to bring to the attention of my col-

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leagues an excellent editorial by William Randolph Hearst, Jr. I am happy to see that at least one newspaper publisher has seen the results of the recent defunding of the supersonic transport.

The following article is reprinted from the March 28, 1971, issue of the Hearst Newspapers:

AN EROSION OF SPIRIT

(By William Randolph Hearst, Jr.)

NEW YORK.—The refusal by both houses of our new Congress to continue test development of an American SuperSonic Transport plane strikes me as a most serious and shameful milestone in the nation's history.

Without getting overly dramatic, I must say that killing the SST has raised some rather frightening thoughts in my mind.

What they add up to is a spectre—the dark vision of an America whose elected representatives, at least, are lacking in the adventurous spirit of pioneer leadership which made this country great.

It is impossible to say how widespread the same loss may be true of the general public. But it is a distressing fact that the lawmakers who decided to give up the field of superjet development are supposed to reflect the vitality and opinions of the electorate—and generally do.

So something very serious indeed has happened. And it is shameful because it demonstrates how vastly different in outlook and motivation so many present-day Americans have become when contrasted with our early settlers and explorers.

We speak English today because the most venturesome, the hardiest and the most tenacious were English. Beginning with the settlement at Jamestown in 1607 and the Mayflower landing at Plymouth Rock in 1620, theirs was a saga of go, go, go—always forward in blazing trails through the unknowns of their world.

This spirit inspired and drove the country for approximately 300 years, as it continued to prevail in the first half of this century. Yet in recent years a kind of erosion has set in—and the death of the SST could well mark a turning point in our nation's philosophy.

At the very least, the refusal of Congress to continue test work on a United States possible rival to SuperSonic Transports already being flown by the Russians, British and French will—I am confident—go down as an indelible stain on its record.

This is the first Congress I have ever known that has refused to have a look at the future.

It is the first Congress I have ever known to spurn the kind of progressive, exploratory thinking that makes for a great, youthful and curious nation.

It is the first Congress I have ever known to adopt a policy of "go back" rather than "go ahead"—to deliberately surrender world leadership in a tremendously important field.

The 92d Congress, in a word, has disgraced itself.

In suggesting that this nation may have turned a sad corner—possibly a 180-degree turn from its proud past—I am motivated more as an indignant citizen than an aviation buff.

It certainly is true that I have always been a real bug on the subject. There is an old photograph of me grasping the wheel of one of those ancient Wright Brothers-type plane which flew and captivated me at the Panama-Pacific International Exposition in San Francisco in 1915. I first flew solo still in my teens, and ever since have been handling every kind of plane anybody would let me.

Speaking as an aviation fan, I say quite frankly that I don't think the U.S. needs any fleet of the SST at this time.

In addition to its highly doubtful economic practicality, the SST still has a lot of unsolved problems. Its sonic booms, for example, might or might not be capable of being solved.

But this nation most certainly should have gone ahead with research and development of any potentially vital tool for the future. The fact that this particular tool happens to be a special kind of aircraft is only incidental.

What I am saying is that it is a sorry day when America decides it has gone far enough, or high enough, or fast enough, or deep enough in any field where its leadership is being challenged.

When the word "stop" takes over from the word "go" in our nation—as it did with the SST—it will mark the passing of the peak of America's greatness.

Killing the SST test development reflects not only a terribly serious sickness in our national soul, it wasn't even logical.

To be consistent, Congress also must now cut off any further funds for developing SuperSonic military planes—another field where our leadership is challanged by the Russians, among others.

The next logical step if we are going to get out of the big leagues would be to cut out going to the moon and leave space exploration to more venturesome nations.

Logic demands, if ecology is to be the determining factor in our national existence, that we must shut down our factories—those terrible polluters—and return to an agricultural society.

Logic and consistency require also the banning of all airplanes. And, of course, all automobiles.

Logic and ecology require, in sum, that all of us return to the horse and buggy age.

Such is a logical extension of the illogical and shameful action by Congress in turning its back on the future.

The words of the French lady being trumbilled to the guillotine—as quoted by Macauley, the famous British essayist—come to mind:

"Oh Liberty! How many crimes are committed in thy name!"

Progressive-minded forward-looking Americans might well ask themselves a question something like this, "Ecology! Environment! How many crimes will be committed in their names?"

SOME GI LETTERS FROM VIETNAM

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. HÉBERT. Mr. Speaker, Maurice Ries of New Orleans has written an article for the April issue of the American Legion magazine which deserves everyone's attention.

The article is based on letters written by our fighting men in Vietnam, and it gives an excellent indication of how the majority of young Americans feel who are stationed there.

I have known Maurice Ries for many years, and I am proud to be able to insert his effort in the CONGRESSIONAL RECORD.

The article follows:

SOME GI LETTERS FROM VIETNAM

(By Maurice Ries)

SOME OF THE LEAST HEARD OPINIONS ON THE VIETNAM WAR ARE THOSE OF YOUNG PEOPLE WHO ARE THE MOST INVOLVED

In the years since our troops were first involved in Vietnam, we have all seen letters written home from fighting men which expressed the thought that what they were doing was worth doing, and worth the price they might have to pay.

Such letters appear in a local newspaper here, in another there. Some are written directly to Congressmen or newspapers by GI's. Others are made public by friends or parents to whom they are written, or forwarded by them to Congressmen or members of the Administration.

It is probably the experience of the reader, as it is of this writer, that the voice of the men who are totally involved in Vietnam has hardly been headlined here at home, if it runs contrary to the orthodox, "accepted" and oft-headlined second-hand opinions of the "uninvolved" who are many thousands of miles removed. This in spite of how much lip service is given to "involvement." The men who think the war is worth fighting, when it is their necks that are out, are entitled to have as good an exposure of their views as anyone else. The reader at home should not have to dig through the Congressional Record, or research hundreds of local newspapers, in order to get at least as good a roundup of these GI views as he gets in a daily diet from the media of the contrary views of those whose involvement is nil.

Only one "medium" of more than local circulation in the country has done much to give such views national exposure. That is the Congressional Record, where, of course, they are lost in other reading matter.

Let me be one reporter, then, who is willing to pull excerpts from them together at some length, in one package, so that you may have at least a small roundup of some largely ignored views of young people who are more involved in Vietnam than anyone else.

Every letter from Vietnam that is excerpted here was read into the Congressional Record in 1968, 1969 or 1970, and there are many, many more. The names of all but three of the men quoted here are matters of public record.

The first soldier is nameless. In the end, he wrote from the grave. He was a 21-year-old first lieutenant from Knoxville, Tenn., whose letters were published, without naming him, after his death, by columnist Don Whitehead. Rep. John Duncan read Whitehead's column into the Congressional Record, volume 115, part 18, page 24257, out of the Knoxville News-Sentinel.

On the evening of June 4, 1969, the young lieutenant wrote two letters to his parents, one to be his "regular" letter, the other to be mailed only if he were killed. The "regular" letter said in part:

"We're at Suar Cat now . . . Tonight maybe I'll go on ambush patrol . . . I am the planner, the diplomat, the supervisor, the liaison man, the subtle leader, the combat soldier . . . One mistake would blow us all to hell . . . I see so many things I can do here. It's a challenge and I dig it. It blows my mind a little sometimes, but I dig it. . . ."

He was killed on ambush patrol the next day, so the other letter was mailed, too, the one to be mailed only if he died. It was long. Here's some of it.

"Dear folks: By the time you receive this . . . you will have heard the sad news . . . I don't want anyone to think I would be silly enough to die for nothing. All a man can do is take one step at a time . . . If he never takes the first step he'll never get there. To preserve freedom it takes a group effort. Groups are made of individuals who take that first step. As long as there are enough people who care enough about freedom to have the courage to take that first step to fight for freedom, freedom will never be lost . . . I have the consolation of knowing that I did what I thought was right and I did it all the way. I stood up to be counted, and, for as long as I fought, I fought well. That's all anyone can do. . . . Although, the physical effect of my work may be destroyed,

something will remain. No one can erase my efforts. If only one person benefits from my action I will have been a success. I didn't mind the hardships, I asked for them . . . I preferred to die doing what I know to be my duty, than to grow old despising myself because I lacked the courage to answer the call . . . I am not one bit sorry for anything. Don't you be either. . . ."

Rep. Alexander Pirnie, with permission of the parents, read a sentimental letter of 19-year-old John Tanney, of Rome, N.Y., into the Congressional Record, volume 114, part 23, page 29942. Tanney wrote it to his 17-month-old brother, Bob. He was about to assault Hill 881 with the Marines, and thought he'd like to put something on record for his infant brother in case he didn't come back down. Tanney died in another action, soon afterward. Again a long letter, and we give part of it.

"Dear Brother Bob: I know you won't be able to read this for a while . . . You haven't the slightest idea of what is going on in the world. But what we are doing here concerns all. We are fighting for freedom in Vietnam . . . 'I am my brother's keeper' is true also for our Vietnamese brothers . . . War is far, far worse than hell. It has . . . rotten smells, and sounds (that are) screams . . . I hope you will never have to go to war . . . I hope we can stop this from spreading . . . If anything should happen, remember this, I am fighting for what I believe in . . . for my children and my children's children . . . And yes, I am fighting for my flag. My Country means a lot to me and I am proud to fight for it . . . I hope that your generation will respect what we are doing. . . ."

Pfc Walter "Rusty" Wade, of Independence, Mo., and of the road-building 46th Engineering Battalion, wrote his parents last spring giving a vivid description of a hot night action he'd been in, adding that "if I get one more zip (wound) I'll be eligible for three days off." Then he expressed some opinions which led his parents to get his permission to have Rep. William J. Randall enter the letter into the Congressional Record. The full letter appears in the Congressional Record, volume 116, part 16, page 21794. Undated, it appears to have been written shortly after President Nixon okayed action in Cambodia. Here's part of it:

"We just got four new helicopter gunships. Ours are in Cambodia, and that'll help. And you might tell our Congressmen and Senators that if they really want to be quitters, they can start quitting their jobs. Over here, we need more money and weapons, not less . . . It's hard to sit through a two-hour mortar attack and not die of fright. I don't want to be a hard core Vietcong hater, but dammit, they keep pushing and shelling, and all we want to do is build a simple little road and get the hell out. Dad, you've been through this. What does one do when all I want to do is sleep, or mostly come home to my wife and six-month-old baby girl, and forget this place ever was? But what can I do—we can't quit here. The South Vietnamese army that built the asphalt plant beside us are good friends, and they believe we can win. But I wonder—will the American public let us? What a mess if we come so close, only to have Congress cut off the money. If they do, I'll feel like emigrating to Australia or some place when I get out of the army, if the people back home don't care more than that.

"If they think they're tired and sick of this war, how about us over here. And we want to win . . . How can Cambodia be a VC staging and supply area and a neutral country at the same time? They just help to keep up always on edge with their snipers and mortars and infiltrating. We never get as much as a couple of days rest. . . . Doesn't every demonstrator over there realize he helps Charlie hold on one more day, at the cost of 35 to 40 U.S. lives, 70 to 80 wounded, and three or four missing or presumed dead? Damn them with their peace marches and moratoriums. They're killing my friends as sure as if they were VC and pulled the triggers. . . . But hell, I guess it's nothing to write you folks about. . . ."

The mother of Brent Wininger, of Ohio, wrote to him that she saw no reason why he had signed up to go to Vietnam when he still had two years of college to go. But when she got his almost scolding answer, she sent it to Ohio Rep. Donald Lukens in order to "share with everyone our son's answer to my concern." Rep. Lukens inserted her letter with quotations from her son's, in the Congressional Record, volume 114, part 20, page 26514. Wininger did not write as a soldier but struck a chord reminiscent of Tom Paine in 1776, updated to a world where there are no more frontiers for the oppressed to flee to. Here is much of his letter.

"Dear Parents: I was very unhappy to read that you see no reason for my being here. In fact, I was astonished, confounded, befuddled, even angry. It just isn't the best morale boost for someone who's working 12 to 16 hours a day . . . when you say you don't know why I'm over here.

"Maybe its so that some kids can grow up with something in their bellies besides grass and weeds; grow up without fear to use their minds and expand their capacities to the extent of the ability their Creator gave them. Maybe it's so that some kids can just grow up, period.

"We are over here for a better reason than our ancestors had in coming to America. They came to a new world so that they could be free. We are in Vietnam so that others may be free. There are no new lands to which one can run for freedom. We either all become free or we all go down together.

"If our leaders sell out the Vietnamese people, they will sell the lives of our future generations and the hopes of the world. Jesus Christ died on the cross for humanity; and you do not believe that I am man enough to spend a year of drudgery, boredom and dirt in trying to help a country and its people be free. At the same time, my chance of being wounded or dying is less than if I spent the same time driving on a U.S. highway.

"Your excuse is that you are a mother and love your offspring. I can assure you that there are mothers over here and that they feel the same way about their children . . . When I get back, do you believe I will be sorry that I wasted a year in Vietnam? I will only be sorry that I couldn't do more. . . .

"When you take humanity and dignity away from one man, you take a part of everyone's. How can I breathe the air of freedom when my brother wears chains? How can we erect monuments to justice and enlightenment when men are oppressed and ignorant? How can we reach for the stars when some men do not live higher than communal animals?"

When the first of the "peace moratoriums" of the fall of 1969 gathered in Washington, D.C., a 20-year-old soldier stationed outside Saigon sent a letter "to the American people" by way of the Knoxville News-Sentinel in his home town. Here's part of it, as read into the Congressional Record, volume 115, part 24, page 32522, by Rep. Duncan.

"To the American people: Today you protested against military actions in South Vietnam . . . When I came to Vietnam I thought I represented you, and I was very proud . . . Ask yourself this question: How many Americans did you kill in South Vietnam today? . . . (signed) One of your sons, Pfc. Michael J. Lowe."

The Beaver County Times, of Beaver, Pa., published a long feature article by Nadine Holovach about Marine Corporal Donald James Pierce, Jr., of Raccoon Township, who joined the Marines at 17 and was killed in action in Vietnam. Miss Holovach included excerpts from many letters that Pierce had written home, supplied to her by his parents. Rep. Frank Clark inserted the whole article in the Congressional Record, volume 116, part 9, page 11767.

When the Marines suggested aviation for him, he insisted on being in the Marine combat infantry. ". . . I'd rather be a Marine," one of his letter explained, not long before he reached Vietnam, "take the hardships, and suffer a little. Maybe at times, I may get dirty, bone tired and even sometimes, disgusted and hate it all.

"But when I get back from Vietnam I'll have done a job and three years from now I can look at my discharge papers and say to myself, 'I helped preserve America'."

Once, he'd written to a great-aunt in Pennsylvania: ". . . Freedom is the only problem that, if you ignore it, it will go away. . . ." And, elsewhere: "Because freedom isn't free, each generation must . . . win it again.

"It's our generation's turn to fight. . . ."

A letter of December 6, 1969, from young Pierce said:

". . . the majority of the men here feel that we have had the rug pulled out from under us by the American people and the American government. . . .

"We've fought here and some have valiantly died. Now we're told we're leaving, leaving a job unfinished. When the people at home yell to bring us home, many men here are extending their tours in Vietnam. Even our government admits that they are no longer interested in . . . operations we're conducting. All they worry about is how fast they can withdraw.

"In all our nation's history, we have never lost a war. But I'm afraid that our history is about to change. . . . No man wants peace mor than the guy who has bullets flying past his head. . . . If I should die in battle I will have died happy, for I would have died while working for a worthy cause, my God and my Country."

He was killed near Da Nang, March 18, 1970.

Marine Pfc Robert Hall sent a letter to the News-Herald of Panama City, Fla., which Rep. Robert Sikes inserted in the Congressional Record, volume 115, part 10, page 12988. The first two-thirds of Hall's letter seemed like a complaint against serving. Vietnam was hell and full of suffering, filthy and disease-ridden; life was cheap; he'd faced death at 18 more times than most people ever would; the value of his own life could be measured by his life insurance and he was probably running out of time. He felt "like a patsy" and was beginning to feel sorry. Sorry for himself, he asked? No sorry for the people at home who wouldn't support him and his comrades. "All I want to know," he said, "is why you people in the United States don't have enough backbone to stand behind us?"

Sgt. Robert Pruden, of Indianapolis, had his hometown newspaper, The Indianapolis Star, sent to him in Vietnam. The July 15, 1969, issue of the Star published a letter signed "Gene Gardner," charging that the Vietnam war is "politically, diplomatically, militarily, economically and morally wrong," and that we "measure manliness" by the "willingness to murder Vietnamese." Sgt. Pruden wrote to the Star that Gardner "cannot remain unanswered," that he "parrots a charge I first heard in 1951." Rep. William G. Bray inserted Pruden's letter in the Congressional Record, volume 115, part 23, page 31155. In large part it read as follows:

"I have spent 18 years in the army, and I have served in two wars. Both my tours have involved ground combat against an armed enemy; I have never killed, nor have I known anyone else who killed a woman or child. We didn't do it even when we knew they were enemies. I can recall a

12-year-old boy in Binh Phuoc district of Long An province who was captured and told us he had been a member of the [Vietcong] Binh Phuoc mortar platoon for a year and a half. The men who captured that boy went out of their way, they risked their lives to take him alive. Because in spite of what you may have been told or read, American troops are not killers of women and children.

"Gardner should not be so quick to say that we 'measure manliness' by 'willingness and ability to murder Vietnamese.' I have visited hamlets after the Viet Cong Special Action squads have paid a night call. The results are not pretty. I have seen a man shot 14 times with a pistol, and that required the assassin to reload with the man lying in the road at his feet. His crime? He happened to be bicycling along Highway 4 when a VC squad crossed, and he saw them.

"There were some doubts in my mind when I went to Vietnam. There are none there now. The cause of freedom in South Vietnam is just; and if we refuse to help these people who have asked for our aid, then we deserve whatever judgment history has for us.

"There are not better judges of Vietnam than those who have been there . . . Until you have been there and seen, it's difficult to make an accurate assessment of the actual issues surrounding the Vietnam question. But please remember, the men who have been there, the ones who have seen their comrades die, overwhelmingly support our commitment there. They have sacrificed the most, and they believe they are right."

When student protest broke out over President Nixon's decision to enter Cambodia in May 1970, David Simmons wrote a letter of protest of his own to the Louisiana State University "Daily Reveille," published May 15, 1970, and placed in the Congressional Record, by Rep. John R. Rarick, volume 116, part 12, page 16845. Simmons said his "stomach was hurting" because Americans were expressing their displeasure over entering Cambidoa. In part, he wrote:

"I'm for the President's action . . . it might save my life. I'm a PBR sailor on the Van Co Tay river (near the Parrot's Beak region where South Vietnamese and American troops are operating in Cambodia).

"Since January, the North Vietnamese and Viet Cong troops have slipped in and out of Cambodia and have been giving my division hell! And there was nothing we could do because as soon as they hit us they slipped back into Cambodia.

"I say, 'Thank you, Mr. Nixon!' Some of you may say that if Americans weren't here, I wouldn't have to sweat. . . .

"Well, I wish I could show you some of the little girls three and four years old, who, as infants have had their arms, or eyes, or ears cut off because the VC terrorists decided to teach their parents a lesson, for some reason. I wish I could show you young children who know nothing about communism or democracy, going to school to learn to read and write, being blown to bits by a communist rocket that was carelessly aimed.

"I wish I could introduce you to Due and Khank and Phong. These are sailors who ride with us and fight with us. Due is 18 now. When I first came to this country, he was 17 and he could shoot and clean an M60 machine gun better than any American around. He doesn't understand why the NVA and the VC want to kill him, but as long as they keep trying he keeps our M60s clean and ready to go.

"These people don't really understand what communism is: that is except for people like Khang. Khang was born near Hanoi. I think he is 22 now. He is older than most of these Vietnamese on our boats. He had gone to Saigon University for a couple of years before enlisting in the Vietnamese Navy.

"Khang came south [before] the gates were forced closed against the millions of others who wanted to flee the communist rule. Khang told me that his brother and a sister have been killed since he and his family left everything in the North to start a new life in the South.

"His brother, a lieutenant in the South Vietnamese Army, caught a B40 rocket in the stomach, his sister was killed during the fighting in Saigon Tet of '68. Khang has reason to hate the communist! He does.

"But to some of you back home, these are other peoples' problems. You think you don't have to worry about things like this back 'in the world.' Well, Jack, look around. What is happening now is the start. And man it is going to get a whole lot worse if some people don't open their eyes.

"Right now Americans are being killed by other Americans. I don't mean just the few who are killed in 'dissent turning to violence.' I mean the hundreds and thousands who are being killed here because the communists have had their confidence bolstered by the protesters and the violence and a slanted news media in the United States. . . .

"I want to live and work in the United States, but not the way it sounds now. It's almost safer here. Here, it's almost over, one way or another. There, it's just beginning."

A letter to his parents from Army Pvt. Reed Dent of Hinesville, Ga., was inserted in the Congressional Record, volume 115 part 30, page 41214, by Rep. G. Elliott Hagan. It said, in part:

"These people here need all the help we can give them . . . Most of the people around here live in houses built from cardboard and bushes . . . If only the people in the U.S. could see the way they live and what they eat . . . When (they) get C rations or dry food from the mess hall they act like they were given bars of gold . . . The children want us to bring them back to camp and let them stay with us.

"Mom and Dad, I'm thinking of staying over here 'til I get out of the Army. I want to help . . . as much as I can . . . When a person comes to a place like this he can see how lucky he is, and it makes him thank God for the good life he has had . . . If I had a choice I think I'd like to stay here and help (but) I have so much to come home to I don't know what I want to do. This country needs all the help it can get. . . ."

Specialist Fifth Class Robert Geiger, serving with the 71st Evacuation Hospital at Pleiku, worked on his own time helping some Montagnard villagers. He sent a letter of thanks to his East End Methodist Church, Nashville, Tenn., for clothing and soap it had sent him for the Montagnards, which was placed in the Congressional Record, volume 115, part 29, page 39058 by Rep. Richard Fulton. In part, Geiger wrote:

"(Your gifts) have been distributed and the people were very glad and grateful for them. Since I sent out a call for help I've been working in a leprosy colony. There was a great need for clothing there. . . . The remaining clothes and all the beautiful soap went to the Montagnard villagers. They had the biggest bath I've ever seen. The whole village lathered up. The soap is a tremendous help in keeping disease and infection down. The children's clothes help keep down the number of colds. Here in the mountains it gets quite cool at night and there is a lot of pneumonia in the children. I'm now working in a civilian hospital as an advisor. I've had an opportunity to see a side of Vietnam very few get to see. This country is now locked in a conflict that will take more than arms to end. It will take much patience and educating the Vietnamese. It cannot be done without the help and backing of people like you."

Pfc James L. Simpson, of Monsey, N.Y., and the 101st Airborne Division, sent a letter of protest of protesters to the Journal News, Nyack, N.Y. It was put in the Congressional Record, volume 115, part 29, page 38955 by Rep. Martin McKneally. Part of Simpson's letter reads:

"I'm one of many soldiers in Vietnam doing my thing for the people over here . . . I'm not having a groovy time. This is a stinking, rotten war and I hate it. I wish I were back . . . in Monsey. That's maybe what you want to hear. It is rotten and I'd like to be home, but I'm glad I'm here to help these people who respect us more than people at home (who) talk about a war (they) know nothing about. It's not (as) simple (as slogans or signs carried by protestors). These people are sick of war, too, but they are willing to go on fighting until they are free of the Vietcong, and I'm willing to help them. If you want to help, come over and give us a hand (or) shut up and let us do our job. (If) killing is wrong, why are you killing something it took more than 100 years to build—our American democracy? Stop it now, so we may have a place of peace to come back to when this is over. It is really more quiet over here where people are together . . . War is hell, but peace without honor is tragedy. . . ."

Rep F. Edward Hébert placed in the Congressional Record, volume 116, part 3, page 3455, a long letter to an unnamed newspaper from Marine Lt. Darre H. Richards, of New Orleans, in which he said that the enemy was defeated militarily but was hanging on only because of its hopes of a politically arranged American pullout. Here are excerpts:

"Here in Vietnam (the communists') oppressive doctrine is being forced upon the people. Thousands upon thousands of innocent civilians, who are seeking freedom in a democratic society, are being killed, tortured and wounded by the enemy. In many cases their brutal acts are carried out only as a deterrence to the people's goals. I, as most men over here, see these people fighting for their freedom, just as we did when we were a striving nation.

"I detest those people back home who actively protest the war . . . we have great contempt for them . . . the enemy's hope is being nourished by the active protestors and demonstrators. . . . Each day that the enemy has his one last hope to cling to, more American blood is spilled upon the battlefield, and there are more aluminum caskets and amputees. These protestors are killing us. Although their blows are indirect, they are killing us just as much as the bullets made in Russia and Red China. . . ."

A Kent State University student, Miss Nancy Bonifield, of Ohio, sent Rep. Chalmers Wylie excerpts from a message received some time after the Kent State rioting from her brother, "currently serving his second year in Vietnam."

Rep. Wylie placed it in the Congressional Record, volume 116, part 19, page 34446. Part of the brothers' quoted statements follow:

"I will say that I am very much in agreement with what President Nixon is doing and I am very displeased with the reaction it is getting in the states. Those students may not realize it, but they are doing as much harm to the American effort over here as the VC or the NVA troops we are fighting. The Communists now make very little propaganda of the war itself. They concentrate on antiwar movements in the states and are very good at it. I heard about the riots at Kent on a communist radio broadcast from Radio Hanoi before it even got on the news over here. If you had no other source of information, you would think the United States was in a state of turmoil and civil war itself. And this is the picture of America that the rest of the world gets all because of a bunch of ignorant kids. I have no higher opinion of them than the people we are fighting over here. If a few of them get killed that's too bad. But maybe the

rest of them will open their eyes and see what they are doing. If they could see only a fraction of what some of the guys over here have seen, I don't think they would be rioting against what we are doing here. We can hardly turn on a TV or radio or even pick up a newspaper without hearing of major riots and it is really beginning to be a drag on the morale of the guys over here. Some of them have even resorted to just not listening to the radio or TV and not reading newspapers."

Army Specialist Fourth Class Michael J. Emeott had been in Vietnam and then Cambodia for 16 months when he wrote to Sen. Robert P. Griffin (Mich.) a letter that was placed in the Congressional Record, volume 116, part 19, page 25168. Excerpts follow:

"Someone must convince the American people that we are not a second rate power; that our soldiers are not a band of murderers who go from village to village and slaughter other human beings. . . . Our publications, and the entire news media, are laying the groundwork for the destruction of America; they are brainwashing the people. . . .

"The enemy in Vietnam does not need to propagandize the American soldier. Our own people tell us we should not be here, that we are doing wrong. Many of the propaganda leaflets we find distributed by the VC and NVA are quotes from Americans. Much of the supplies we find here in the Central Highlands are made in the United States and sent over by groups such as the Black Panthers and SDS [Students for a Democratic Society]. I know this is true because I have seen these items with paper saying whom they were 'donated' to and by whom.

"Our morale is high only because we know that the protests are by a minority of our people. But why must they be given so much attention? Put their actions on the back page of newspapers and magazines, don't spend 15 minutes of a 30-minute newscast glorifying their actions. . . ."

Sgt. Winter Hess wrote a letter to his parents in Lake Geneva, Wis., a portion of which was inserted in the Record for July 20, 1970, by Rep. Henry C. Schadeberg. Excerpts read:

"Everyone is following the Cambodian push. . . . We are all cheering Nixon and the troops as well. It's the best thing that's ever been done over here. . . . I can't believe that the country can't see and understand the tremendous significance of the Cambodia invasion. . . . God bless Nixon for having the sheer guts to do what he knows is right and stand by his beliefs. . . ."

Support for the Cambodian invasion seemed almost unanimous among servicemen in Vietnam. This was strongly put by 1st Lt. Robert Golden, of Phoenix, Ariz., and information officer at Tay Ninh. In a letter to his father, read into the Congressional Record, volume 116, part 8, page 17270, by Sen. Paul Fannin (Ariz.). Lt. Golden made it plain that he had always been against U.S. troop participation—"completely, totally and wholly"—because he saw it as a "disastrous involvement." But, he said, in 1970 the troops and the President had inherited the situation and had to deal with it as it was. Golden approved Nixon's goal of withdrawing 150,000 men within a year, but said the President "could justifiably have changed his mind on that with the current situation being what it is." He outlined the "situation" in part as follows:

"It isn't easy for most Americans to understand the military/tactical situation over here. I'm here and I understand it. The North Vietnamese (NVA) have been using the Cambodian border sanctuaries for years to train, store and stockpile. They have launched all of their offensives and attacks in and around Saigon and Tay Ninh from the Cambodian sanctuaries.

"These enemy base areas are huge. They contain very sophisticated hospitals. Large conference rooms. Thousands of tons of rice. Thousands of rockets and mortars and weapons and ammunition. (These are the rockets and mortars that regularly hit Tay Ninh Base Camp and that they have been responsible for many, many deaths and injuries around here through the years.)

"They (NVA) have at least 3 (that's right—3!) full divisions of hard-core soldiers holed up in these sanctuaries along the border. None of these areas are more than two day's march to Tay Ninh!! They were getting ready for another spring-summer offensive against Tay Ninh and probably Saigon. We've known that for weeks now.

"The NVA have been resupplying their units, and training for a big offensive. They have been stockpiling huge amounts of food and ammunition. If the offensive were to come off, Nixon would never have been able to withdraw any more troops. That would have definitely prolonged the war for many months (at least for the Americans here).

"I believe Nixon was being quite honest in his speech. We really aren't invading Cambodia, per se. We aren't going to stay there. Our aim is to destroy their vast quantities of supplies and to destroy their huge base camps and headquarters. This Vietnamese-American blitz into Cambodia will slow down the NVA for many, many months and is most definitely a significant turning point in this war, insofar as American involvement is concerned.

"The large NVA forces are now being forced to scatter and run—back to North Vietnam or deeper into Cambodia. They have no more safe sanctuaries—no more huge stockpiles of supplies—and no more new supplies coming in. They are hurting and it will be a long, long time before they will be able to mount any kind of an offensive against anyone in South Vietnam.

"That is what we want. And that is what we need. It will certainly give the U.S. plenty of time to continue withdrawing troops from here and will also, at the same time, give the Vietnamese Army more time to train and take over.

"Everyone over here—hawks, doves—doesn't matter—is applauding the speech and the decision. . . ."

On Dec. 20, 1969. Rep. Don Clausen (Calif.) read the following into the Congressional Record volume 115, part 30, page 40586 without naming the GI who wrote it. Clausen said the GI was on his third tour of duty in Vietnam.

"My God, how can it be?

"That one boy lies rotting from malnutrition and torture in a jungle prison camp in North Vietnam and another boy spits and tramples on the flag of his country on the steps of a university of learning.

"That one boy lies sightless in a U.S. naval hospital from communist-inflicted face wounds, and another boy uses a communist flag to drape himself in defiance of the laws of our country.

"That one man of medicine begins his thirteenth straight hour standing over an operating table in pursuit of life for a man serving his country, while another man of medicine implores crowds of young men to refuse to serve.

"That one Negro holds the face of his dead white buddy in his arms and cries without shame in a rice paddy of mud, and another Negro screams hate against his white brother on the streets of an American city.

"That one boy lies in a coffin beneath the ground because he believed in duty to country, and another boy lies on a dingy cot giving blood to the enemies of his country.

"That one man of God shields a wounded boy from an enemy bayonet with his own body and dies, while another man of God uses his cloth as a shield to preach hate, dissension and lawlessness.

"That one man spends his life in uniform serving his country, while another spends his life on drugs or in crime, hate or bigotry.

"My God, how can it be? . . ."

William F. Mitchum, Jr., of Ft. Lauderdale, Fla., came home from Vietnam a casualty. Having received some help in his personal affairs from Rep. Paul G. Rogers, he wrote him a letter of thanks. Because of additional comments in his letter, Rep. Rogers inserted it in the Congressional Record, volume 116, part 2, page 1466. In part it reads:

". . . I feel that my humble effort to fight for our country and all free people has been well spent.

"I don't mind the limp I have in my walk or the scars I carry on my body, not even the hurt I have in my back, because I'm proud to have served my country when it needed me. If this is what it takes to keep . . . our country free, then I would gladly do it over and over again.

"I only regret I got wounded as soon as I did and can no longer serve in our armed forces, but at least I can now be a good and active citizen and serve my country in this way. . . ."

A New Hampshire soldier, identified only as "Swede," wrote from Vietnam to the Manchester (N.H.) Union Leader the letter quoted in part here. It was placed in full in the Congressional Record, volume 115, part 22, page 29503 by Rep. Louis C. Wyman.

". . . I realize that U.S. citizens are tiring of this war and are tired of hearing about it. That is the price of a prolonged war . . . which should have been won in its early stages. . . .

"We are now doing just what North Vietnam wants us to do. Crumble and crawl any way we can. Troop withdrawal will strengthen the enemy's cause . . . Surely freedom is worth the price we have already paid in lives lost . . . I know my friends who have died here wouldn't want to see the U.S. crawl away defeated. . . .

"While we stopped operations, enemy movements continued as usual . . . Politics (may) bring our great nation to the brink of a great defeat and the greatest blunder in American history. . . . "

With far more letters in a similar vein than can be quoted in part here, let's close with excerpts from letters of Sgt. Herbert Sharp, of Ohio, and Lt. James Tuck, of Virginia, both of whom were in the Cambodia push of last year.

Rep. W. C. Daniel inserted Tuck's letter in the Congressional Record, volume 116, part 12, page 15962. He extracted it from the Record-Advertiser of Halifax, Va.

"I am presently with the . . . 9th Division . . . about seven miles inside the Cambodian border . . . We found many regimental size base camps only a few hundred meters across the border . . . We have fought the NVA in South Vietnam but let them keep their sanctuaries and resupply points untouched in Cambodia . . . The American people are so hard against this movement that it is very hard for me to understand. We could fight this war for ten more years unless we break up these strongholds . . . The move by President Nixon was one to bring a quicker peace . . . My tour in Vietnam is almost over, but I would like to say that I am proud I got a chance to serve my country. . . ."

Senator Griffin of Michigan read part of Sgt. Sharp's letter out of a feature story by Robert Page in the Akron, Ohio, Beacon Journal of May 19, 1970, inserting it in the Congressional Record, volume 116, part 13, page 17276.

President Nixon's Cambodia decision was, he said:

". . . the best thing that could have happened. I was so happy that I cried. Ninety-nine pct. of the Americans over here feel the same way. It is the first time since this war started that we don't have to sit and wait until the North Vietnamese (are) ready to fight us on their own terms.

". . . I have never seen so many (of the enemy) in my life. We saw thousands of them at a time in bunker complexes that covered miles . . . just sitting there—an entire army in a country that was supposed to be neutral, but they had the capability

. . . to walk into Tay Ninh and level it. They could have killed everyone here and pushed all the way to Saigon . . . You have to understand this. (With) 40,000 U.S. troops in Tay Ninh they could have killed us all. All they were waiting for was the rainy season . . . All of my friends that have died would have died for nothing . . . I want this thing ended now, before my brothers and more of my friends have to come over here. It can be done now if we keep going. All we need is the support of the people at home. . . ."

NORTH VIETNAMESE INTRANSIGENCE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHMITZ. Mr. Speaker, the following paper, which was written by Mr. Brian M. Jenkins and originally published by the Rand Corp. in August 1970, contains information on the North Vietnamese Communists, which should be of interest to my colleagues.

Mr. Jenkins presents evidence to the effect that the North Vietnamese Communists are likely to continue their war of aggression against the people of Southeast Asia far into the foreseeable future unless their capability to proceed in this fashion is curtailed.

Mr. Jenkins points out that:

Economically and militarily, North Vietnam will be able to continue the war as long as China and the Soviet Union continue to underwrite its economy and provide it with the material it needs for its army.

In order to end the war, therefore—that is to deprive the Communists of the ability to continue waging it—it is necessary for the United States to decisively interdict this flow of goods. It is well within the military capability of our in-theater forces to proceed in a manner which will decisively eliminate the enemy's ability to carry on his war of conquest. The closure of Haiphong harbor might, in itself, be sufficient to critically disrupt the Communists' material capability to wage war.

It is most unfortunate that many of those concerned with ending the war seem to assume that the only method of doing this is by removing our own capability to end it from the area in which the conflict is taking place. Peace and Communist victory seem to have become confused in the minds of many. The real answer to the quest for peace, unless peace means opening up allied nations to the well-known Communist program of class liquidation, has always been allied victory over the aggressors.

The article follows:

WHY THE NORTH VIETNAMESE KEEP FIGHTING

(By Brian M. Jenkins)[1]

The public statements of North Vietnam's leaders make one thing clear—the war will be continued. Their belligerent posture may be more than propaganda designed to dismay their opponents and keep spirits high at home. Hanoi's apparent determination to go on fighting probably reflects convictions that in their eyes seem correct—so correct that the alternative of not fighting may be inconceivable.

Confucian doctrine permeates the arguments put forth by the Vietnamese Communists. Terms such as "a just cause," and "legitimate government," dominate the speech of their leaders. The Vietnamese Communists firmly believe that they possess the "Mandate of Heaven" to rule all Vietnam and therefore must emerge victorious eventually. To abandon the struggle or to accept any other outcome as permanent, would in their eyes be immoral, just as our support of a South Vietnamese government which, from Hanoi's point of view, does not possess the "Mandate of Heaven" is immoral. At first, it seems surprising that the adherents of communism, a political doctrine of recent origin, could at the same time seriously adhere to an ancient political doctrine such as the "Mandate of Heaven." Are communists not modernists rather than traditionalists?

In the case of Vietnam the answer is no. In Vietnam. the communists often appear more traditionalists than their opponents. The "Workers Party of Vietnam"—the Communist Party—is led not by men and women who come from the workers' class but rather by the descendents of Confucian scholars, many of whom participated in the traditionalist and pro-monarchist resistance movements against the French in the late nineteenth century. Ho Chi Minh himself was the son of a Confucian scholar who served the emperor as a minor mandarin. So are Pham Van Dong, North Vietnam's prime minister, General Vo Nguyen Giap, its defense minister, and Xuan Thuy, Hanoi's chief negotiator in Paris, the sons of Confucian scholars. Nguyen Thi Binh, the chief delegate of the Provisional Revolutionary Government, is the granddaughter of a famous Vietnamese poet and scholar who led demonstrations against the French shortly after World War I.

The "Mandate of Heaven" is the right to rule which is conferred upon a man, a group of men, or a party, by heaven. It has been the source of political legitimacy claimed by all Chinese and Vietnamese emperors. According to the Vietnamese Communists, the "Mandate of Heaven" was passed on to them by Bao Dai, the last emperor of Vietnam, in 1945 when he willingly gave his ceremonial seal and sword to the representatives of Ho Chi Minh.[2] From the moment of this transfer, the struggle waged by the Viet Minh and its successors, the Democratic Republic of Vietnam and the National Liberation Front, was a moral right and a duty, and to challenge it is immoral. Possession of the "Mandate of Heaven" guarantees eventual victory, just as the communist interpretation of history guarantees the inevitable victory of communist ideology. Since the Vietnamese Communists believe they have the "Mandate of Heaven," they must believe they will win. To accept defeat would be to accept that the "Mandate of Heaven" does not work; it would compromise the philosophy upon which Hanoi's leaders have based their entire lives.

With the "Mandate of Heaven" to legitimatize their struggle, the Vietnamese Communists must also possess a proper strategy to win the war. The strategy they pursue comes from their own history. It suggests that the present war will be long. Usually faced with enemies who were vastly superior in numbers, such as the Chinese, or vastly superior in technology such as the French and Americans, the Vietnamese developed the only resources they had: a terrain suitable for resistance warfare, a tenacious people, and *time*. The way that the Vietnamese have won wars throughout their own history was by fighting for a much longer time than their opponents thought possible. According to our conventional view of warfare, two armies engage in a series of battles which one side wins and the other side loses; rather than incur further losses, the losing side accepts the outcome and sues for peace. But if the losing side ignores its losses (and if the winners somehow are prevented from inflicting further punishment), this concept is negated. The winning side is deprived of victory in its classic sense. In that case, the winning side must keep on winning—a costly undertaking—until a point is reached at which the winning side judges it unreasonable to incur further losses itself. Not having the tenacity of its Vietnamese opponents, it withdraws. Tenacity is the quality with which the Vietnamese win their wars. They successfully resisted seven attempts by the Chinese to occupy their territory. Their resistance struggle against the Mongols lasted thirty one years during which they alternately pursued a strategy of fighting and negotiating. The resistance campaign led by the emperor Le Loi in the fifteenth century lasted for ten years. Le Loi's ten-year campaign may provide some clues to understanding the current situation. After four years of fighting, Le Loi launched a series of disastrous attacks on the Chinese which nearly destroyed his army. To prevent further deterioration of his situation, he pretended to sue for peace and thus obtained a truce which allowed him to withdraw his troops and rebuild his strength. Two years later, he launched his army in a surprise attack on the Chinese forces and after four years of continued fighting, the Chinese themselves finally sued for peace. The French ran into a similar problem. As the Vietnamese are fond of pointing out, it took the French seventy-one years to pacify Vietnam.[3] The war to throw out the French lasted eight.

The communists have skillfully attached Vietnam's tradition of tenacious warfare to their own struggle. During the war against the French, the Viet Minh named their military campaigns after heroes of earlier resistance campaigns against the Chinese. Military authors in North Vietnam continue to hold up the ancient heroes as examples meaningful in the current struggle.

The tenacity of the Vietnamese was not confined to wars of resistance against foreign invaders. An earlier attempt by North Vietnam to bring South Vietnam under its control produced a war in the seventeenth century that lasted forty-six years. The Vietnamese conquest of the ancient kingdom of Champa took several centuries to complete. Ho Chi Minh's claim that the Vietnamese would continue to fight for another fifteen to twenty years, longer if necessary, was no idle boast. He was describing a strategy which has proven successful in the past, and which Hanoi's present leaders may regard as the only way they can win the current war.

The notion that North Vietnam's enormous losses of men must cause it to abandon its efforts in the near future should be examined carefully. These losses, while enormous, are not insupportable. According to our own figures, the enemy (both the North Vietnamese and the Viet Cong) have lost slightly over 600,000 men since the war began. General Giap, in a somewhat dubious interview, openly admitted last year to having lost a half-million men.[4] Whether this was actually true, and if so, whether out of bravado he was making the point that even if North Vietnam did lose a half-million men the

[1] Any views expressed in this paper are those of the author. They should not be interpreted as reflecting the views of The RAND Corporation or the official opinion or policy of any of its governmental or private research sponsors. Papers are reproduced by The RAND Corporation as a courtesy to members of its staff.

[2] For a Vietnamese interpretation of the "Mandate of Heaven" and its possession by the Communists, see Tran Van Dinh, "The Other Side of the Table," *The Washington Monthly*, January 1970.

[3] Anti-French resistance movements continued in one part of the country or another almost continuously from 1859, when the French first landed at Saigon, to 1930 when a widespread nationalist revolt was suppressed.

[4] Interview with General Giap by Orina Fallaci, *Washington Post*, April 6, 1969.

struggle would not be abandoned, we do not know. Nor are we certain how many of the 600,000 men lost were Viet Cong (subtracted from South Vietnam's population) or regulars from North Vietnam. If we assume that the figure of 600,000 enemy dead is roughly correct, and that one-half of these were North Vietnamese, then the net loss to North Vietnam was 300,000 dead over a period of five years, the bulk of which were killed in the costly offensives of 1968 and early 1969. The enemy currently loses about 2,000 men each week in South Vietnam. Since one-half to three-quarrters of the enemy's forces in South Vietnam are reported to be North Vietnamese, we can assume something like an annual loss of 50,000 to 75,000 men to North Vietnam, or no more than ¾ of one percent of its total male population. Because of its high birth rate, North Vietnam's population is estimated to increase at 3.6 percent a year. Thus, although these calculations are admittedly crude, the belief that North Vietnam will at some point run out of men to send into battle seems unwarranted.

Of course, there are other types of attrition, the most significant militarily being the attrition of trained cadres. One cannot say with any certainty how many of its combat leaders North Vietnam is losing, nor how quickly it can replace them. The possibility also exists that North Vietnam could be losing its *young* men faster than it can replace them which accounts for some recent reports of very young North Vietnamese soldiers. Still, North Vietnam *has* kept the war going for five years so far (since 1964 when North Vietnam began infiltrating its own men in large numbers), and if the pressure gets too great, North Vietnam can reduce its military activities and thereby cut its losses. Since the enemy has considerable ability to initiate battles or avoid them, as he desires, he has more control over the rate at which he loses men than we do.

Actually, the burden of continuing the war seems to be greater on South Vietnam than it is on North Vietnam. South Vietnam's need to defend the entire country requires more men than the enemy needs to attack at points he selects. And South Vietnam, with a style of warfare learned from us and a smaller population than North Vietnam, must field an army more than twice the size of North Vietnam's armed forces. In addition, recruits for the Viet Cong are drawn out of the same pool of able-bodied men as the army of South Vietnam. South Vietnam must suffer the losses it inflicts on the native Viet Cong as well as those incurred in the forces on the government side. The civilians killed in the war further drain South Vietnam's population. The burden on the South Vietnamese population, however, is not only the number of casualties, but the enormous size of its armed establishment. One out of every eight men is a soldier. Already the massive mobilization of South Vietnam's manpower has caused grave social and economic problems in the south.

Economically and militarily, North Vietnam will be able to continue the war as long as China and the Soviet Union continue to underwrite its economy and provide it with the materiel it needs for its army. They both have agreed to do so for at least another year. While details of the most recent trade and assistance agreements were not spelled out, China will continue to give North Vietnam nonrefundable economic and military assistance in 1970, while the Soviet Union promised to provide fertilizer, machinery, food, medical supplies, vehicles, and, most importantly, arms and ammunition. In addition, the Soviet Union also granted North Vietnam long-term credits to rebuild its economy which has been disrupted by the bombing. Arriving in Peking, which is reported to favor protracted war in Vietnam, to negotiate the 1970 aid agreements, Hanoi's delegates received a noticeably warmer reception than the previous year. Both governments gave much publicity to Sino-Vietnamese solidarity, also a contrast to the previous year.

There may be an element of coercion in China's support of North Vietnam's ambitions in Indochina. China may now regard North Vietnam as a convenient vehicle for advancing its own designs in Southeast Asia; at the very least, it has proven a cheap method of keeping U.S. military power tied down. But if North Vietnam should tire of its role, there remains the possibility that China will still continue its support for the Viet Cong who may yet prove more bellicose than the North Vietnamese. By now, the Viet Cong that are still fighting have little to lose by continuing the war, and a lifetime of effort to lose if they quit. The particularly warm reception and special considerations shown to the representatives of the National Liberation Front when they visited Peking, an even warmer reception than that received by Hanoi's representatives themselves, may have caused the North Vietnamese to wonder if the Chinese had intentions of picking up the strings of the National Liberation Front, if Hanoi itself were to drop them. The Chinese road-building activities in northern Laos, perceived by some to be the beginnings of a long thrust into Laos and Cambodia, the weakest spot in the ring of anti-China governments that line China's periphery, lends some credence to this theory. A road from China through northern Laos could eventually link up somewhere with the Ho Chi Minh Trail and thus provide China a way of continuing its support of the Viet Cong in case North Vietnam quits. North Vietnam's historic relationship with China includes both a willingness to follow China's lead and a fear of the Chinese as traditional enemies of the Vietnamese. North Vietnam is likely to do nothing that would increase Chinese influence in North Vietnam or with the Viet Cong. Thus, North Vietnam, even if it did wish to quit, could find itself dragged along by the Viet Cong and nudged by China.

The prize is great. To dominate the Southeast Asia mainland, or more specifically, the territory once encompassed in French Indochina, is an ambition of many Vietnamese nationalists, northern and southern, communist or not. A Vietnamese paper claimed in 1939, "We will have the space we need. . . . One day Indochina will no longer be a collection of separate and distinct countries, but a single country impregnated with Vietnamese blood, inspired by Vietnamese dynamism and power of action." A Vietnamese-dominated Indochina, with a total population of some fifty million, would easily be the dominant power on the peninsula, and given the industriousness that the Vietnamese seem to possess, it could easily become the dominant power of Southeast Asia. Expansion for North Vietnam may be more than just a dream. Considering North Vietnam's rapidly growing population and lack of available riceland, expansion may appear to Hanoi's leaders as an economic necessity. In suggesting that the North Vietnamese give up the war and remain within their present borders, one should ask what else would they give up by doing so. They would give up a great deal.

In his Will, Ho Chi Minh, who himself had fought for four decades, urged his countrymen to continue the war. Ho Chi Minh died a man venerated by all his people. Who among Hanoi's present leaders would risk the betrayal of Ho Chi Minh by suggesting that the war now be abandoned or even postponed? In the current struggle for power among North Vietnam's leaders, no man has yet attained sufficient control over the party and government to bring about such a dramatic reversal of policy even if he so desired. As long as the power remains diffused in a collective leadership, Hanoi is likely to continue the war. This does not mean, of course, that if one undisputed heir to Ho Chi Minh should emerge, he would use his powers to end the war. The war will continue by itself unless an effort were made to stop it and such an effort would be full of political risks. What we do not seem to realize is that "losing" a war may be politically as unacceptable—or even more so—for North Vietnam's leadership as for our own. Postponement, with some commitment to future action, probably is the most that any North Vietnamese leader could obtain if that leader, if indeed the collective leadership, were to survive.

Hanoi's leaders are not likely to be willing to even postpone the struggle for a long time. They are for the most part old men. The average age of the ruling politburo members is sixty-one.[5] To postpone the struggle for five or ten years may, for many of them, be to abandon hope of ever seeing victory. Old age and rigidity of views are not always coincident, but these particular old men have spent all of their adult lives fighting. Many of them spent years living in caves during the war against the French, and they continued to fight under the most adverse circumstances. The present politburo is made up of the survivors of the struggle against the French, those who kept fighting when others quit, and who saw their determination rewarded with the withdrawal of the French.

The present leadership of North Vietnam might not survive a decision to stop the war. Assuming they survived the pro-war pressures in Hanoi and whatever pressures China might choose to bring against them, North Vietnam would still have the problem of what to do with its own army. Some observers already have observed the possibilities of divergent views within the military leadership of North Vietnam; for example, the continued rivalry between General Vo Nguyen Giap and General Truong Chinh over how the war should be fought, and potential splits between the lower echelon field officers who have done the bulk of fighting in the south and the senior staff officers who remained in the north.[6] For the past four or five years, one-fourth to one-third of North Vietnam's army has remained outside of the country, sustaining casualties and putting up with hardships that those in Hanoi did not have to suffer, with the exception of the period during the bombing. North Vietnam's leaders may not be thrilled at the prospect of bringing this army home—in defeat!

While victory in the south may seem more remote to Hanoi now than it ever has, there remain powerful arguments to continue fighting. This does not exclude considerable flexibility as to how to continue the fighting—whether by protracted guerrilla warfare, by launching periodic devastating but debilitating offensives, or by some combination of both. Nor does Hanoi's determination to continue the fighting negate flexibility as to where to fight. South Vietnam probably will remain the ultimate prize but both Laos and Cambodia, the latter especially so since the overthrow of Sihanouk, are fields of endeavor for an army that must be kept busy and battle-ready. Nor does determination to continue negate some flexibility with regard to time. A postponement of the fighting, or more likely, a scaling down of the fighting for one or two years would allow North Vietnam to rest and rebuild, the Americans to

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[5] Le Duan is 63; Troung Chinh, 62; Pham Van Dong, 64; Pham Hung, 58, Vo Nguyen Giap, 58; Le Duc Tho, 60; Nguyen Duy Trinh, 60; Le Thanh Nghi, 59; and Hoang Van Hoan, 65.

[6] This possibility is raised by William S. Turley, "Civil-Military Relations in North Vietnam," *Asian Survey*, Vol. IX, No. 12, December 1969, pp. 878–899.

tire of their own president, and anti-war pressure in the United States to build up again. Postponement has its risks, too, foremost among them the worry that South Vietnam's government will be able to consolidate its power, and the Viet Cong infrastructure, believed to be a requisite to North Vietnamese military activities in the south, may be destroyed. That, however, is an argument between those who advocate some form of offensive in the near future and those who would risk waiting a year or two. That the war should be carried on is not a part of the debate. In Hanoi, it may not yet be a debatable issue, if it ever will be!

IOWA PIONEERS IN PROCEDURES FOR EXAMINING AUTO DRIVERS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHWENGEL. Mr. Speaker, the edition of Parade magazine contained in last Sunday's Washington Post featured an article on a new method of examining auto drivers. I was particularly proud of the fact that this pioneering effort is taking place in Iowa. The project is under the direction of Lt. A. B. Chrystal of the Iowa Highway Patrol. I am sure my colleagues will be interested in learning more about this new procedure:

SOMETHING NEW IN TRAFFIC SAFETY

(By John G. Rogers)

DES MOINES, IOWA.—An experiment underway here in Iowa's capital may lead to something new in traffic safety for the whole country—the first step in getting or renewing a driver's license will require watching a TV program.

This program, a closed-circuit arrangement is actually an ingenious substitute for the traditional written test that most states give to driver's license applicants. And it's believed to be vastly superior because it not only test the applicant's knowledge of road safety, it instructs him at the same time.

"This gets right to the heart of what causes car accidents," says Lieut. A. B. Chrystal of the Iowa Highway Patrol, program manager for the experiment. "When an applicant walks out of here he knows all the rules. And we'll be watching to see whether he obeys them as an active motorist."

The experiment, a year-long, $131,000 project paid for by the U.S. Department of Transportation, works like this:

An applicant sits down in one of 20 separate booths and presses a button that starts a color movie shown on a personal TV set right before his eyes. The film dramatizes 21 different traffic situations that call for legal or safe-driving knowledge. For example, how to combat driver fatigue, make a left turn in heavy traffic, behave behind a school bus or handle a sudden skid.

YOU ANSWER

The film stops at a planned moment in each situation and by both voice and print on the screen presents the applicant with a four-part multiple-choice question. He is given ten seconds to choose the right answer by pressing one of four buttons. His choices are transmitted electronically to a central console and scored—he has to answer 16 of the 21 questions correctly to pass the examination.

That takes care of the testing aspect of the experiment. The instruction comes when, after the applicant has answered, the voice on the TV set discloses which answer was correct and also explains why.

"It's important," says Chrystal, "not only that they get the right answer but also know why it's the right answer. Some of the questions may sound academic but you'd be amazed at how many people can't answer them."

The questions were devised for Iowa by Aetna Life & Casualty of Hartford, Conn., an insurance company concerned with safe driving. A typical one that faces an applicant is: To avoid monotony and to keep alert to emergency situations, it is best to keep your eyes:

A. Focused on the center lane.

B. Concentrated on the car ahead of you.

C. Fixed about one-quarter mile ahead.

D. Moving to observe traffic.

The answer to that one is D and the voice on the TV set explains that whereas the first three answers would put you in rigid unchanging sight pattern, good attention is maintained by shifting your eyes constantly from cars ahead to the rear vision mirror to your speedometer to cars approaching.

Another question: You are traveling on a two-lane highway and see a car and a truck ahead. Since the road is clear, you decide to pass both the car and the truck but as you start to pass the car pulls out. What should you do when a car pulls out in front of you while you are passing?

A. Continue moving in the left lane, but use your horn to warn the car ahead to get back into the right lane.

B. Continue moving in the left lane and accelerate quickly to pass the other car before it gets into the left lane.

C. Return to the right lane and delay your attempt to pass the truck until the other car has done so.

D. Slow slightly, let the other driver pass and follow him around the truck.

Here the answer is C and the voice explains that this is the safest move to make, permitting you to keep the left lane clear while you reassess your opportunity to pass the truck.

And another question: If you were convicted of driving under the influence of alcohol, what action would be taken?

A. Your license would be taken away.

B. You would be given a restricted license.

C. You would be put on probation and would lose your license for a second offense.

D. No action would be taken until your second offense.

The answer to this is A. The voice explains the gravity and danger of drunken driving, not only to the driver but to any cars or pedestrians he might encounter. Iowa law is very strict on this point. In fact, if an Iowan is convicted of drunken driving in another state, his license is lifted the moment he gets back home.

This method of both testing and instructing presents each applicant with the same amount of information that would be continued in a 100-item examination.

As a further extension of driver's education, Chrystal has a plan to feed the situations, one by one, to local television stations in hopes they will use them as public service "spots."

BETTER DRIVERS?

At present, half of the applicants who apply in Des Moines are given the TV test, half the same questions in a written test. Thus the teaching ability of the TV test will be evaluated—as time goes by will its applicants prove to have fewer accidents, be better drivers than those who took the written test?

"A year from now," says Chrystal, "we're scheduled to meet with experts from the University of Iowa to evaluate all the results we have at that time. Presumably that'll help to decide whether the TV goes into use all over the state for all applicants."

An important aspect of the experiment—the equipment is called DrivoTEST—is that with it a state probably can test five times as many applicants as at present without hiring extra manpower and enlarging office space. Also, this will make possible a great increase in periodic retesting of drivers—something experts say is essential to improving the nation's traffic-safety record.

For all its capabilities, however, DrivoTEST is not designed to replace the entire licensing procedure. Iowa, for example, continues to administer individual vision and on-the-road examinations.

Whatever the long-range results of the experiment, it has already attracted a great deal of interest. Chrystal has had letters inquiring about it not only from more than 20 states but also from Tokyo and Sydney, Australia.

"Traffic safety," he says, "is an international problem and everybody is looking for anything that'll improve it."

SOCIALIZED LAW OR LEGALIZED ANARCHY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. RARICK. Mr. Speaker, there is a movement underway which if successful might well lead to the socialization or full nationalization of the legal profession, bringing it under control of a private monopoly, the federally funded National Legal Services Corporation.

Until about 6 years ago, the Federal Government was not involved in providing legal services to the indigent at taxpayers expense. The U.S. Constitution provides in the sixth amendment:

In all criminal prosecution, the accused shall enjoy the right . . . to have the assistance of counsel for his defense.

However, counsel to indigent defendants too poor to hire legal defense in local and State cases traditionally has been provided voluntarily by local lawyers or by a public defender system. In civil cases privately financed legal aid societies have rendered legal assistance to the destitute.

Without any statuatory authority, Sargent Shriver in January 1965, allocated $3.1 million for neighborhood legal service centers "to provide free legal counsel on civil matters in the Nation's slums." Within 19 months the program had spent about $32 million of taxpayers' money. President Nixon in a "reform" move in 1969 separated LSP from local community action agencies and made it accountable to the Office of Legal Services in Washington.

Departing from the function of providing legal aid to the poor in civil matters, poverty lawyers of the LSP have filed suits in Federal courts contesting State laws against narcotics, vagrancy, sodomy, abortion, and obscenity. They have not only used taxpayers' money to foment riots but have also used tax money to provide legal defense for arrested rioters. In addition, they have brought suits against local and State governments, agencies of the Federal Government, police departments, public housing authorities, hospitals, welfare offices, school boards, and private businesses. In some cases, poverty lawyers have violated the code of legal ethics, even practicing barratry and champerty.

President Nixon in late 1970, under

pressure to do something to correct the abuses of the LSP, fired two militants of the Office of Legal Services in Washington and announced his intention to return partial control over legal services to regional OEO directors. LSP lawyers objected. The Dallas poverty war office even sent a busload of LSP clients to Washington at taxpayers' expense to demonstrate. The President abandoned his plans to decentralize legal services and restored it to its former status.

Since the thrust of the legal services program has been exposed to enough informed Americans for what it actually is—a subversive movement led by radical activist lawyers applying pressure from below to redistribute wealth and power as part of a more extensive plan to communize the United States, it would appear that those activists who apply the pressure from above are seeking a new label for their insidious, un-American and unconstitutional command post in the name of a National Legal Services Corporation.

If such a scheme were to be adopted and put into effect, it might well lead to the demise of the legal profession as a body of free and independent attorneys. Just as members of the teaching profession in the public elementary and secondary schools have become pawns of the Federal Government, so will the lawyers of America be manipulated into becoming instruments of that same government by those apparently promoting National State socialism if the National Legal Services Corporation bill should become law.

It, therefore, behooves bar associations, local, State, and National, and all attorneys to take a strong stand in opposition to the proposed legislation.

It is now being proposed that the legal services program be taken "out of politics" and placed beyond the control of the Nixon administration. Sponsors of the bill call for an "independent," federally funded National Legal Services Corporation to manage the program now handled by OEO.

It would be free of the veto power of State Governors. Apparently, they do not want any official elected by and responsible to the people to be able to interfere with their plans.

The new firm would issue grants without restrictions—even though the Government is approximately $400 billion in debt with an annual interest on the debt approaching $20 billion—for broad class action lawsuits or suits against State government officials under the guise of seeking more equal treatment for the "poor." The effect would be to further erode the sovereignty of the States.

Then too, the new corporation would not be limited to civil cases as the LSP is under present law. There would be no income level for eligibiilty, but the "neediest" would supposedly get first preference. Which means that the handpicked administrators would determine who would get "free" legal service and who would not.

The Legal Services Corporation Act of 1971 is vulnerable to the possibility of nonlawyer control of the handling of cases, in itself a violation of professional legal ethics.

Section 906(a)(3) gives the power to the corporation to increase opportunity for legal education for individuals who are economically disadvantaged or members of minority groups. This is obviously discrimination against members of majority groups.

The corporation is also authorized to make grants for "peaceful and orderly methods of seeking change." This seems to be a strange power for a tax-supported independent group which purports to help the indigent with legal matters.

The time has come for the American people through their Congress to abolish the entire LSP along with the OEO and return the responsibility for providing legal services to the indigent to lawyers at the local level where it traditionally had been until Sargent Shriver illegally usurped that function for the OEO.

I insert an article by Mr. Dan Smoot entitled "Poverty War Lawyers" and several news clippings:

[From the Dan Smoot Report, Jan. 4, 1971]

POVERTY WAR LAWYERS

Throughout our history, legal services paid for out of public funds, or contributed voluntarily by attorneys, have been available in criminal cases to accused persons without means to hire a lawyer. Some communities have a public defender system to provide legal counsel for the poor. Elsewhere, lawyers take turns accepting court appointments to represent indigents accused of crimes. The Legal Aid Society (privately financed) provides legal services for the poor in noncriminal cases.

Such legal-aid services are good and proper, conforming with the letter of our laws and the spirit of our legal system.

But something new, unneeded, illegal, and evil was added in 1965 when Sargent Shriver (then the Poverty War czar) initiated the Legal Services Program (LSP) of the Office of Economic Opportunity (OEO—the Poverty War agency).

The entire Poverty War is illegal in the sense that it is unconstitutional, there being nothing in the Constitution empowering the federal government to engage in any of the activities financed by OEO. The Legal Services Program was illegal in another sense during the first 18 months of its existence: it was not even authorized by statute.

The Legal Services Program was not mentioned in the original Poverty War bill (Economic Opportunity Act of 1964), nor in any of the congressional committee hearings, conferences, or floor debates concerning the legislation.[1]

In January, 1965, however, Sargent Shriver announced that he had allocated $3.1 million to establish Neighborhood Legal Service centerst "to provide free legal counsel on civil matters in the nation's slums."[2]

In October, 1966, Congress gave Legal Services statutory authority.[3] By then, the program had already been operating 18 months and had spent about $32 million of taxpayers' money.

The first congressional allocation of funds to the Poverty War's Legal Services was $22 million for the 1967 fiscal year.[3] President Nixon budgeted $63.2 million for LSP in fiscal 1971.[4]

At present, the Poverty War's Legal Services Program has 1800 full time staff attorneys, operating through 850 offices in 265 communities in all states (except North Dakota), in the District of Columbia, and in Puerto Rico. The agency says that more than two million clients and thousands of tenant associations and other groups have received Legal Services counsel and representation since 1965.[5]

LSD is supposed to give legal aid only to the *poor* in *non-criminal* cases; but it has given counsel to people with ample means to hire their own lawyers; and it has represented many clients in a great number of criminal cases.

The Poverty War lawyers are not people eager to help the poor. They are militant leftists hungry for social disruption.

Consider, for example, the case of a poverty war lawyer and the Navajo Indians.

A Legal Services unit in Arizona spends more than $1 million a year providing "legal aid" for the 120,500 Indians on the Navajo Reservation, which is in the northwestern corner of New Mexico, along the Arizona-New Mexico border. Most of the tax money goes to 84 Legal Services employees, who get $12,000 a year each, on an average, in salary and directly allocated expenses.[6]

What do the Navajos get from these Poverty War lawyers on the federal payrolls? Coaching in how and why they should hate the United States?

Enrollment at Church Rock Elementary School in Church Rock, New Mexico, is 99% Indian children from the Navajo Reservation. On Veteran's Day in 1969, the school had a patriotic program for students. The *Independent* of Gallup, New Mexico, reported the event.

Stephen B. Elrick, a Legal Services attorney assigned to the Navajo Reservation, read the news story, and was outraged. He wrote Claude Hinman, principal of the school, "to express . . . in the stongest possible terms" his "opposition . . . to the patriotism program underway at Church Rock."[6]

The *Independent* had quoted the principal as saying:

"These kids don't know the *Star Spangled Banner*. They ought to have an awareness of the greatness of their country."[6]

Concerning this remark, Poverty War lawyer Elrick said:

"This is true, but they ought to have an awareness of the faults and errors of their country as well, of which there have been, and are, many. It is especially appalling to realize that these are Indian children who are being forced to participate in this program."[6]

The *Independent* had quoted Mrs. Stafford (Negro teacher in Church Rock Elementary School) as saying:

"We should indoctrinate every child with the idea of being loyal to his country."[6]

Concerning this remark, Poverty War lawyer Elrick said:

"I think that this is a sorry philosophy for a public school."[6]

In its story on the Veterans' Day patriotic program at Church Rock Elementary School, the Gallup *Independent* had run several pictures. Some showed drawings of soldiers holding guns. The sentence "God Bless America" was prominently displayed on several drawings.

Concerning the pictures, Poverty War lawyer Elrick said, in his letter to the principal:

"It is, indeed, unfortunate that you are encouraging these children to glorify war and all its attendant inhumanity. Likewise, it is deplorable for you to stimulate the expression of what is, in effect, a prayer, in violation of the Supreme Court's ruling that public schools are to refrain from any such activities."[6]

Elrick concluded his letter to the school principal with a threat, saying:

"If you are not willing to demonstrate that your program is a balanced presentation, and to remove any hint of religious exercises from the curriculum, I shall take whatever steps I can to investigate the matter myself, and if necessary, institute legal proceedings."[6]

Footnotes at end of article.

Hearing about this, U.S. Senator Paul Fannin (Arizona Republican) expressed dismay that such characters as Elrick are on federal payrolls, and promised to do all in his power to correct the situation. Senator Fannin tried. He may have forestalled a Legal Services lawsuit against Church Rock Elementary School officials for teaching patriotism to Indian children; but new-leftists like Stephen B. Elrick are still on the federal payrolls running the Poverty War. They completely control the Legal Services division.

Poverty War employees, especially lawyers in Legal Services, have been involved in all major revolutionary violence that has occurred in the U.S. since the Poverty War began.

In July, 1967, a 3-day Negro riot in Newark, New Jersey, left 24 people killed, more than 650 injured, more than 1000 arrested, and more than 30 million dollars' worth of property destroyed. The riot was organized, incited, and led by individuals on federal Poverty War payrolls.[7] Oliver Lofton was foremost among the Poverty Warriors who incited and led the Newark riot. Lofton (a Negro attorney who had served in the Department of Justice under Nicholas Katzenbach in 1961 and 1962) was director of the Newark Legal Services Project in 1967.

Lofton mobilized the resources of the Newark Legal Services Project to defend persons arrested for criminal conduct in connection with the riot. His Poverty War lawyers joined American Civil Liberties Union (ACLU) activists to distribute leaflets in Newark, urging all "witnesses of police brutality" to get in touch with the LSP or the ALCU.[8]

Later, the Newark Legal Services Project and the ACLU jointly filed a suit asking a federal court to seize the Newark police department and turn it over to a federal receiver.[8]

OEO in Washington gave the Newark Legal Services Project a special award for outstanding performance of duty because of its work in connection with the Newark riot.[8]

On December 9, 1967, Philadelphia police quelled a howling mob of some 3500 Negroes rioting at the Board of Education building. The Philadelphia Legal Services not only gave free legal representation to arrested rioters, out also joined the new-left law firm of Kunstler, Kunstler, and Kinoy in filing a suit demanding a federal-court take-over of the Philadelphia police department.[8]

In Chicago, Poverty War lawyers have trained students to "assert their constitutional rights" by striking against their high schools.[9]

In Indianapolis, Poverty War lawyers have distributed thousands of cards to "the poor," instructing them in "the art of non-cooperation" with police.[9]

In California, the Poverty War's Legal Services (known as California Rural Legal Assistance) has aided the dangerous, revolutionary activities of United Farm Workers, which was organized, with communist help, by Cesar Chavez.[8]

On September 15, 1970, New Orleans police raided the headquarters of the National Committee to Combat Fascism (NCCF), a pro-communist, Black Panther front specializing in advocating the murder of police officers. Robert Glass, a Legal Services lawyer, was in the headquarters when it was raided. He invoked his "client-lawyer" relationship with the NCCF, and refused to answer police questions. Later, the New Orleans Legal Services represented 12 of the NCCF militants who were charged with attempted murder, assault, and other felonies—despite the fact mentioned before, that Poverty War lawyers are supposed to give legal aid only to the *poor* in *non-criminal* cases.[10]

In 1970, a New Orleans Legal Services lawyer was attorney of record defending SDS demonstrators charged with crimes.[10] SDS (Students for a Democratic Society) is a communist-controlled organization which is trying to foment guerrilla warfare and violent revolution in the United States. It is composed largely of whites from prosperous families.

The New Orleans Legal Services tried to force Louisiana State Universtiy to permit circulation on campus of a pornographic underground newspaper (a recent copy of which contains, among other indecencies, a nude cartoon of President Nixon).[10]

In the fall of 1970, Richard Buckley, director of the New Orleans Legal Services, resigned. Shortly thereafter, he made a public statement that "Legal Services exist for the redistribution of wealth and power."[10]

In Tulare, California, LSP published a booklet entitled *Know Your Welfare Rights*. From the booklet:

"If you don't want to work, there is no good reason why welfare can force you to work, no matter what your [social welfare] worker says."[11]

In late 1970, it became public knowledge that Poverty War lawyers in Los Angeles had been representing state employees whose salaries ranged up to $15,000 a year.[10]

In Atlantic City, LSP filed a federal suit, on behalf of Negro militants, challenging a New Jersey narcotics law which requires narcotics addicts or users to register with the police.[8]

In Dallas, a Poverty War lawyer, Ed Polk—hired, ostensibly, to counsel the poor in Dallas—traveled 100 miles to sue a school board in Tyler, Texas, because a Negro girl had not been selected as valedictorian in a high school where most of the students were white. Polk based his suit (which was financed by federal taxpayers) on the ridiculous allegation that the school board had deliberately lowered the girl's grades to keep her from being at the head of her class.[9]

Ed Polk also represented Brent Stein, son of a prosperous Dallas merchant. Stein had been arrested and charged for publishing and distributing the vilely obscene *Underground Notes*. Frank Jones (then deputy director of the Office of Legal Services in Washington) specifically defended this use of tax money in the Poverty War, saying:

"It seems to me that's the kind of activity necessary to insure this kind of publication for the poor."[10]

Taxpayers' money should be used to insure the distribution of semi-literate, pornographic trash to poor people? What a sick mind!

People with sick minds are bent on destroying everything decent in our society; and they are doing it with our tax money, under the guise of fighting poverty. We ought to force Congress to abolish the Legal Services Program and the so-called Poverty War that spawned it.

FOOTNOTES

[1] *1964 Congressional Quarterly Almanac*, pp. 208–229.

[2] *1965 Congressional Quarterly Almanac*, pp. 410–311.

[3] *1966 Congressional Quarterly Almanac*, pp. 259, 264.

[4] *Congressional Quarterly Weekly Report*, Feb. 6, 1970, p. 325.

[5] *Congressional Quarterly Weekly Report*, Aug. 28, 1970, p. 2155.

[6] Remarks of Senator Paul Fannin, *Congressional Record*, vol. 115, pt. 28, p. S37329.

[7] *1967 Dan Smoot Report* Bound Volume, pp. 125–128, 189–192.

[8] Article by Shirley Scheibla, *Barron's*, March 4, 1968.

[9] *Dallas Times Herald*, Jan. 29, 1970, pp. A1, A19.

[10] Column by Rowland Evans and Robert Novak, Nov. 30, 1970.

[11] Congressman H.R. Gross' report to constituents, Oct. 7, 1970.

[From Barron's, Feb. 8, 1971]

ABOVE THE LAW? THE LEGAL SERVICES PROGRAM HAS INDICTED ITSELF

"Legal services program—This program will continue to offer legal aid to people unable to afford such services. In 1970, approximately 2,000 legal services lawyers handled an estimated 900,000 cases on behalf of the poor through 268 field projects utilizing 900 locations. This program provides three types of legal assistance: (1) direct, legal advice and representation in individual cases; (2) education concerning legal rights and responsibilities; and (3) improvement of the legal system to make it more responsive to the needs of the poor. This program will be continued at the 1971 level."

One thousand, one hundred twelve pages of closely packed tables and text, the Appendix to the Budget of the United States Government for the Fiscal Year 1972 will never pop up on the best-seller lists. Yet a determined reader of who-done-its might peruse the volume with pleasure and profit. For the section cited above—which falls under the general heading "Office of Economic Opportunity, Community development programs," pp. 100–101—is a dead giveaway on where at least one bureaucratic body is buried. Despite the bland innocence of the description, OEO's Legal Services Program lately has acquired a very bad name indeed. LSP's director and his deputy were fired last November for "being either unable or unwilling" to carry out official policy. California Rural Legal Assistance Inc., one of the largest federally financed bodies of the kind, so grossly abused its authority as to evoke an angry veto by Governor Ronald Reagan over its further funding. Last week, in a move which the Governor's mansion promptly labeled a phase-out," Washington agreed to extend the life of CRLA for only six months more, and to appoint a blue-ribbon body to investigate its activities.

Probers (in the Golden State and elsewhere) needn't look far for compelling evidence of non-feasance, misfeasance and malfeasance. Though lacking subpoena powers, and with a deadline to meet, Shirley Scheibla, our Washington correspondent, nearly three years ago (Barron's March 4, 1968), blew the whistle on the poverty lawyers' deep involvement in the 1967 Newark riots, a scandalous affair which an Essex County grand jury soon afterward detailed. Since then, throughout the U.S. has come one equally damning indictment after another. From the readily available facts, including eyewitness accounts and a mass of sworn testimony, the ugly truth has emerged. Staff of the Legal Services Program—by provoking litigation, engaging in harrassment, defending ineligible clients and taking criminal cases—time and again has violated professional ethics and broken the law. Under the banner of justice for the poor, the agency has mobilized a cadre of political activists, who, at taxpayers' expense, have systematically aided and abetted groups the avowed aim of which is to undermine or overthrow the U.S. government. In the land of opportunity—and the wonderland of OEO—even revolutionaries seem to rate a helping hand.

That may not have been official policy back in the mid-Sixties, heyday of the Great Society, when, with the endorsement of the American Bar Association, High Court Justice Abe Fortas and other distinguished jurists, the Legal Services Program was launched. From $27 million in fiscal '67, LSP's budget has shot up to the current $61 million, enough, as the Appendix indicates, to put 2,000 attorneys in the field and shoulder a 1.2 million case load. While most of the latter is routine, involving divorce, housing or welfare, LSP militancy has mounted apace. Three years ago the program director was

quoted as saying: "We either make the legal system work fairly for poor people—and make them believe it does—or our cities will be burned down from the fires ignited by a 'brooding sense of injustice.'" Late in 1969, the Senate, outraged at recurrent complaints about the agency's tactics, approved a bill to give state governors veto power over legal services projects (the House unfortunately failed to concur). More aware of the dangers than its predecessor, the Nixon Administration proposes to "regionalize" LSP and otherwise to blunt its radical thrust. Last fall OEO even nerved itself to dismiss two top officials for sanctioning what amounted to bureaucratic lawlessness.

For LSP personnel, the record suggests, tend to be advocates in more ways than one. Ample documentation on this score appears in a thoroughgoing study and evaluation of California Rural Legal Assistance Inc. (CRLA), recently made public by the Golden State's OEO. The study quotes a CRLA staff attorney who let it be known that "he was looking for a woman welfare recipient who had been requested to take a polygraph examination by the County District Attorney's office so that they could take legal action." In another case, the CRLA local office at El Centro reportedly solicited clients to bring complaints against feed lots in the Imperial Valley. In a CRLA inspired suit allegedly brought by 16 Indians against a local auto dealer, 15 of the so-called plaintiffs denied in depositions that they were seeking legal redress.

Besides engaging in barratry and other unethical practices, CRLA, according to the California OEO, has violated the conditions of its funding and overstepped legal bounds. Despite stipulations that it represent only the indigent, CRLA allegedly has taken up the cudgels for plaintiffs with substantial net worth. Contrary to law—and heated denials by poverty lawyers—the evaluation study cites 17 instances in which the latter served as attorneys of record in criminal proceedings. As to ideology, the thrust is clear. One observer noted: "The federally funded CRLA has become virtually counsel to the United Farm Workers Organizing Committee (Cesar Chavez). The CRLA's lawyers turn up at UFWOC rallies. At the El Centro office, CRLA funds are used to purchase poster board for making picket placards. And a poor woman who is sued by the UFWOC for daring to oppose Cesar Chavez gets a cold shoulder when she seeks legal help from CRLA."

Commitment to social change has led LSP down some strange and violent paths. After a searching inquiry into "the civil disturbances in Newark during the period from July 13 through July 18, 1967," a grand jury had some shocking things to say about the conduct of that city's Legal Services Project. Concerning the homicides that occurred—25 people were killed in the riots—"much vital information was made available reluctantly and only after many requests." A number of affidavits taken and finally supplied by LSP were unsigned. Some witnesses "denied in whole or in part having made statements attributed to them," while others repudiated prior statements in subsequent testimony. With respect to one homicide, "certain statements, later repudiated, were widely circulated by extremist groups along with photographs of the victim's body which had been taken by photographers engaged by the Newark Legal Services Project. These photographs showed the body during the embalming process, a fact ignored or disregarded, but which . . . (was) well calculated to inflame the minds of those exposed to them."

Since then, LSP attorneys repeatedly have given aid and comfort to the murderous and revolutionary Black Panthers. Last winter the 23-member board of directors of the Berkeley (Calif.) Neighborhood Legal Services Project (funded by OEO) passed a resolution supporting "the Black Panther party in their efforts for liberation of the Black and all oppressed people of this country." Last summer a McDonald's (hamburgers) franchisee in Multnomah County, Oreg., won a court injunction against harassment of customers and picketing of the premises by Black Panthers angered at his rejection of their extortionate demands; the Panthers were represented by LSP counsel. In New Orleans, the National Committee to Combat Fascism (which has close ties to the Black Panthers) set up headquarters in a building on St. Thomas Street, which it proceeded to sandbag and fortify. When the owner of the property sought eviction, three lawyers from the New Orleans Legal Assistance Corp. (NOLAC) sprang to the defense. Moreover, according to Columnists Evans and Novak (whose forthright reporting, if they're not careful, may lose them some leftwing friends), one NOLAC lawyer was at NCCF headquarters the night it was raided by the police, while "NOLAC attorneys represented NCCF members at bail reduction hearings on September 22, one day after the criminal information against them was filed—a direct violation of federal law."

For choosing to ignore such scandalous lapses, the LSP director and his deputy lost their jobs, an action which knee-jerk liberals, in and outside of Congress, loudly deplored. We hail it as one of the few signs of common sense and courage to emerge from an agency which has never been distinguished for either, and still has a good deal of soul-searching to do. Even in response to need, tax-supported assistance to the poor—like any form of government subsidy—leaves us cold, but it probably won't destroy the Republic. Shouldn't that be the minimum condition for federal funding?

[From the Washington Post, Mar. 18, 1971]

WIDE BIPARTISAN SUPPORT: INDEPENDENT LEGAL AID CORPORATION TO BE PROPOSED IN NEW BILL

(By John P. MacKenzie)

A bill to take the embattled nationwide legal services program "out of politics"—and beyond the control of the Nixon administration—will be introduced today with wide bipartisan support.

Without waiting any longer for the adminisration's overdue proposal, the bill's sponsors call for an independent, federally funded National Legal Services Corp. to manage the program now handled by the Office of Economic Opportunity.

The bill's preamble declares that there must be "no political interference" with delivery of legal help to persons who cannot afford it.

Modeled after the Corporation for Public Broadcasting, the legal services body would operate free of the veto power of state governors that has figured in the major poverty law battles of recent years.

The new firm would issue grants to local legal services programs without restrictions, favored by some administrations officials, against broad class action lawsuits or suits against state government officials seeking more equal treatment for the poor.

Poverty lawyers would still be bound by ethical standards set by the American Bar Association, but they would not be limited to civil cases as under existing law. No income level for eligibility would be set, but the bill would require programs to serve the neediest first and aim for the most economical ways to encourage "peaceful resolution of grievances."

The corporation's 19-member board would include only five members chosen by the President and confirmed by the Senate. The Chief Justice of the United States would name one director, six would be top officers of major bar organizations, six would represent poverty lawyers and the "client community," and one would be the executive director.

Supporters of the bill include liberals who are angry at White House concessions to Gov. Ronald Reagan over a major California program and middle-of-the-roaders who feel the President should be relieved of a political headache. It is not yet supported by key legislators who are concerned about the projected splitting up of OEO.

[From the Washington Evening Star, Mar. 12, 1971]

OEO NOT RESCUING LAW INSTITUTE

(By Fred Barnes)

The U.S. Office of Economic Opportunity has ruled out the possibility of keeping alive the embattled Urban Law Institute through a direct grant of funds.

"There is simply no truth to speculation that we are planning to fund the institute directly, rather than through a university," OEO director Frank Carlucci said yesterday.

He indicated that ULI would not be able to carry out its program of reforming the process of legal education without "the necessary law school cooperation and sponsorship." Thus, he said, direct funding of the institute "would not be feasible."

Since it was founded 2½ years ago as a private, nonprofit organization, ULI has operated under the sponsorship of George Washington University law school. More than $1 million in OEO funds has been channeled through GW to the institute.

GW LINK TO END

However, Dean Robert Kramer announced recently that the law school would need its sponsorship of ULI July 1. The institute's current funding runs out June 30.

Kramer has contended the university shouldn't be involved in "the direct practice of law" and that the institute "was evolving into a large public interest law firm over which the university has no control."

But, some supporters of ULI have argued that the university decided to drop the institute because it has filed a series of controversial lawsuits, including a court challenge of the Federal Communications Commission's recent decision to renew the broadcast license of WMAL-TV.

The suits grew out of the institute's "clinical" approach to legal education which permits law students to learn by participating in a variety of public interest legal cases. Most of the suits have been on behalf of poor persons and minority groups.

ULI's chief function, however, has been to open new areas for the law school curriculum at GW which would make legal education more relevant to blacks and members of other minority groups. The idea was that the new courses could serve as a model for law schools across the country.

FACULTY VOTE SLATED

Jean Camper Cahn, director of the institute, has said that ULI must close its doors unless GW officials reverse their decision. Even direct funding from OEO would not be a viable alternative, she said, and no other law school in the Washington area appears willing to take over sponsorship.

The institute's flickering hopes for survival now appear to lie in a proposed vote of the law school faculty on whether Kramer was correct in abandoning ULI. Prof. J. Reid Hambrick, who teaches tax law, plans to call for the vote.

While a verdict in favor of the institute would not be binding on GW officials, Kramer has said he would give serious consideration to any faculty recommendation. The law school has 40 full-time faculty members.

Among the other supporters of the institute are consumer advocate Ralph Nader, 23 attorneys from various Washington public

interest law firms and John W. Douglas, president of the National Legal Aid and Defender Association.

[From the Washington Evening Star, Mar. 20, 1971]

URBAN LAW INSTITUTE

SIR: Recent editorial concern regarding the George Washington University's decision to abandon sponsorship of the Urban Law Institute (ULI) warrants some rebuttal from those favoring this action. The original intent of the ULI was to service the needs and interest of the genuinely poor. The actual course taken by the ULI became grossly inconsistent with these objectives. Instead the ULI chose a course parallel with the Neighborhood Legal Services Agencies—select persecution of business or government groups and even individuals arbitrarily deemed socially undesirable or as not supporting certain liberal philosophies and practices espoused by these groups.

Many businesses and investments, acquired through years of sacrifice, diligence and ingenuity—not so long ago respected ingredients of the American way of life—have been ruthlessly destroyed and driven into disrepute and bankruptcy through frequently senseless legal actions instigated as a part of the socio-legalistic field trip experimentations by ULI law students. The much-heralded precepts of fairness and impartiality are quickly forgotten by these saviours of our poor when blindly destroying with imagined righteousness whatever idealogical dragon myth their professorial mentors designate. As a consequence we now witness the prevalent judicial farce where courts are encumbered by ever-growing, costly and time-consuming suits and legal actions of little or no consequence.

The once genuinely poor have been replaced by the not-so-poor, and legal aid selection criteria have become demoted to personalized services based on race or whatever minority attributes or stations are in vogue at any particular time. In many cases suits were instigated and profitably settled not on merit or even social justice considerations but purely through the fact that those chosen as recipients of free legal aid are naturally inclined and ever ready to pursue any and all imaginable claims up through the highest tribunals. Simple statistical considerations imply that sooner or later they will win a few or, if not, force the opposition, which must naturally pay for these legal rituals, to concede and settle through economic necessity.

The best illustrations are perhaps found in the recent proliferation of tenant rent strike instigations. Torn screens, or broken windows, although usually tenant caused, are now grounds for tenant rent strikes and serious criminal charges against property owners in our Nation's Capital. Frequently jury trials are scheduled by our legal aid missionaries. Needless to say, by the time these cases come up for trial the property owners frequently have long since lost their buildings through foreclosure.

The overall economic consequences are appalling. No serious investor will now risk building much needed inner-city housing unless through some government dole, lenders flatly refuse to provide mortgage funds for inner city rental unit construction, tax paying property owners are abandoning sound structures, many of which could be ideal candidates for economically feasible renovations, and the nation's taxpayers are paying for the many FHA insured projects going bankrupt.

There is of course one happy side to this calamity; the legal profession through free legal aid has effected a foolproof method of generating not-so-free legal business.

KAZYS K. SKIRPA.

[From the Washington Post, Mar. 6, 1971]

GRANT USED TO TRAIN LAYMEN AS LEGAL ADVISERS ON RIGHTS

(By Martin Weil)

Montgomery County activist J. Brinton Dillingham is helping to operate a "Peoples Law Institute" here on a salary provided through the federally funded Pilot Police District Project.

Dillingham said he conceived the institute as a way to train nonlawyers as "legal counselors" who can give advice in such areas as welfare, students and tenant rights.

Once-a-week classes taught without pay by practicing lawyers are now under way at the Adams School in juvenile and landlord and tenant law, and at 1724 S St. NW in domestic relations and street law ("demonstration negotiations, street hassles.")

Dillingham, 27, who said the institute is now his main activity, has been involved in numerous demonstrations and controversies in Montgomery County.

He was convicted there in 1969 on an obscenity charge after selling an issue of The Washington Free Press as a test case. The conviction was overturned last July on appeal.

Last September, the Bethesda resident was defeated in the Democratic primary for sheriff.

Dillingham's $50 weekly salary comes from the Pilot District Project through a contract with Special Approaches in Juvenile Services (SAJA), the law institute's parent organization.

Under the contract, the organization is to receive up to $16,000 to provide certain youth and community services. The law institute is one of the programs set up under the contract.

Pilot District Project funds provide all of the Law Institute's support, according to William W. Treanor, director of special approaches.

The Pilot District Project itself was set up in 1968 as an experiment in police-community relations in the inner city's third police district. Marion Barry Jr., heads the citizen board of the project, which received a $1.4 million Office of Economic Opportunity grant to fund its programs. The grant expires April 30.

As part of its contract with the pilot project, special approaches is called on "to educate . . . young people concerning the legal problems they encounter and the legal services available . . ."

A Wednesday night course on juvenile law, taught by Roarke M. Reed, staff attorney for the Public Defender Service here, began Feb. 17 with about 25 students, many of them youth counselors.

Also under way, or soon to begin announcements say, are institute courses dealing with "legal problems of the poor, blacks, youth (and) political activists," such as street law, students' rights, women's law and military and draft law.

According to its mimeographed announcements, the institute aims to make more effective use of the small group of "movement" lawyers here by "creating paraprofessional aides capable of doing nontechnical work."

The institute may also hold courses for lawyers and law students in areas not covered by the traditional law curriculum, such as "drug law," its directors said.

Courses will show ways of protecting people "from the law as well as by the law," Dillingham added.

After setting up the institute, with headquarters at 1724 S St. NW, Dillingham is still active in its organization and in seeking future source of funding. He is not an attorney, and does not teach any courses.

A second program supported by the Pilot District Project through Treanor's office is the People's Job Co-op, whose director, Sharon Grant, calls it the "freak alternative to regular employment agencies."

Miss Grant, whose $50 weekly salary also comes from the Pilot Project contract, said the co-op is to provide jobs for such persons as those "with long hair . . . (and) who don't want to work at jobs where they compromise themselves."

Runaway House, which offers temporary shelter away from home for persons under 18, also receives some funds from the Pilot District Project through the agency.

The grant helps pay the salary of David Gespass, who acts as codirector of the Peoples Law Institute and legal director for SAJA. It also supports several other projects to aid street youths.

QUARTERBACK JACK KEMP CALLS RIGHT SIGNAL IN ASKING RAILPAX FUNDS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MINSHALL. Mr. Speaker, I am glad to be on the team of Members supporting the joint resolution which will be proposed tomorrow by our good friend and very able colleague, U.S. Representative JACK F. KEMP.

The resolution will request additional funds for Railpax, which, if granted, will point the way toward including Cleveland, Ohio, in the system, along with other bypassed metropolitan areas.

As the Plain Dealer said editorially yesterday, "QB Kemp Calls Right Signal," and I am pleased to be a cosponsor of this very wise proposal of his:

QB KEMP CALLS RIGHT SIGNAL

U.S. Rep. Jack F. Kemp, R-N.Y., former quarterback for the Buffalo Bills, will introduce a measure in the House this week which has more substance and less emotion than most reaction to the rail passenger service routes set up by the National Railroad Passenger Corp. (Railpax).

Kemp asks some $290 million more in capital for Railpax and also wants a change in the guarantee which a community, a state or a group of states would have to make to Railpax against losses if rail service were to be restored where Railpax has cut it off after May 1.

Congress gave Railpax only $40 million in funds for organizational and initial operations. It also authorized loans to Railpax up to $100 million for acquisition of new rolling stock, for facility improvements and other corporate purposes; it also guaranteed loans up to $200 million to participating railroads.

In view of the magnitude of the Railpax operation and the complex details and financial accounting with participating railroads, the original allotment by Congress appears meager.

It also is possible that asking a deprived area to agree to guarantee two-thirds of the money lost in restored rail service is too high; Kemp suggests that 33% would be a more equitable figure.

Kemp's proposal came out of the meeting here of delegates from five states—Indiana, Ohio, Michigan, Pennsylvania and New York—who were interested in getting rail passenger service in their areas restored to the Railpax outline which is a starting point in the campaign to save that mode of transportation, if possible. In particular, the

"water-level" Chicago-New York route which goes through Cleveland is what the delegates to the conference called by Ohio's Gov. John J. Gilligan want to save.

While such an aim is natural for the specific interest of the communities involved along the route, the hard fact is that this route has been a consistent money-loser. Another hard fact is that Railpax is going to start its reduced scheduling on May 1. Indignation and protests because certain cities have been bypassed at the start are of no value. Kemp's idea to give Railpax more money and also make it a little easier for the have-nots to get back in the rail game makes more sense.

LIGHTNING WAR

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHMITZ. Mr. Speaker, a very interesting book has been written on the concept of lightning war. Washington Report of February 8, 1971 carried a short synopsis of some of the thoughts contained in this work, entitled Alternative to Armageddon, which I would like to insert for the information of my colleagues.

The basic thrust of the book is that the best method of maintaining peace at levels of possible conflict short of central nuclear war is to have the military capability to retaliate swiftly and decisively against enemy aggression. This approach to the lower levels of conflict is in direct opposition to the current doctrine of fighting protracted and indecisive wars against an enemy whose strategy is to prolong the war in order to achieve victory with inferior forces.

Instead of drawing out the conflict in an area where we maintain escalation dominance, the higher the level of conflict the greater the advantage we enjoy, our capability to achieve a quick decision is employed at the outset, bringing the war to a successful conclusion in the shortest period of time. This approach to war is not only far superior to the protracted manner of conflict in terms of the economic, psychological, and diplomatic aspects of war, but it is also the most humane.

If the United States had utilized its superior capabilities to eliminate the North Vietnamese Communists ability to go on waging war in 1965, 1966, 1967, 1968, 1969, or 1970 the war would not be continuing in 1971. It is the length of the battle which has resulted in the staggering number of deaths in Southeast Asia. It is continuing indecisive conflict over a long period of time which mounts the casualty figures higher and higher.

An analogy might be drawn here using the difference between a first round knockout in boxing or a 15-round blood bath where the fighters cut each other to pieces. The lightning blow shatters the enemy's capability to carry on the war and he stops fighting while the protracted campaign using blows below the level of knockout never carries the enemy to that point where it is no longer possible for him to continue waging the war. The war drags, the scars of battle mount, and time without a decision is time with continued conflict.

I have personally read this book and would recommend it for some of the novel ideas which it contains concerning short, swift, and successful wars.

The article follows:

LIGHTNING WAR: THE LESSON FROM THE MIDDLE EAST

(EDITOR'S NOTE.—The logic of this Report is based upon that of the recent book *Alternative to Armageddon* (Rutgers University Press, $9.00) authored by Generals I. D. White (U.S.A.) and Hasso von Manteuffel (Germany) and Col. Wesley W. Yale, (U.S.A.), all retired military but active in the research field. General Lyman Lemnitzer, recent Supreme Commander, Allies Forces, Europe, wrote the Forward.

For the first time in literature, *Alternative* analyzes the command methods of famous Blitz leaders and their impact on past and future warfare. Primarily, the book advocates a prompt change from the philosophy of wars of attrition to the decisiveness promised by air mobility.)

In a period of waning American geo-political influence and military strength, the Middle East situation presents potentially the most critical challenge in the U.S. history, while offering a lesson of inestimable value.

America and the West are singularly unprepared to meet the challenge. Evidence that the Soviets are now number one in strategic power is overwhelming. In the area of tactical limited war, U.S. capabilities are even more open to question. Still, despite the ever present hints of Soviet nuclear might, and perhaps because of the forecast of continued testing of American will, limited war appears to be the most probable type of future conflict.

For 20 years Israeli policy and doctrine have prepared the lesson by creating a true deterrent to aggression and by applying reluctant force. Twice, in 1956 and 1957, Israel unleashed forces against apparently staggering odds to gain decisive, and relatively inexpensive victory in a matter of days if not hours. It has now become sharply apparent that the Israeli corps of tactical leaders at all levels, steeped in the principles of lightning war, or Blitzkreig, is the major factor in holding at bay a host of adversaries superior in both numbers and armaments. Capability for swift and conclusive retaliation is all that maintains the precarious peace.

Aside from preserving, if not enhancing the strength of our nuclear shield, what better instrument could be placed in the American arsenal than a similar corps of leaders, similarly imbued with lightening war principles and capable of integrating the highly sophisticated weaponry of modern America? Indeed, what alternative is open to a nation rounding out two decades of no-win wars, emphasizing guerilla tactics of attrition, fought on enemy terms and with men in the field shackled by political directives from Washington?

The hour is late. Not only is Sino-Soviet pressure manifested on every flank, but the press and public largely discount or ignore what General Lemnitzer, recently Supreme Allied Commander, Europe, calls the greatest threat to security in history. Every aspect of social welfare, however cloaked in humanitarian motives, is pointed squarely at limiting national defense. Much of the press appears dedicated to the denigration of the military profession.

Not the least result, therefore, of aping the Israeli corps tactical experts could be the restoration of pride and prestige within the services, while creating a Kremlin belief that an awakened America is capable of swift, overwhelming retaliation if not limited aggression.

There are formidable obstacles. There must be a sharp break from military doctrine that considers jungle fighting in far off lands as the wave of the future; and at the moment not too many laymen, or even professionals, understand the mechanics of mobile warfare, inviting the frustrations attending such great analysts as Liddell Hart, Guderian and Chaffee in the 1930s, all of whom were rated as crazy visionaries by their respective General Staffs. Furthermore, leadership development is inhibited by numerous impediments to effective training.

War planning must not visualize the attritive, no-decision affairs that the Mao Tse Tungs would have us fight. Whether the Mid-East, Africa, Europe or Continental America, Soviet authorities predict, for a major confrontation, an extremely dynamic and violent conflict, with high maneuverability of combat operations and sudden blows of great force. Our European experts concur.

While this describes the classic environment of lightning war, one must go beyond the dictionary definition of Blitzkrieg to understand how closely the Blitz applies to this environment and how great the new challenge is to combat leadership at all levels.

Merriam Webster defines Blitzkrieg as a war conducted with lightning speed and force, a violent, surprise offensive by massed air and mechanized ground forces operating in close coordination . . . a conquest in a minimum of time.

Actually, a blitz is a battle rather than a war, though as in the case of the 1967 Sinai sweep, a series of battles may be collectivized as in war. The blitz battle features a maximum of directing influence by a single commander of the colorful Rommel type who seeks as a primary objective the collapse of his enemy's capability to control his forces. To quote Dayan, "We had no intent to destroy the enemy; it is better that as little blood be shed as possible. We therefore seized key positions and agencies which gave us control of the area."

The mobility of the aircraft, the tank and the helicopter, together with the destructive force of the bomber, the rocket and the mobile field gun are maximized by centralized control to effect a wide sweep or a powerful penetration of hostile weak points.

And, since these are rarely immediately discernible, the directing leader must be close enough to the action and possessed of adequate communications, to make rapid adjustments, especially in timing.

Some maintain that lightning war is essentially a state of mind, with commanders constantly urging on the momentum that spells decisive and cheap victory. Certainly, each must be guided by the Napoleonic maxim that loss of time is irreparable, that one may lose a battle, but never a minute.

Imagine the commander of an air borne task force seeking to capture a defended airhead. Seconds become eternities. The transport aircraft and their escorting fighters flow steadily into the battle area; the paratroops drop, supported by strafing fighters and engage the defenders. But antiaircraft weapons to protect the field during and after capture, and engineer elements to make runway repairs now are urgently needed. But in what order and how urgently? The oncoming transports, heavily laden with support troops, and themselves highly vulnerable are also critical and require firm runways. When and how can artillery, signal groups, medical facilities and the 1,001 items essential to an operating base be brought in? As soon as possible if the paradrop is to be properly expanded. This decision is crucial to the timing and is difficult to amend, but is just one of the many to be made by the Task Force commander, working through his Air and Army subordinates. Judgments are uniformly delicate, with disaster but a step away.

Little better is the lot of the armored divi-

sion commander who may one day find himself trying to block an advancing mechanized Red horde on the plains of northern Germany. Operating under the threat of nuclear warfare, he must closely control well dispersed troops, mass them suddenly for a stunning blow between enemy columns, strike and disperse again. It is a nice trick if one can do it. How comparatively simple to execute a 60 yard forward pass against the Baltimore Colts!

These are not random examples to illustrate the new standards of command and control. On the one hand they typify the environment visualized by Charles Benson in his recent analysis of the need for the United States to adopt the strategic offensive by retaking Libyan airbases. On the other is depicted a portion of the scenario played out year after year in NATO war games in the German heartland.

It is an environment that does not necessarily demand paragons of generalship to act confidently in trying situations—men of the stamp of Patton and Bonaparte, attuned to controlling fast troops through the medium of television and computers, and without surrendering their personalities to the machine. But there is indeed a requirement for a new competence to go many layers deep, and the need is acute.

Fortunately there exists an excellent nucleus. The U.S. Strike Command, with its global mobility and airborne divisions is governed by Standing Operating Procedures patterned after those of great commanders of Blitz history, from Genghis Khan through Frederick the Great and Nathan B. Forrest. The 1st Cavalry Division (Air mobile) has shown in Vietnam what can be done when the helicopter has mobility independence of terrain, while permitting higher commanders to see and direct operations from the air, following in principle the Napoleonic tradition. Yet, it is only a nucleus.

It is not enough. And the obstacles to the development of mobile leaders are disheartening. The military school system, splendid as it is, cannot furnish the practical experience that comes only with field command; staff officer training is emphasized, perhaps necessarily, at the expense of command. Training for the ground troop exercises is completely inadequate: opportunities for the actual exercise of field command are limited; personnel policies rotate leaders and lead a life at a dizzy pace so that the formation of real tactical teams is essentially impossible.

One may as well expect to develop a Johnny Unitas solely through reading assignments, chalk talks and films. Obviously, somewhere along the line the budding football or tactical leader must exercise the team in physical fundamentals and signal practice—and the whole team, not just a few linemen and a back or two.

There are many reasons why these problems are unsoluble by the military. Nevertheless, much can be done by inculcating aspiring commanders with the techniques of leading mobile troops in combat, as opposed to indoctrinating them with the art of inspirational leadership, though the latter is important and is really based on the former. It is a matter of the how of controlling troops, tanks, aircraft, artillery and engineers in concert; as Patton reiterated over and over again, it is execution that counts. Research into the methods of lightning warmasters is difficult, but is rewarding.

In sum, the lesson of the Middle East and the manner of our profit therefrom involve four areas, —1) better recognition of the grave and growing Sino-Soviet threat; 2) warning of the marked change in combat environment from what has existed since 1945; 3) appreciation of the special challenge to leadership that the changed environment imposes; and 4) the need for overcoming obstacles to the development of mobile tactical leaders through the medium of real or realistically-simulated command experience.

Possibly a basic change in military philosophy is involved here—one of assuming at long last a stance of aggression without intrusion, at least to the degree that our adversaries will consider our capabilities for instant retaliation credible. In any event, the public is unlikely to resent a program to obtain a few thousand forceful, audacious, morally courageous and creative replicas of George S. Patton, who can yet exercise cool judgment in a world where Grand Strategy has become a nice mixture of Politics, Economics, Psychology and Blitzkreig. Perhaps with only two or three Pattons to show for the effort, our warning from the Middle East will have been worthwhile.

IS MARIHUANA DANGEROUS?

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHEUER. Mr. Speaker, the April 3, 1971, edition of the New York Times carried an article on the opinion editorial page by Dr. Abraham Wikler, professor of psychiatry and pharmacology at the University of Kentucky College of Medicine, called "Marihuana Is Dangerous." Dr. Wikler discusses five research projects on the effects of marihuana on man, and then draws his own conclusions about the personal and public health consequences of marihuana use.

Dr. Wikler has attempted what all the doctors and researchers at the National Institute of Mental Health carefully refrained from attempting, that is, drawing conclusions about the dangers of marihuana use on the basis of existing research. In their January 31, 1971, report to the Congress, "Marihuana and Health," these experts said that:

The health picture with respect to marihuana must at present be regarded as fragmentary and clearly incomplete. Many of the most important questions regarding implications of long-term, chronic use will require significant periods of time to answer.

Yet these are precisely the implications to which Dr. Wikler directs himself.

Dr. Wikler concludes that marihuana is dangerous to health, despite the fact that the NIMH study cited the same studies he mentioned, plus some 220 other sources, and still felt that there was insufficient evidence on which to base definitive conclusions. They stated that:

No single study can be regarded as definitive. Conclusions that are drawn or persistent uncertainties are a function of the information available at any given time. Final judgments, given our present limitation of knowledge, are not possible at this time.

Dr. Wikler is, nonetheless, prepared to draw his own conclusions at this time. It seems far wiser, for those who feel they must form their opinions now on the potential or actual dangers of marihuana, to make only tentative conclusions and to control a widespread temptation to oversell the dangers of this drug. Our rhetoric on the subject of marihuana far outstrips the facts at hand and any balanced, reasonable interpretation of those facts. These excesses endanger our already weak credibility with the youth of this country, a credibility we must not squander if we are ever to keep them away from the hard drugs.

Clearly, all the evidence is not in. Congress has created a Commission on Marihuana to provide the basis for intelligent conclusions and legislative action. In doing so, the Congress acknowledged that it shares the general public confusion on this question. The National Institute of Mental Health has a continuing program of research that will gradually provide the necessary facts to draw those conclusions. Until those facts are in, we should take the pithy advice Thomas Jefferson once gave to George Washington: "Delay is preferable to error."

The article referred to follows:

MARIJUANA IS DANGEROUS

(By Abraham Wikler)

LEXINGTON, KY.—My discussion proceeds from a particular point of view (or bias, if you wish)—namely, that of a psychopharmacologist over 30 years of age, who has learned from experience that subjective effects of drugs—changes in feelings and perceptions reported verbally by the subject—do not always correspond to the observable behavior manifested by the subject.

In the American Journal of Psychiatry, W. Bromberg describes 11 patients seen at Bellevue Hospital in New York who exhibited visual and auditory hallucinations, distortion of visual perception, manic states, depression, paranoid reactions or catatonic excitement after smoking marijuana. Two such instances occurred in a study on the effects of marijuana in which I participated in the 1940's. One of the subjects, a rather unstable and secretive individual, was being tested for auditory acuity with an audiometer. After smoking three marijuana cigarettes, he tore the earphones off his head, yelled, "I hear! I hear!", wept and shouted accusations of persecution which were definitely delusional. After about an hour, he vomited, calmed down, and apologized for his unseemly behavior.

Another subject, who subsequently dropped out of the study, became disturbed after smoking marijuana cigarettes in the course of an electro-encephalographic investigation. Jumping off the bed, he seized a heavy instrument (I believe it was a tinshears), held it over my head, threatened to bash it in if I, or any of the shop personnel, made any move, and accused us of trying to control his mind. This proclamation was also extended to others who came running to the shop door (the only entrance and exit). Needless to say, we did not make any move, but after a few minutes (it seemed like an hour) of verbal persuasion, he allowed himself to be escorted to the disturbed psychotic ward, where he made an uneventful recovery after a day or two.

M. H. Keeler in the Journal of Psychiatry reported 11 cases of "adverse reaction" (delusions, paranoid ideas, hallucinations, depersonalization, fear of homosexuality) described retrospectively by marijuana smokers. Very recently, J. T. Talbott and J. W. Teague described 12 "psychotic reactions" lasting one to 11 days, seen during a one-year period among United States soldiers in Vietnam, occurring after smoking Vietnamese marijuana cigarettes for the first time; these authors estimate that Vienamese marijuana is twice as potent as the United States variety—a possible indication of the dose-effect relationship.

Running through most of the descriptive accounts, however, are references to "forgetting what has just been said," "fragmentation of thought processes," "gaps in the stream of thought," and similar references

to a disturbance of immediate recall that becomes apparent when the observer listens attentively to what the marijuana smoker is saying, or trying to say while intoxicated. If I may be permitted some poetic license, I may put it this way:

The drunkard staggers only when he walks,
While the pot-head forgets only when he talks.

This profound truth was rediscovered recently by A. T. Weil and N. E. Zinberg who asked subjects to speak about a "dramatic incident" in their lives into a tape recorder before and after smoking marijuana. Data are given only for chronic users who were tested on "high-dose" marijuana cigarettes. Ratings of predrug and postdrug speech samples on a 7-point (+3 to −3) bipolar scale for narrative quality, coherence, unity, awareness of a listener, thought completion, time orientation, free associative quality, degree of intimacy, and nature of imagery—made by five independent judges who did not know the purpose of the scoring—indicated marked impairment in all categories. "Over-all, the following patterns were noted: marijuana tended to cause greater and more vivid imagery, shift of time orientation from past or future to present, increased free associative quality and intimacy, decreased awareness of a listener."

Judging from my own data on the effects of LSD, mescaline, etc., and the data of others, I suspect this effect of marijuana on the immediate recall required for speech is unique, and as such may furnish a clue to its mode of action in the central nervous system.

Six subjects (including three who had participated in the "pyrahexyl compound" study) smoked marijuana *ad libitum* for 39 days. During the first few days, they exhibited euphoria, bursts of spontaneous laughter, silly behavior, and difficulty in concentrating. Later, they showed loss of interest in work, decreased activity, indolence, nonproductivity, and neglect of personal hygiene. All subjects reported subjective "jitteriness" on withdrawal of marijuana, but none showed abstinence signs.

Is marijuana dangerous to health, personal or public? Certainly the "adverse reactions" cited would answer that question in the affirmative on both counts.

Should marijuana and other cannabis products be controlled—should the importation, manufacture and sale of these products be prohibited? The answer to this question depends on whether or not the person who asks it accepts the responsibility of the Government to protect public health, and agrees that prohibition of importation, manufacture and sale of a noxious product is an effective way of discharging such responsibility. If the questioner accepts both premises, then my answer would be "yes."

AN OPEN LETTER CONCERNING REVENUE SHARING

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. EVINS of Tennessee. Mr. Speaker, with sales teams of proponents scouring the country for support, the revenue-sharing proposal continues to create controversy.

In this connection I place in the RECORD herewith a recent letter to the editor of the Nashville Banner by Mr. Paul S. Barnett of Murfreesboro, Tenn., because of the interest of my colleagues and the American people in this most important subject.

The article follows:

FEDERAL REVENUE SHARING NOT THE ANSWER TO WOES

To the Editor of the Banner:

President Nixon has recently stated: "The time has now come in America to reverse the flow of power and resources from the states and communities to Washington, and start power and resources flowing back from Washington to the states and communities, and more important, to the people all across America." Such a sentiment is enough to thrill the hearts of all conservatives and those who believe in states' rights.

The President proposes to do this by means of his "revenue sharing" proposal. Under the plan, there would be "no strings attached," but the history of government "help" and "subsidies" proves otherwise. Note the results of government "help" to the railroads in the last century and government subsidies" to farmers in this one. Today, the railroads and the farmers are controlled almost beyond belief.

One very recent example of the Administration's intentions in respect to control, The Nashville Banner (March 26, 1971, p. 2) carried a news item indicating that the states of Indiana and Nebraska are losing a total of $54 million a year in federal aid. The reason? "The cutoff—the first such in 20 years—would culminate a two-year Nixon administration drive to bring states into compliance with the complicated maze of federal welfare regulations." So there you have it. The Nixon administration aims to force states into compliance with all kinds of federal regulations. The means used is "revenue sharing." It seems that I recall someone saying there wasn't a dimes' worth of difference between the two major parties.

The fact remains that there is no such thing as federal "revenue" to "share" except that wealth which is already within the boundaries of the 50 states. If the President and his congressional sales force trying to peddle "revenue sharing" really mean to give power back to the states and to the people the most effective and least costly method would be to cut federal taxes and leave the money as a tax base for the states and local communities.

PAUL S. BARNETT.

MURFREESBORO, TENN.

MITCHELL ANNOUNCES CONCERN OVER SOVIET JEWRY

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MITCHELL. Mr. Speaker, I have added my name as a cosponsor of House Concurrent Resolution 202, by Mr. SCHEUER, and H.R. 6385, by Mr. KOCH.

These two bills are a protest by this Congress against the oppression practiced on the Jewish minority in the Soviet Union by the Government of that country.

House Concurrent Resolution 202 calls on the President to reaffirm America's historic role as the defender of human rights throughout the world by pressing the Soviet Government to assure its Jewish minority religious and cultural freedom and freedom of emigration. H.R. 6385 would provide 30,000 special immigrate visas to Soviet Jews fleeing persecution.

The right of free emigration from any country lies at the very foundations of world law. It is the final guarantee of the rights of the individual against the oppression of the state. It was written into the Universal Declaration of Human Rights, a part of the United Nations Charter, to which the U.S.S.R. is signatory.

Substantial numbers of Soviet Jews wish to emigrate: how many we cannot know until it is possible for them to leave. To secure their right to seek a new home is the vital concern of the friends of freedom and justice around the globe.

Presumably, most Soviet Jews who are allowed to emigrate will wish to exercise their right of return to Israel. But, to provide a choice and to blunt the phony issue of Zionism, it would be well for the United States and other nations to declare their willingness to accept their share of the outflow.

This land has sheltered refugees many times in its history: most recently from Hungary, from Cuba, from Czechoslovakia. Now again, as so often before we are summoned to redeem our national pledge to all the oppressed who yearn to breathe free. We must not fail that trust.

These two bills will not, in and of themselves, bring relief from persecution to the Jews of the U.S.S.R. But as part of an international outcry, an outcry which will not abate until justice is done, they can make a difference. This Congress can do no less.

JUDGE KETTMANN HONORED IN FIGHT AGAINST EYE DISEASE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. EDWARDS of California. Mr. Speaker, it is not every day that I can have the pleasure of pointing out to my colleagues and the American people selfless and humane activities such as those carried on by Judge Gerard J. Kettmann of the San Jose-Milpitas-Alviso municipal court in California. Judge Kettmann, who was recently awarded the fourth annual Genevieve Mettelstaedt Carbert Award for distinguished service to ophthalmology, has been instrumental in the fight against blinding glaucoma, diabetes, and amblyopia. He has been active in the program in San Jose, Calif., to provide free tests for these horrible diseases so they can be treated in time to prevent blindness.

The Federal Government has been trying, more and more so over the past few years, to improve the medical care available to the American people, and especially to make necessary treatment available to people who cannot afford it. However, we have seen that the care provided to Americans is not always adequate. Some people are not covered under any program. Some kinds of preventive, but absolutely necessary, medical services are not available to all, and perhaps even most, people who need it. We owe our sincere thanks to individuals like Judge Kettmann who have worked vigorously to bridge this gap. Let him be an example to the rest of the Nation for what can be accomplished through dedicated and unselfish efforts.

DANGERS OF GOVERNMENT ADVERTISING

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. BINGHAM. Mr. Speaker, I insert herewith a disturbing editorial from Advertising Age, one of the most influential and widely read periodicals in the communications field. The editorial calls attention to the fact that the Government can use paid advertising from taxpayers' funds to influence public opinion on public policy and can use strong economic leverage on individual media to insure "cooperative" news handling. The editorial, dated March 15, 1971, follows:

[Advertising Age, Mar. 15, 1971]

GOVERNMENT ADVERTISING: THE RISKS ARE TOO GREAT

There are strong indications that the U.S. government is moving to become one of the nation's biggest advertisers, and we are not at all pleased by the prospect.

AA has consistently been opposed to large-scale government advertising, and we think this is a good time to reassert our position. Mostly, our objections fall into four areas: (1) The government client is highly fickle and can be counted on to change approaches and agencies with fluctuating political winds (2) the distinct possibility arises of taxpayers' money being used to drive home a particular—highly partisan—point of view; (3) government could bring tremendous economic pressures to bear upon media espousing "unfriendly" positions; and (4) how can we expect government to regulate its own advertising for possible inaccuracies and deceptions?

The fickleness of the government client has been demonstrated repeatedly by the Canadian government. At one time, for example, it shifted some $6,000,000 in advertising funds from "conservative" to "liberal" ad agencies as a result of a Canadian election. The previous agencies weren't fired because they did a bad job; they simply happened to be on the wrong side of the political fence.

And the latest goings on at the Florida Citrus Commission seem to indicate that those grand jury indictments putting citrus commission and agency execs on the griddle stem at least to some extent from a political squeeze. Florida, you see, has a new governor, who is anxious to make new appointments to the commission.

The vagaries of politics, however, could probably be tolerated if they were the only drawbacks to governmental ad spending. But they aren't.

We're troubled by the specter of the federal government pouring millions of dollars into ad budgets aimed at molding public opinion in favor of one government program or another. Advertising is a neutral instrument, and of course it can be used for worth while as well as not-so-worth while purposes, depending on who's pulling the strings. There is great temptation to use government advertising for partisan purposes, and as far as we can see there aren't any built-in safeguards against this sort of misuse.

Government officials also would be sorely tempted to apply the screws to media getting big chunks of the federal advertising budget. No sooner had the Army announced that it would spend $10,600,000 on a radio-tv ad test than a high ranking congressman threatened to cut off CBS–TV from the largesse.

It was CBS that aired the much-heralded "Selling of the Pentagon," a program which Rep. F. Edward Hébert (R., La.), chairman of the powerful House armed services committee, branded as distorting the pr activities of the armed forces. Rep. Hébert told AA that he doesn't want CBS–TV to be on the advertising schedule if the Army test commercials prove successful.

He likened the assignment of ad dollars to CBS to what happens when the U.S. hands out foreign aid money helping people "who are now our enemies." This is the sort of economic pressure that media can regularly expect if the government launches widespread ad programs.

Another armed forces activity that was dealt with in the "Selling of the Pentagon" television show on CBS–TV had nothing to do with paid advertising. But it was very disturbing to hear the show's moderator tell of the Army's practice of sending top-ranking military personnel all over the country to speak to various clubs or school groups or other organizations, and to find that their speeches are all heavily in favor of our involvement in the war in Vietnam. In addition, the Pentagon, according to the CBS–TV report, permits displays to be put up all over the country which are basically propaganda favoring the war in Vietnam.

If the armed forces can carry on "campaigns" like this without the benefit of paid advertising, it makes one shudder to think about what could happen if large paid advertising campaigns became part and parcel of our government operations

In the final analysis deceptive or misleading government ads would go unrestrained. We don't visualize the Federal Trade Commission ever issuing a complaint against any paid recruitment advertising for the armed services, and we can't imagine such a thing happening for any other governmental campaign.

Of course, government advertising could be used to bring about social reform. But we think the risks of the government embarking on a paid advertising course far outweigh any good the ads might do

NATIONAL SERVICE ACT MISUNDERSTOOD

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. BINGHAM. Mr. Speaker, last week, during debate on H.R. 6531, the Military Service Act Amendments, I offered H.R. 1000, the National Service Act, as an amendment to replace section 1 of H.R. 6531, the section which amended and extended the Selective Service draft law.

In opposing the amendment, the chairman of the Armed Services Committee, whom I wish to commend for the fair manner in which he managed this bill, stated that he:

Had no opportunity to discuss it in the committee and neither did the other members of the committee.

The Chairman also stated that:

There is also the question about the constitutionality of the proposed amendment.

And he inserted into the record a memorandum from the American Law Division of the Legislative Reference Service entitled, "Constitutionality of Universal Compulsory Non-Military Service."

The title of this memorandum, as well as its content, indicate that H.R. 1000 has been misunderstood because the National Service Act does not involve "universal compulsory nonmilitary service." In fact, when I contacted the lawyer who drafted the memorandum, he indicated that he was not even aware of H.R. 1000, did not know its provisions, and had not written the memorandum with anything like H.R. 1000 in mind.

Mr. Speaker, I bring this point up now for two reasons. First, to remain silent and let this memorandum go unchallenged might be interpreted by some as an acceptance of the argument that the National Service Act would be unconstitutional. I do not accept that argument and it is clear that the memorandum did not even direct itself to this question.

Second, and more important, I hope that the chairman of the Armed Services Committee will seriously consider holding hearings in the near future on the National Service Act. I asked that H.R. 1000 be formally considered by the committee during its hearings just concluded but was informed that the committee would only formally consider the administration proposals, although contrary views would be heard.

The question is one of focus. National Service should be the focus of full hearings and not just a viewpoint expressed at hearings on the draft. H.R. 1000 is the least understood alternative to the present system and deserves, I believe, further consideration and study by the Congress. With the pressure for draft extension now out of the way, I hope the committee will initiate a full inquiry into National Service.

Mr. Speaker, there appeared today in the Wall Street Journal, an article discussing the problems faced by the Armed Forces in trying to improve their retention rate, an essential step if we are to have an all-volunteer army. The article states, "While it is still too early to predict success or failure, talks with servicemen raise serious questions whether better pay and living conditions, without the draft, will keep enough men in uniform."

The National Service Act retains the draft yet gives all individuals the alternative of civilian service. I believe that it answers most of the questions that have been raised by critics of the all-volunteer approach while correcting many of the inequities of the present system that are alienating so many of our youth.

I include at this point the full text of the Wall Street Journal article:

MILITARY FIGHTS LOSING BATTLE TO KEEP MEN; LOW PAY, POOR IMAGE ARE AMONG FACTORS

(By Richard J. Levine)

NORFOLK, VA.—John Minnis, an electrician's mate aboard the amphibious warship USS San Marcos, figures the military "isn't that bad a life." The pay is okay, the 21-year-old sailor says. And he applauds the Navy's new rules that allow him to sport a full, bushy beard and wear civilian clothes when he leaves the ship.

But John wants to get married someday. Because a service career would entail repeated family separations, he decided to leave the Navy when he completes his four-year hitch in July 1973.

Aboard the destroyer USS Hawkins, Fireman Thomas Warren, referring to the relaxed regulation, says, "They're trying to make it a bit easier on us, but the only way they can make it easier on me is to let me out." The sailor, who enlisted in February 1970 to escape the draft, also says the prospect of sea

duty eliminates a Navy career. "My wife likes having me around," he declares.

Decisions like John Minnis's and Thomas Warren's are intensifying a critical Pentagon problem: keeping competent young enlisted men and officers in the Navy and other services for careers.

Since the big Vietnam buildup in the mid-1960s, the personnel-retention rates of the Army, the Navy and the Air Force have plummeted, with the Army and Navy hit hardest. In the fiscal year ended last June 30, the reenlisted rate for all services was about 30%, down from nearly 50% in 1966 and the lowest level in 15 years. The problem is most acute among men in highly technical jobs and in the combat arms of infantry, artillery and armor, defense officials say.

COSTS UP, PROFICIENCY DOWN?

Unless slowed significantly, the military manpower drain threatens to upset the Nixon administration's plan to end reliance on the draft and create an all-volunteer armed force by mid-1973. Moreover, Pentagon planners worry, the rapid turnover of personnel will drive up training costs and drive down proficiency.

When retention rates are low "you lose a certain amount of professionalism," says Adm. Thomas Moorer, chairman of the Joint Chiefs of Staff. "You can't learn to operate these machines overnight."

Roger Kelley, assistant Secretary of Defense for manpower, terms low retention a "very great problem"; he puts much of the blame on low pay, inadequate housing, lack of GI job satisfaction and the military's tarnished image in the midst of a long and unpopular war. Adm. Elmo Zumwalt, the new chief of naval operations, goes further. "We (in the Navy) now face a personnel crisis that borders on disaster," he warns.

The Navy, which would like to retain 45% of its young surface-fleet officers, is keeping only 13%; the Army isn't doing much better in holding its young reserve officers now on active duty. For volunteer enlisted men serving their first tour—the prime targets of retention efforts—the reenlistment rate last fiscal year fell to less than 14%, compared with 23% in 1966.

UPGRADING PAY AND QUALITY OF LIFE

In an attempt to reverse these discouraging trends, the services are adopting tradition-bending changes designed to made military life more attractive. Local commanders have been directed to eliminate such "unnecessary irritants" as special forms for weekend passes. And servicemen are being given more freedom in personal grooming and living styles.

Moreover, the Defense Department has asked Congress to increase the pay of lower-grade enlisted men and junior officers by as much as 50%. If Congress approves, the basic pay of a new recruit would go to $201.90 a month from $134.40. The Pentagon is also working up a legislative request to give "sea pay" to naval officers and enlisted men to help compensate for their long absences from home.

In Washington, many defense officials express optimism about persuading more men to stay in the armed forces. But visits to naval installations here in Norfolk and to nearby Army and Air Force bases illustrate the obstacles the services are up against. While it is still too early to predict success or failure, talks with servicemen raise serious questions whether better pay and living conditions, without the draft, will keep enough men in uniform.

One fact emerges quickly: Retention efforts are wasted on a significant number of young servicemen these days. Most of those driven into the service by Vietnam draft calls don't have any interest in a military career. Some are bitterly opposed both to the institution and to the war.

Lt. (jg) Michael Nye, a 24-year-old University of New Hampshire graduate who serves on the attack transport USS Francis Marion, earned a Navy commission through officer-candidate school because he didn't want to serve as an Army private. Conceding that he has a "negative attitude," Lt. Nye says he finds Navy life "inconsistent with my personality and values." As a result, he will shed his uniform when he completes his commitment next February.

At Fort Eustis, the Army Transportation Center some 20 miles northwest of here, a young lieutenant bluntly says he is "opposed to the objectives of the Army. We've devoted enough human and natural resources to war. I don't believe in killing to make your point."

EFFORTS BY THE NAVY

No service is trying harder than the Navy to lick the retention problem. And the effects of Adm. Zumwalt's now-famous Z-grams—direct orders on personnel matters to subordinate commands—are clearly visible in Norfolk, headquarters for the Atlantic Fleet and home port for its 146 ships and 100,000 officers and men.

During lunch hour at the naval air station officers' club, a go-go girl clad in a scanty gold bikini gyrates wildly in the bar for the benefit of young Navy and Marine officers. Many young seamen and officers, whether stationed on ship or on shore, now wear sideburns, mustaches and beards.

On the Hawkins, a destroyer of World War II vintage, reveille was pushed back to 6:30 a.m. from 6 last fall. The ships captain, Cmdr. Carl Solterer, says the men are "less grouchy and overtired." Crew members now stand watch in port only one day in six instead of the traditional "one in four" or "one in three," giving them more free time. Over a cup of strong early-morning coffee in the Hawkins' wardroom, the gray-hired captain, an enthusiastic backer of the Zumwalt movement, declares that "if we can capitalize on the spirit of (Adm. Zumwalt), I think it could turn the tide" on the personnel problem.

There is little evidence aboard the Hawkins, however, to indicate that the "Zumwalt spirit" will significantly raise retention rates.

CARRYING OUT THE ORDERS

Despite Adm. Zumwalt's efforts, some enlisted men complain that unbending, unsympathetic petty officers don't always interpret the Admiral's orders as he intended.

"The old-style Navy men don't want to buckle down to the new-style rules," says Stephen Williams, a machinist's mate on the attack transport Marion. For example, he complains, men are often told to get a haircut before they can go on leave, despite the rules allowing longer hair.

Similar complaints are heard in the Army. At Fort Eutis, the commander, Maj. Gen. Howard Schlitz, has set up a volunteer committee to find ways to "enhance the appeal of the military service as a career." Among the changes already made at Eustis are wider choices of food and drink in mess halls and elimination of evening bedchecks and of morning reveille formations.

Yes 1st Lt. Michael Engs, a post information officer, believes that the colonels and sergeants major are "running the Army and they aren't going to change. Their unyielding attitude is driving me out." He finds it difficult to communicate with his superiors in his work of producing television programs on such subjects as drug abuse and race relations. "At the level of colonel, you've been in the Army so long you just don't understand the world," the young officer contends.

NAVY AT SEA OVER A SOLUTION

There is some evidence for the view that the more things change in the Army, the more they remain the same. In the past, Spec. 4 Bruce Sargent had to make 6 a.m. reveille formations. More recently they were eliminated. Instead, however, he found himself picking up cigaret butts at 7 a.m. "work formations." It's that kind of "harassment" that will drive him out of the service two years from now, the 18-year-old helicopter repairman said before his recent departure for Vietnam.

In the Navy, a more basic problem—the long separations forced by sea duty—is proving the biggest obstacle to retention, and the Vietnam war has intensified it. "This is, by all odds, the toughest problem to get a handle on," Adm. Zumwalt declares. Pentagon admirals figure they can ease the situation but not eliminate it

Last week Adm. Zumwalt announced a campaign to recruit more black officers and men and to transform the Navy into a "model of equal opportunity" by 1976.

Clearly, the Air Force has less of a personnel problem than the other services, mainly because of its more modern facilities and more dashing image. Years ago, top officers say, the service moved to make life more pleasant; and the intimacy and informality of air crews make for less friction between officers and enlisted men.

Still, at Langley Air Force Base, headquarters of the far-flung Tactical Air Command, a personnel officer is concerned about holding airmen and officers with badly needed skills. "I worry more that we keep the right skills" than about total retention rates, Major Henry Yochum says.

THE ECONOMY AS RECRUITER

In some instances, however the services are able to induce a man forced into uniform by the draft to choose a military career. Recently they have been getting an assist from the sluggish economy, which makes civilian jobs harder to find.

Army Spec. 6 James Reynolds, a 23-year-old crew chief on medium-lift helicopters, enlisted in November 1967 with the "draft on my back" so he could pick a specialty. In January, he reenlisted for six years. He currently draws pay and allowances totaling $717 a month; this comprises base pay of $435, flight pay of $75, proficiency pay of $50, and food and quarters allowance of $157.

Before he went into the service, the articulate young father was a railroad telegraph-telephone lineman in Waltham, Minn., making $632 a month. He could have returned to his old job at about $700 a month but didn't see much promotion opportunity and was worried about the health of the economy "on the outside." The Army offered a $10,000 reenlistment bonus for his special skill plus the prospect of becoming a warrant officer and a helicopter pilot.

"My wife didn't want me to reenlist because she was worried I'd be sent back to Vietnam," he says. "And I'm not crazy about the Army myself. But a guy has to take the likes with the dislikes."

At Langley Air Force Base, retention of his junior officers hasn't been a serious problem, says Col. Malcolm Hooker, commander of the 316th Tactical Airlift Wing. "A lot of my pilots had visions of getting out and working for an airline," he explains. "Three years ago this was a distinct possibility. Today it isn't. Right now, the economy doesn't have a helluva lot to offer." In recent months three officers in the wing have withdrawn applications to leave the Air Force after testing the private job market.

LIEUTENANT CALLEY AND THE WAR IN VIETNAM

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHEUER. Mr. Speaker, although the first stage of trial of Lieutenant

Calley is officially concluded, the nationwide public outcry indicates that discussion of the trial will continue for quite some time.

Much has been already written about the questions raised by Calley's conviction in the few short days that have elapsed. Telegrams, letters, and telephone calls have poured in by the thousands, indeed the hundreds of thousands, to the President and Members of Congress.

The American people are plainly disturbed. Millions of them are disturbed because the conviction of Lieutenant Calley has clearly indicated that the Vietnam war cannot continue without policy underpinnings that are morally repugnant to the people of the United States.

During his campaign, Mr. Nixon promised that he had a plan to end the war. He refused to discuss this plan in any detail. As Emmet John Hughes has written, Mr. Nixon figuratively traveled a sealed campaign train with a debate-proof plexiglass shield between him and the American public.

It is becoming increasingly clear why Mr. Nixon refused to discuss his plan. Whether or not it did during the campaign, his plan now involves the so-called Vietnamization of the war. That is, it involves turning most of the war over to the South Vietnamese while our forces are slowly withdrawn to the point where only a residual American force of perhaps 50,000 men remains.

Mr. Nixon claims that these 50,000 men are required for two purposes. First, they are required to serve as a bargaining counter for the American prisoners held by the North Vietnamese and are to be withdrawn when and if the North Vietnamese agree to return the prisoners. Second, they are to remain in order to provide the South Vietnamese with logistical and moral support and, presumably, to serve as a reserve force, ready to go into combat if and when the South Vietnamese get into trouble in a combat situation.

The first reason for maintaining a residual force in South Vietnam defies logical analysis and the unmistakable lessons of very recent history. If the North Vietnamese refused to return our prisoners when we had 500,000 troops in Vietnam are they going to be more willing to return them when we have one-tenth of that number in the country?

Mr. Nixon evidently feels that it is essential to maintain the Thieu-Ky government, or a government of similar persuasion, in power for some period of time. In order to do this, it will be necessary for South Vietnamese to "hack it," to fight well enough against the North Vietnamese if not to win military victory, at the very least to avoid utter defeat and rout.

It has become obvious that the South Vietnamese are unable to defend themselves or undertake combat offensives without intensive American air support. This is the fact that gives rise to much of the concern over the Calley case.

American air support has involved and will continue to involve the killing and maiming of thousands of men, women, and children and the destruction of hundreds of homes, even entire villages.

Many Americans are now searching for the difference between a policy which consciously involves this type of destruction, and the acts of which Lieutenant Calley stands convicted.

To be sure, there are differences between throwing people into a ditch and shooting them, which Lieutenant Calley did, and dropping bombs from an airplane. But the broader principle remains the same. As one of the jurors in the Calley case said, American soldiers simply do not engage in incidents such as that at Mylai. The same is true of the wanton destruction involved in air support: American soldiers simply do not engage in a type of warfare which inevitably, and I emphasize inevitably, involves the killing of innocent civilians and the destruction of the homes of thousands of people.

This war has gone on long enough. Its further conduct involves a policy which is repugnant to deep and long-held American values.

Mr. Nixon, in his statement on abortion in military hospitals said that he could not reconcile unrestricted abortion policies "with his personal belief in the sanctity of human life." In view of the continuing U.S. policy in Vietnam, which attempts to cosmetize the war by substituting intensive aerial bombardment and the consequent destruction of innocent civilians for American casualties and which holds American soldiers in Vietnam as hostages to the radical right in America, this statement becomes almost ludicrous.

Mr. Speaker, I wish to include at this point several articles on the Calley case which I think my colleagues will find of interest:

[From the New York Times, April 3, 1971]

IMMORAL WAR IN SOUTHEAST ASIA

To the EDITOR:

Dr. Kingman Brewster Jr., President of Yale University, struck the most important note of all in the great Indochina tragedy when he recently told the alumni in Yale's Freshmen Commons that "the reduction of [U.S.] casualties, even the withdrawal of all American troops, does not mitigate the moral responsibility for the spread of the war. . . ."

Unfortunately, the Nixon Administration had been trying desperately for many months in silence this moral more. If this Administration succeeds, however, in forcing the American people into this primrose path of immorality, it will mean the spiritual death of the nation.

Hiring Asians to kill, maim and wound other Asians for the profit of the U.S. military-industrial complex is far more cowardly and morally reprehensible, in the opinion of many spiritual leaders, than the commission of these comes directly by American military forces. Besides, killing, maiming and wounding men, women and children from the air and by shelling as now—all essentially indiscriminate—is even more cowardly and morally indefensible, it seems to me, than doing the same with U.S. ground forces.

The opponents at least have some means of retaliating against ground forces, whereas they have little means against aerial bombardment and shelling. Moreover, does not the final moral responsibility for all U.S. crimes committed in Indochina rest with those who plotted, planned and promoted the U.S. war of aggression in the first place, and those now who continue to promote it?

It is already a question as to whether this nation can expiate the monstrous evils already inflicted by the U.S. Government upon these peasant people who do not, have not, and could not threaten the U.S. security in any way whatever, even if they wished, which they do not.

Nevertheless, we must try as citizens to make such amends as we can, not only for the benefit of those Indochinese who survive U.S. Government destruction, but for our own spiritual resurrection.

HUGH B. HESTER,
Brigadier General, U.S. Army (Ret.).
ASHEVILLE, N.C., March *29, 1971.*

THE END OF THE AFFAIR—I

(By Anthony Lewis)

For millions of Americans, the Calley verdict has raised terrible questions about the responsibility for things that have happened in Indochina in the last six years. It is right and inevitable that we examine that record of the past. But it is more urgent that we face one simple fact about the present:

In this year, 1971, more civilians are being killed and wounded in the three countries of Indochina, and more made refugees, than at any time in history. Most of the casualties are caused, and people made refugees, by American and allied military activity.

That is the estimate of the experts on Edward Kennedy's Senate Subcommittee on Refugees, whose figures on the civilian toll of the war are recognized as the best available. In other words, as Americans are told by their Government that the war is winding down, the number of Vietnamese, Cambodians and Laotians being killed and maimed and made homeless is at a record high.

The realities behind that fact can be illustrated in a number of ways.

In South Vietnam alone last year, the subcommittee estimates, the number of civilians killed averaged more than 500 a week. That was six times the American war deaths.

In the last three months of 1970, 150,000 people in South Vietnam became refugees. On the very day that Lieutenant Calley was sentenced for the massacre at Mylai, South Vietnamese troops began a sweep of the Mylai area that officials believed could drive 16,000 villagers there from their homes.

In Cambodia, a check last August showed one million refugees—in a country of six million people. The figure is undoubtedly higher now, after more American bombing. Cambodia used to live with political compromises that were awkward but at least did avoid the real ravages of war. The refugees and civilian casualties have come in the last year.

In Laos, with a population of only three million, 292,000 are officially on the books as refugees. And again the experts say that American bombing is the principal cause. People do not usually leave their homes merely because of the presence of Vietcong or North Vietnamese troops in the area.

In the past, American politicians and generals who ordered saturation bombings and free-fire zones and the burning of villages and defoliation undoubtedly told themselves that such actions served a legitimate purpose—an earlier end to the war. For that reason, among others, it must be difficult to define "war crimes" in Indochina.

But that reason is no longer easy to argue. Can it really be said that killing and wounding civilians and driving them from their homes on such a scale serves any legitimate political purpose?

The United States is supposed to be withdrawing from Indochina. But as the ground troops leave, bombing and air support activities spread. The political aim is to maintain the present Saigon Government in office. But can that end justify the use of military means that are necessarily in discriminate, as the cruel figures of civilian casualties show?

That is a question that every American official connected with the war, and every

high-ranking military officer, will have to begin asking himself. Whatever the law may be, whatever the doctrine of Nuremberg or the Yamashita case ,does he as an individual want to share moral responsibility now for a war policy that holds human life, civilian life, so cheap?

The curious thing is that the cost of the war to the actual residents of Indochina hardly ever figures in official speeches. President Nixon, in his major talks on the war since Nov. 3, 1969, has spoken about American casualties and the defense of an independent South Vietnam and the danger of the United States being seen a pitiful helpless giant. He has not mentioned the human cost of the war to the people of Indochina—the continuing cost of a continuing war.

It seems unlikely that the President can go on much longer showing little or no sensitivity to that human cost. Three weeks ago, from abroad, I wrote that I thought Mr. Nixon was wrong if he believed Americans felt no moral concern for death and disintegration among the Indochinese people. After traveling in this country I am even more convinced that there is such concern.

Americans are not only worried about American casualties in Vietnam. More and more of them want to stop the killing all over Indochina. More and more of them feel a national responsibility for terrible things that have happened and are still happening in Indochina, and they want those things to end. That is why, even before the Calley verdict, there was evidence of developing concern about war crimes.

All this must have a serious impact on President Nixon's political options as he considers what to tell this country about our course in Indochina. He has to deal now not only with a new awareness of military realities after Laos but a new American awareness of the moral realities in Indochina.

THE END OF THE AFFAIR—II

(By Anthony Lewis)

In the Johnson Administration, people used to talk about "the nun gap" as a necessity in getting the United States out of Vietnam. By that they meant that there had to be a reasonable period of time between the American exit and the first Communist attack on a nun—in other words, the collapse of the anti-Communist Government in Saigon.

The Kissinger-Nixon rhetoric is less cynical; officials speak of the need for a "firebreak" of years between final American withdrawal and change in Saigon. But the political motivation is exactly the same: fear of a terrible right-wing reaction in this country if all our suffering in Vietnam turns out too quickly to have been in vain.

Unhappily for the President, as he prepares to tell the country about the next phase of his policy, pressures of another kind are mounting. He must recognize that they are limiting his ability to assure what will follow an American withdrawal.

There is, first, the moral revulsion here at unending death and destruction in Indochina, discussed in a previous column. The patience of the American people, the willingness to play any part at all in the killing, is visibly shrinking.

The other fact if life is that Mr. Nixon's technique for gaining time, Vietnamization, is now seen to have limited possibilities. That is the lesson of the incursion into Laos.

Circumstantial reports after the Laos operation pictured those South Vietnamese units that actually engaged the enemy as demoralized. Even taking the official version as gospel, it is clear that the South Vietnamese were badly hurt despite the immense air support provided by the United States. Unless the President and his advisers have shielded themselves from reality altogether, therefore, they know that there is no foreseeable time when the Saigon forces can be expected to carry the whole military burden themselves.

The logical conclusion from all this would be to change our policy. It would be to recognize that the United States cannot determine the future in South Vietnam, given the moral and military limits on what we are prepared to do. It would be to adopt a single overriding objective of American policy: to get out.

That change of policy would be accomplished by the President setting a fixed date for withdrawal of all U.S. forces, air as well as ground. The mere announcement of a date would make the politicians in Saigon begin to adjust to the reality of the power balance in Indochina; it would point toward political settlement and an end to the fighting.

A commitment to total withdrawal should also open the way to negotiation with the enemy on the matters of particular human interest to Americans. The Communist delegations in Paris have indicated that there could be arrangements for withdrawal of American forces without further harassment and death if the commitment were made. And the chances for a negotiated release of the prisoners would also improve.

This entire view of how American policy could change depends on the judgment that this country has no security interest in Indochina worth what it is costing in lives there and national torment at home. The extraordinary public reaction to the Calley verdict suggests that most Americans have reached that judgment. But has Richard Nixon?

The President has a long history of fundamental belief in America's role as a bulwark against Communism everywhere—and specifically in Indochina. Moreover, because he failed to liquidate our involvement there when he took office two years ago, he now has on his conscience all those lives that make it difficult for any leader to change policy.

For those reasons it is quite possible that Mr. Nixon will resist the logic of the battlefield and of the American conscience. It is possible that he will continue to fudge the timing and nature of our withdrawal, offering Saigon the hope of continued reliance on U.S. air power. It is even possible, given his penchant for sudden displays of "strength" that the President will try to gain more military time by massive new bombing attacks on North Vietnam or some similar aggressive tactic.

In making the choice now, the President and his advisers have to recognize that they will have much to answer for in history. To use weapons of mass destruction in the belief that they will make a legitimate cause prevail is one thing. To use them when this country has no belief in the cause or in its prospect of prevailing—and in doing so to kill and wound and make homeless record numbers of Indochinese civilians—is no better than shooting infants at Mylai.

There is no partisan politics, as some Republicans have charged, in hoping that President Nixon will decide to end all American military involvement in Indochina. It was one of his most fervent supporters who said the other day that he prayed the President would resist those familiar voices from Saigon and listen to his country.

CALLEY'S TRIAL: THE MORAL QUESTION AND BATTLEFIELD LAWS

(By William Greider)

FT. BENNING, GA., April 3.—Americans have chosen some strange popular heroes in the last decade, but none of them was a convicted mass murderer.

This is the guy, remember, who was held responsible by a jury of his peers for "wasting" 22 lives. He picked up a baby, threw him into a ditch and shot him. He is the soldier who butt-stroked an old man in the face, then shot him at point-blank range and blew away the side of his head. Some hero.

But the public clamored for Lt. William L. Calley's release and, after thousands of telegrams, President Nixon responded. The President "personally felt" that Calley should not be confined in the stockade with the common criminals.

Lt. Calley spent three nights in jail and don't bet any big money that he will ever return to prison again. The pressure against that will be enormous.

The President's personal intervention puts the military judicial system on notice that, if any reviewing officer upholds Calley's conviction and sentence, he risks re-igniting the public anger—and directing more heat at their commander-in-chief.

For comparison's sake, an enlisted man here at Fort Benning was sentenced to five years in prison last year for pushing a warrant officer. The Air Force recently sent a colonel away for three years for smoking marijuana. Howard Levy, the doctor who refused to train soldiers bound for Vietnam, served two years for disobeying an order.

The point is not that Calley ought to spend the rest of his life in prison. On the contrary, his lawyers can make a strong argument that, in terms of criminal attitudes, Calley has already been rehabilitated by the ordeal of his long trial.

The question is: if the President and the nation reject the verdict of guilty, rendered by six combat veterans, what is left of the law which the Army attempted to uphold—the international convenant that, even in combat, soldiers do not shoot defenseless people who are captured and unarmed?

If that principle is undone by the public uproar over Calley's conviction, the Army is stuck with a different kind of problem: should it give up the battlefield discipline required by U.S. law and the Geneva Conventions? Should it open the doors at Ft. Leavenworth, Kan., and release all the other soldiers convicted of the same offense as Calley?

Contrary to popular belief, Calley is not the first American soldier prosecuted for killing people in middle of this war. There have been scores of men—soldiers and Marines—tried for the murder of Vietnamese captives in the midst of combat situations. Many of them are still in prison. The only difference is that, instead of 22 people, most of them killed only one or two.

Right now, there are 75 to 80 men serving time in Ft. Leavenworth on murder charges which originated in Vietnam. Some of their victims were fellow Americans, but most were Vietnamese. Some of them, just like Calley, still have their appeals pending. Still more are imprisoned at the Naval Prison in Portsmouth, N.H., where convicted Marines are sent.

They're sitting in prison unknown, while Lt. Calley is famous and confined to his quarters on post.

On the left, Senator George McGovern, certified anti-war spokesman, declares that Calley should not be held responsible because his crimes were part of a larger sickness, the strategic war crimes of U.S. involvement in Vietnam.

On the right, the legionnaires chant "war is hell" and, likewise, protest the verdict.

If you follow the logic of either position, Lt. Calley is, as his defense attorneys kept saying "a typical American youth who was fighting for his country." Or, the brutality of Mylai is not distinguishable from the general brutality of war, especially this war.

Millions of Americans apparently believe that but six Army officers did not. They appreciated, after listening to the evidence for four months, that something different and obviously wrong happened at Mylai and Lt. Calley was to blame for part of it.

None of these questions—which need answers and which have undoubtedly influenced public opinion—were before this jury. They decided a much narrower point—that lumping Lt. Calley's actions together indiscriminately with other GI's is slanerous to thousands of men who did not shoot babies, who did not herd their prisoners into an irrigation ditch and execute them.

That is not to say that Calley is the only soldier who ever did that (the Army and Marines, by the cases they have prosesuted, admit that the battlefield crime is unusually linked to this war). That does not settle the accusations of greater war crimes committed by military or civilian leaders who designed U.S. strategy.

Convicting Calley does not absolve any generals for the devastation of village after village by aerial bombardment or poisoning the wells or burning huts and shooting livestock "just for sport," as one Charlie Company veteran put it. But letting Calley go does not bring any generals closers to prosecution either.

The lieutenant, after all, was not judged by a bunch of left-wing peaceniks or by elitist West Pointers looking down their noses at an OCS graduate who never finished college. Most of the jurors never finished college either. They too have been shot at in battle, wounded, decorated for bravery. Five of them served longer in Vietnam than Calley.

They were not asked to determine if other Mylai's ever happened elsewhere in the war, though perhaps they have a smaller scale. They were not supposed to decide whether Calley's superiors—the company commander or the division commander—should also stand trial. They did not attempt to analyze the grand strategy of U.S. military involvement in Vietnam and decide whether war crimes are involved in the pattern bombing, the defoliation, the napalm, the use of "free fire zones" and "body counts."

The idea of assuming collective national guilt for Mylai—a notion which may be satisfying to people who opposed the war anyway—does not settle anything. When you say we are all guilty for Mylai, that has truth in it, but it is also another way of saying no one is guilty.

The six jurors, again, operating in the narrower context, said simply that infantry officers, who have some discretion in whom they kill, cannot kill their prisoners.

A TV interviewer asked Maj. Harvey G. Brown if the verdict wasn't a little harsh, considering all of the circumstances at Mylai, the fear of combat, the threat of booby traps, the Viet Cong's guerrilla tricks with women and children. Brown agreed that it was, but reminded him of what Lt. Calley did with the people in the ditch. "That was pretty harsh, too," the major said.

The cynics thought the Army was staging a charade all along and would be happy with an acquittal so it could be done forever with the Mylai scandal. Nearly everyone was surprised by the severity of the jury's finding—premeditated murder. Contrary to initial reports, it is now understood that one and possibly two of the jurors voted for a lesser offense, such as unpremeditated murder, though there was no dissent among them on the question of Calley's guilt.

What the critics cannot explain very well is why these men who were in the war themselves seem, in the end, less compassionate than the fireside war critics who cry "scapegoat." The answer may be that these men—while well aware that war is hell—know also than there is killing and then there is killing.

The issue of legal and illegal killing gets terribly confused. Vietnam veterans, who feel great sympathy for the lieutenant, like to point out that they killed people too so they can see themselves in Calley's shoes. The next time you hear that from an ex-GI, ask him if he herded people together, unarmed and unresisting, put them in a ditch, then stood over them and fired. If he says no, he is typical. Most infantry men in Vietnam barely saw who they were shooting at, much less who they killed. If he says yes, you're talking to a murderer.

"People are saying that Mylai's happen in every war," Brown said. "Maybe so. That wasn't the issue in the Calley case. The issue is whether Mylai's are right or wrong."

Well, why is it wrong? Why is it wrong for infantrymen to kill all those people, suspected Viet Cong collaborators, when B–52's might just as well wipe them out with blanket bombing?

One answer is that human life is precious, that soldiers are meant to be merciful to the helpless if they can be. Even a soldier is not supposed to kill without provocation.

An infantryman, admittedly, has more discretion over that than a bombardier but the excesses of aerial bombardment should not be made into an excuse for cold-blooded murder on the ground.

That level of morality is too sentimentalized, apparently, for many Americans. They were, after all, Oriental babies, perhaps even communist babies (though they were not wired with booby traps as one witness suggested imaginatively).

If you put aside the moral issue, soldiers still have a practical reason for observing the laws of the battlefield. A senior Army officer at Ft. Benning stated it succinctly: "You can have any standard you want for the conduct of warfare, but you better be prepared to get what you give."

If America adopts as a customary standard—barbaric as it is—the rule that it's permissible to shoot prisoners, then America should be prepared to accept the results of that standard. The link between the Mylai victims and the American POW's held in Hanoi is real and important—they are protected by the same rules. It is a great national hypocrisy to rally outrage on the POW issue, then pat Calley on the back for what he did to the prisoners of Mylai.

Actually, there were a few genuine heroes involved in that operation. One of them was Lt. Hugh Thompson, the helicopter pilot who couldn't understand why the troops were lining up people and shooting them. He intervened and saved some lives and that took courage.

Jim Dursi, just a rifleman, was a hero too. Lt. Calley, his platoon leader, offered him a turn at the irrigation ditch shooting people, but Dursi refused. That took some courage for him and the others who wouldn't kill.

In a different way, there were men like the brilliant young prosecutor, Capt. Aubrey M. Daniel III, people in uniform who helped the Army, in its own clumsy way, to try as an institution to make a point of honor. Despite all of the imperfections, despite all of the other culprits who got away, the Army did make its point, when it easily might have ducked it. Though the President blurred it, the lesson still is tormenting the nation's conscience, stirring new painful questions about war and national responsibility.

If Lt. Calley had been acquitted or given a light sentence, any uproar would have been mild and temporary. No one knew that better than the six jurors, the men who are now suffering from the anger which grows out of the national disgrace.

Maj. Brown, the most outspoken of the jurors, got a death threat. Col. Clifford H. Ford, the court-martial president, took the nameplate off his front door to avoid further harassment. So did the prosecutor.

The sick and sorrowful joke circulating around Ft. Benning is that the people sprung Calley—now they're going to lock up the jury.

ADDRESS BY CONGRESSWOMAN SULLIVAN AT 7TH ANNUAL THRIFT AND HOUSING FORUM OF GEORGETOWN UNIVERSITY

HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mrs. SULLIVAN. Mr. Speaker, over the weekend, Georgetown University held its seventh annual thrift and housing forum, sponsored by the school of business administration and the school for summer and continuing education. Speakers representing the Federal Reserve Board, the Federal Home Loan Bank Board, the Department of Housing and Urban Development, and the Federal Home Loan Mortgage Corporation joined with outstanding University faculty members and leaders of the thrift industry in discussing "changing patterns in thrift and housing."

It was my privilege and pleasure to be invited by the Reverend R. J. Henle, S.J., president of Georgetown University, to address the guests at the Forum at the opening event, a dinner on Friday night. The subject of my remarks was "patterns change—but the problem remains."

As ranking majority member of the Subcommittee on Housing of the House Committee on Banking and Currency, I feel very strongly that unless and until we solve the problem of making our inner cities habitable environments once again, our efforts to provide adequate housing at reasonable cost will never succeed.

NOT JUST A MATTER OF BRICKS AND MORTAR AND CEMENT

In other words, Mr. Speaker, the major housing problem now is not merely one of bricks and mortar and cement—it is the ability of people to live safely in their home neighborhoods. That is the requisite for making the housing in those neighborhoods into acceptable and pleasant homes.

Under unanimous consent, Mr. Speaker, I include in the CONGRESSIONAL RECORD as part of my remarks, the address I made Friday on this subject, as follows:

PATTERNS CHANGE—BUT THE PROBLEM REMAINS

(Address by Congresswoman LEONOR K. SULLIVAN, Democrat, of St. Louis, Mo., ranking member, Subcommittee on Housing, House Committee on Banking and Currency, at opening session of seventh annual Georgetown University Thrift and Housing Forum, Friday night, April 2, 1971, at New South Building, main campus)

Ever since Father Henle left St. Louis University to become president of Georgetown, I have regarded this distinguished Jesuit scholar and educator as still being one of my constituents, and the venerable institution which he heads in our Nation's Capital as a logical extension of my constituency. Thus, I can usually be persuaded without much difficulty to come here and participate in some of the many outstanding events sponsored by Georgetown University in expanding and improving the economic and cultural life of our nation.

Father Henle's invitation to participate in this Seventh Annual Thrift and Housing

Forum was particularly appealing to me because it provides an opportunity to challenge old solutions to a chronic problem in our society—solutions which may have worked well at some stages of our national development but are not operating successfully now—and to point the way to new avenues of thinking and doing in pursuit of decent homes for all of our 200 million people.

As the theme of this Forum indicates, the patterns of thrift and of housing are indeed changing. Nevertheless, the problems remain. They will not be solved by the whereas clauses of resolutions, but they *can* be solved by *resolution*—by a determined drive of private enterprise and public leadership joined together in a practical partnership in which the profit motive is neither despised and ignored, on the one hand, nor made paramount and exclusive on the other.

NEITHER GOVERNMENT NOR INDUSTRY CAN DO JOB ALONE

There are those who feel, and vigorously maintain, that the housing problems of the American people can be solved with a twist of the magic faucet of Treasury financing—open the spigot of Federal dollars and everything will be solved.

If this were a valid concept, then our public housing projects would all be garden spots of joy and comfort and tranquility, and every family which could not afford decent housing would nevertheless be living nicely and happily in all of the metropolitan areas of the country.

Then there are those who feel, and just as vigorously maintain, that private enterprise, if unfettered and left alone to put the profit motive to work on this problem, could solve the housing shortage overnight.

If *that* were a workable solution, the problem never would have arisen in the first place, and certainly would not have grown to present proportions in an economy approaching the trillion dollar a year level.

A combination of industrial innovation, private investment, government leadership, and public funds *can* do what public money or private initiative cannot do alone. Certainly this is not an untried theory. In 35 years, we have reversed the pattern of American housing from largely a landlord-tenant economy to one in which the great majority of families own, or are buying, their own homes.

Furthermore, in that period of 35 years, we have progressed from a nation in which one-third of our families were ill-housed to one in which perhaps only one-twelfth live in substandard homes. By most yardsticks, this would be considered remarkable progress in less than two generations.

But is it remarkable enough? I think the fact that we are here at this Forum looking for new answers in the changing patterns of our housing economy, and the fact that endless hours of every Congressional session in recent years have been devoted to housing legislation and home financing problems, establish clearly that none of us is satisfied with the degree of progress we have achieved, no matter how remarkable it might appear to have been in mathematical terms.

DEPRESSION ERA PROGRAMS WORKED—FOR THEM

Lest we condemn unfairly those who invented the Home Owners Loan Corporation, the Federal Housing Administration, the Federal Home Loan Bank System, the Federal Savings and Loan Insurance Corporation, the United States Public Housing Authority, the Greenbelts, and all of the other new housing programs of a Depression-ridden nation 35 or more years ago, I think we must acknowledge that what they did was imaginative and tremendously effective. Those programs all accomplished miracles of their time.

When World War II came along, we found that we could instantly create good livable housing for thousands upon thousands of families near the new jobs which urgently had to be manned as part of our defense effort. Following the war, this defense housing still continued to fill a need: some of the projects were turned into cooperatives for the families which had occupied them during the war and had come to like the life style they provided; others were converted into public housing for the poor. The suburbs, meanwhile, bloomed with new single-family developments as the GI bill provided an incentive for millions of returning servicemen and women to buy homes in pleasant neighborhoods where their kids could enjoy the outdoors and good new schools and a rising tide of affluence.

But that was when our cities began the plunge into poverty. Then, in 1949, the Housing and Urban Development Act pointed the way to rejuvenation of run-down commercial areas and slums in our cities into magnificent high-rise apartment houses, parks, playgrounds, malls and open plazas, civic centers, parking garages and office buildings. And so, of course, all of our urban housing problems were quickly solved.

Except that they weren't.

THE SCOPE OF THE PROBLEM NOW

Everything we worked for and thought we had accomplished in those exciting days of change is now coming apart at the seams. The cities are in worse shape financially than at any time in their history—they are literally on the verge of bankruptcy. The suburban areas, which so recently bloomed, are now fading into embattled enclaves of inadequate sewers, crowded schools, tax troubles, and traffic nightmares. The poor are huddled masses of inner city despair, yearning to breathe free. The housing industry has just gone through another suffocating period of tight money. The thrift industry has suddenly found itself surfeited with funds which cannot immediately be placed out on loan at high enough yields to meet the interest rates it has committed itself to pay to its savers. Unemployment has reached out to the skilled, the talented, the educated, over-extended suburbanite, and has caused a surge of foreclosures. Public housing is a vandal-ridden jungle of frightened people. And we in the Subcommittee on Housing of the House Committee on Banking and Currency—the Subcommittee which pioneered college housing, and housing for the elderly, and mass transit, and Model Cities and subsidized home ownership and New Cities legislation—are fresh out of instant solutions, and are. for the first time in the 16 year history of that Subcommittee's existence, undertaking now an overall investigation into the basic fundamentals of *how* we get housing and *what to do* to get more.

So I welcome you tonight to Dilemma, a state of mind in the housing field compounded partly of disillusionment, partly of uncertainty, partly of doubt, partly of desperation.

It isn't that we don't know how to build good homes in vast quantities—we have done it. Nor is it a case of lacking funds to provide decent homes for all of our people. This nation can afford anything it is determined to have. The situation is far from hopeless. But the relatively easy answers of yesterday, which brought about a revolution in middle class housing in America, aren't working for the low-income family, and the bright promise of tomorrow is still on the drawing boards of government agencies and private enterprise, waiting to be born.

SOME ANSWERS—BUT NOT ENOUGH

Each of the speakers at this Forum will have some good things to say about whatever phase of the housing industry his group or organization is responsible for administering. The savings and loan industry, as I said, is loaded with lendable funds and is anxious to lend them out to those who build and those who buy new housing, or to rehabilitate older housing. The construction industry can point to some promising new techniques in off-site fabrication. The Government will undoubtedly, through its spokesmen here, cheer us on with descriptions of Operation Breakthrough on prefabs, the newly enacted secondary mortgage market for conventional loans, the modest subsidy program also enacted last year to reduce mortgage payments for some families by $20 a month for five years, and the progress on model cities, urban renewal, mobile homes and subsidized home ownership. But the *lower* low income family will still be heard asking—perhaps plaintively, perhaps belligerently—"when do you get around to us?"

And the answer to that plea has to be—regrettably, it has to be—"not very quickly" or "not yet"—or "soon, perhaps—maybe."

The answer has to be a put-off, that is, because the housing problem no longer is just one of bricks and mortar and cement and financing which characterized so much of our housing effort of the past 35 years; at this point, it is also a problem of social engineering (a deplorable term for a necessary next step).

BIGGEST AREA OF NEED IS FOR THOSE WHO HAVE NEVER HAD GOOD HOUSING

Except for the elderly, the handicapped, and the recently unemployed, whose incomes have been sharply reduced by causes or factors beyond their control, the biggest area of housing need now is for those who have never been properly housed. In good times or bad, these families, and their parents and grandparents, had *never known* what we regard as adequate housing. Many of them used to be hidden from view in backcountry shacks and cabins, where they scratched for survival. Now they live in our cities, and their needs cry out to us for humane solutions, while the solutions we devise often collapse in false assumptions that all we have to provide is a warm, clean, sound dwelling.

This is, admittedly, an oversimplification on my part; not all of our lower income families clustered in slums and deprivation are recent rural in-migrants; many go back several generations in our urban areas. But as the public housing experience has demonstrated to us, not all people who are poor are endowed by nature and disposition with nobility, thoughtfulness, self reliance, neighborliness, intelligence, cooperation, love for humanity, or lots of other virtues the story books used to find inherent in poverty.

Some of them, frankly, just aren't nice people. As long as they lived off by themselves, hidden from us, we paid no attention to how they lived or even *whether* they lived. In the cities, however, we feel impelled to make them less offensive to our sensitivities by placing them in public housing and *then* forgetting them. *Enough* such families have turned public housing into a jungle of inhumanity and crime and destructiveness.

THE AGGRESSIONS OF THE UNDISCIPLINED AND BRUTISH

The decent families in public housing—by far the majority—have despaired of seeing any effective discipline, even despair of their physical safety, and can not wait to move anywhere—even back to the slums—rather than subject themselves and their children to the aggressions of the undisciplined and brutish few among their neighbors who have been destroying their environment.

If there were an epidemic of disease raging through our central cities, the entire country would be galvanized into a vast effort to eradicate the germs and prevent a spread of the infection to everyone else. Fear of our own personal danger would force us to act. If it was diphtheria or plague or cholera or malaria or any of the other diseases which

we know medical science can conquer, we would act quickly with compulsory inoculations and with a crash program to clean up the sources of the infection.

But when an elderly woman has to barricade herself in her apartment or room at dusk for fear of being robbed of whatever few dollars she carries in her purse, or of being beaten or killed, we don't see it and we aren't aware of it except through an occasional obituary in the newspapers.

When the children in a slum area are brutalized, we seldom know about it. When dope addiction, or alcohol, or the inherent drive to "be a big shot" makes criminals out of whole gangs of neighborhood youths, it's usually not in *our* neighborhoods; although we do get some extra locks on our doors and windows and perhaps install an electronic system to protect our own safety.

"UPGRADING" OF NEIGHBORHOODS NOT ENOUGH

Frankly, short of abandoning our central cities entirely—just picking up and leaving, and letting them to the rats and the termites and the weather and the vandals and squatters, we aren't going to solve our inner city housing problems without doing something about the breakdown in morality which makes every central city area a combat war zone.

The fear which is rampant in our inner cities makes all discussions of housing improvement there academic. The savings institutions hesitate to invest any of their loan portfolios in such property—no matter how well intentioned or motivated the prospective buyer-owner may be—because the investment truly is risky. Drive through some of the neighborhoods in Washington of well-built, individual homes and your heart cries out for the conscientious families trying to maintain their properties amid a sea of garbage and litter and broken fences and trampled lawns and broken bottles. A vacant house whose quickly broken windows are replaced with boards nevertheless often displays evidence of forced entry and sometimes fire damage. While the sociologists deplore the flight of supermarkets from these areas, the neighborhood food stores which do manage to survive are battered fortresses in which the pilferage losses probably exceed the profits.

None of these problems will be solved merely by "upgrading" the appearance of the neighborhood. And there can't possibly be enough police to patrol every alley every minute of the day and night.

THE RIGHT OF THE INDIVIDUAL TO BE SAFE

This is the environment in which millions of Americans live, most of them seeking some way to escape. Yet we are talking about the areas of our cities which *could* be an almost unlimited source of additional good housing, if only we could protect the rights of the individual to live safe from physical harm and safe from vandal abuse of his property.

In frontier days, the neighbors armed themselves and banded together to protect themselves and each other from marauders. This is not a practical solution in our cities. We must, instead, depend upon the police, and the police must depend upon the complete cooperation of the residents to identify the marauders and to help in prosecuting them. This is easy for us to say, but it takes real courage from those who would have to assume this hazardous burden. This is where the social engineering I spoke of has to be tried—particularly in the housing projects, but also in any crime-ridden neighborhood. The poor—most of all the poor, who are the main victims of crime—can not afford the luxury of not being "involved" with the law.

WHAT A FAMILY MUST LEARN TO DO FOR ITSELF

If we can solve the crime problems in our cities—and that's a mighty big "if", I know—then I feel we can more confidently proceed to the rehabilitation of more urban housing and then teaching families that never had good housing before how to take care of what they have—to call a plumber before the leaking bathroom equipment rots the floor and brings down the plaster in the living room ceiling; to protect the pipes from freezing; to repair the back steps before they collapse; to get a leaking roof patched quickly; to make sure the kitchen range is attached to the flue; to drain the sediment from the hot water heater; to watch for evidence of frayed wiring; to avoid overloading the electrical circuits; to exercise reasonable care and prevent little problems from growing into major ones which threaten the structure itself. We can't assume that everyone who lives in a home already *knows* these things.

And then we have to do something to require honest dealing by unscrupulous home-improvement contractors and others who now prey on the poor, the fast-talking freezer plan salesmen, the roofing and siding racketeers, the gyp credit outfits. Under the Truth in Lending Act, I am happy to say, certain safeguards are now written into the Federal law to protect the unwary from some of these people, but the law still places the obligation on the home owners or householders to *know* what they are signing, and this is going to take a tremendous educational effort. We have found in the National Commission on Consumer Finance which was created in 1968 in Title IV of the Consumer Credit Protection Act, that most residents of low-income areas, and blacks as a group, have very little understanding of the *concept* of annual percentage rates of finance charges even when the information on such rates is fully disclosed, as now required under the law.

PROBLEMS OF THE 92 PERCENT—AND OF THE REMAINING 8 PERCENT

A Forum such as this can bring greater understanding to those in the thrift industry of the new programs of government and the developments in the private sector to make mortgage money more readily available for the average family in acquiring a home, but our *greatest* problem today is *not* with the average family's home needs.

True, interest rates are still high, construction costs are very high, land costs are high and rising, closing costs are burdensome, local taxes are going up, zoning laws and building codes are often outdated, sewers in the suburbs are inadequate for further developments, pollution is growing worse—all of these are problems for the 92% of the American population which has reasonable access to better housing.

The remaining 8% however, are our biggest challenge right now, for they need the *most* and have the *least*, and are the most difficult to help. Yet, if we don't put our brains to work solving their *crisis*, every major city in the country is doomed.

How do we address ourselves to *that* problem?

PHARMACEUTICAL FRATERNITY SUPPORTS OUTPATIENT PRESCRIPTION DRUG COVERAGE UNDER MEDICARE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. OBEY. Mr. Speaker, there is further support for the bill (H.R. 2355) to provide outpatient prescription drug coverage under medicare—that 85 Members have now joined me in sponsoring.

At it Bal Harbour, Fla., meeting last month, the AFL–CIO executive council announced that prescription drug coverage under medicare is one of the goals of labor's social security program.

And now Mitchell M. Ross, chairman of legislative affairs for Alpha Zeta Omega, one of the professional fraternities of pharmacy, writes that his fraternity supports this legislation.

The text of the letter from Mr. Ross follows:

ALPHA ZETA OMEGA,
South Norwalk, Conn., March 26, 1971.

Representative DAVID OBEY,
Longworth Office Building,
Washington, D.C.

DEAR MR. OBEY: At a recent meeting of Alpha Zeta Omega where representatives of our 40 chapters and 10,000 members met, we discussed your bill amending the Social Security Act to provide for coverage of prescription drugs. We want to, at this time, express our support for such legislation as an improvement in health care for the public and as such certainly to the advantage of pharmacy as well.

Thank you for your cooperation.

Sincerely yours,

MITCHELL M. ROSS,
Chairman, Legislative Affairs.

EMERGENCY DEPARTMENTS AND THE NONEMERGENCY DELUGE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 1, 1971

Mr. HOGAN. Mr. Speaker, I wish to call to the attention of my colleagues an article which appeared in the December 25 issue of Medical World News concerning the use of emergency room facilities in hospitals. At a time when the Congress is considering a national health plan and several related items, it becomes evident, as presented in this article, that emergency service in our hospitals is in desperate need of attention.

Two years ago I called to the attention of the House a series of editorials broadcast by radio station WWDC about the crisis facing hospital emergency rooms in the metropolitan area. Hospitals must charge every patient—in-patient or out-patient—a share of the capital costs of its emergency room facilities. Emergency room service is undoubtedly the most expensive way to give medical care.

Many people do not practice good health habits and do not see a doctor or even attempt to see one when they think something might be wrong with them. As a result, they wait until the middle of the night when the situation has become aggravated and then have almost no place to turn except the emergency room. Recognizing that there is a shortage of physicians, nevertheless better public education of what constitutes good health would help the problem, too.

In 1969 when I introduced the proposal to establish an ambulance corps for the District of Columbia, I underscored some of the problems with the emergency service as a result of a mock disorder drill in which I participated.

It is evident that while most emer-

gency rooms can reasonably handle disorders and large-scale emergencies by mustering the available resources, the routine nonemergency overtaxes the facility resulting in a decrease in service and an increase in costs.

The recent resignation by 15 of the 32 emergency room doctors at District of Columbia General again focuses attention on the problem.

The time has come when the Congress needs to give serious consideration to the problems of emergency medical service. Mr. Speaker, I insert an article which appeared in the December 25 issue of Medical World News together with the article which appeared in the March 27 issue of the Washington Post by Mr. Carl Bernstein.

[From the Medical World News, Dec. 25, 1970]

EMERGENCY DEPARTMENTS AND THE NONEMERGENCY DELUGE

Patients who walk into the emergency department of Cook County Hospital in Chicago must pass a large statue of a mother comforting her children and protecting them from unseen dangers.

That are nouveau reminder of the hospital's palmier days is a bit of grandeur largely missing inside the old institution now. But the image of protection and aid the statue symbolically offers is taken quite seriously by those who see it. Last year, 214,000 people used the adult emergency department (psychiatric and pediatric cases are seen separately, for a total of 327,000 in 1969).

Most cases could have been handled in the office of a good general practitioner. But Cook County serves an 85% black population drawn from the sprawling South Side ghetto which begins on its doorstep and contains few GPs or any other kind of doctor. So people turn to the ED as their only source of medical care. As a result, the emergency department is swamped with walk-in patients, only a few true emergencies, making it more difficult every year to staff, equip, and pay its steep costs of operation.

"We take care of everyone who comes in the door," says Dr. Jeb Boswell, the energetic director of the adult admitting department at Cook County, the man in charge of its emergency department. "Our biggest problem is too many patients. Emergency patients are mixed in with people who need office care. Only 10% of the people who walk in here are as sick as the horizontals who come in on stretchers. How can you turn them away? How many private practitioners are in the community? There aren't even any drugstores. There are square miles of this city that are devoid of everything."

Two thousand miles to the west, Dr. Ann Elconin also finds this use of the ED as a physician's office a great problem. "About 10% of our patients are true emergencies," says the tall, attractive director of the emergency department at Los Angeles County General Hospital, which handles 250,000 adult patients a year. "The rest are those with recent-onset symptoms that are worrisome to them. Ten years ago, the average patient did not expect 24-hour care for a rash. But the culture is changing and the average patient expects more. You can go to the laundromat 24 hours a day, so why not the emergency department?"

Charity Hospital in New Orleans claims to be the oldest hospital in the country, having been caring for the poor sick continuously since 1736. Last year it served 812,000 ambulatory patients, of whom 485,000 had outpatient appointments, the others having walked or been carried in. This year's volume is running higher. The hospital is state-operated and its young director, Dr. Charles Mary, is seeking funds for expansion: "Our space is totally inadequate and our manpower is pushed to capacity." Experienced receptionist-clerks in the ED sort patients into acute and nonacute groups. "They do pretty well," says Dr. Mary, "but if a nonacute patient gets over to the acute side, we'll treat him there."

Figures at Cook County, L.A. County, and Charity are higher than many emergency departments because of the largely indigent population served (and Charity has 35% of all the beds in New Orleans). But private hospitals in more affluent areas of the country report a similar problem. Only the reasons are different. Middle-class persons in San Diego, Phoenix, Fort Dodge, and countless other places turn to EDs because they have no regular family doctor or could not get him to help at night or on weekends, when most emergencies seem to occur.

Whatever the source of its patients and their reasons for coming, emergency departments have had a vastly increased work load in recent years, significantly altering the old image as the hospital's back door where maimed and bleeding victims of traffic accidents were brought for immediate attention. This kind of patient still comes, but he must now vie for attention with less seriously ill walk-in cases. In fact, the ED is so crowded today that the true emergency patient is often immediately covered with a red blanket or another special designation so he won't be completely lost in the shuffle.

The emergency department ("room" is no longer favored because the care has expanded so much) is now the point of entry to the health care system for greater numbers of people each year. The increasing availability of Medicare and private insurance plans may have encouraged the switch, but the main impetus has been failures elsewhere in the system—lack of doctors and clinics, for example. People who get sick today often have only one place to turn: They become outpatients in an emergency department. And in many hospitals throughout the country, these departments are sagging under the demand.

"For decades the 'emergency' facilities of most hospitals have consisted only of 'accident rooms,' poorly equipped, inadequately manned, and ordinarily used for limited numbers of seriously ill persons or charity victims of disease or injury," says the Division of Medical Sciences of the National Academy of Sciences in a 1966 report on the problem. "Very few hospitals have met the needs imposed since World War II for the vast expansion of facilities, equipment, and personnel demanded by society, poor and rich, for routine off-hour treatment of nonemergency conditions and of the steadily increasing numbers of accident injuries. Society now looks to the hospital emergency department as a community center for outpatient care. More than two-thirds of the 40 million 'emergency room' visits in 1966 cannot be classified as emergencies."

Adds Dr. Joseph K. Owen, a Public Health Service consultant on loan to the American College of Surgeons Committee on Trauma: "So many people don't have a doctor, they use hospital emergency rooms as their physician—not only people who travel but migrating population. When people get to a town they don't think of getting a physician until an emergency develops."

A long-time expert on emergency service agrees. "The accident room became the emergency room, where patients with colds, headaches, fever, pain, or fright appeared rather than in a doctor's office," Dr. Robert H. Kennedy, a New York surgeon, told the Rochester Forum on Emergency Health Services. "Gradually, the wealthy began to appear here when they could not get their own doctors immediately and the charity character of the emergency room disappeared."

An NAS estimate put emergency department visits in 1970 at 49.3 million out of an estimated 129 million hospital outpatient visits, twice the 1960 figure. In New York state alone, ED visits have gone up 120% in the past ten years.

The 1966 study by the NAS medical sciences division pinpointed the financial burden: "Although over 90% of the more than 7,000 accredited hospitals in the U.S. list emergency rooms, most such services operate at a financial loss. In contrast to staff coverage of the 'accident room' by a hospital attendant and perhaps by an intern, minimal demands call for round-the-clock staffing by permanently assigned physicians and paramedical personnel trained in all aspects of the care of trauma. Wings need to be added to hospitals, highly specialized equipment is required, and additional personnel must be trained."

A 1965 emergency department utilization study of patients in 22 Michigan hospitals conducted by that state's Blue Cross indicated reasons for the increase: "The shortage of general practitioners and their desire for regular working hours, increasing reluctance of many physicians to make house calls, and the increasing number of people without a family physician." Also cited were the convenience of hospitals, encouragement by insurance and prepayment plans for patients to use hospitals, and the fact that most people no longer think of the outpatient department as a place where medically indigent persons go to get free care.

The specific survey findings support these conclusions: 43% of all patients attempted to call a physician before going to a hospital, 35% actually contacted a physician, 23% did not call a physician but went to the hospital because they believed their physician was not available at the time care was needed. After arriving, 23% were treated in the ED by their own physician; in 19% of cases, the physician instructed the patient to meet him at the ED, 31% of all visits occurred on Saturdays and Sundays, an additional 40% between 4 p.m. and 8 a.m. weekdays. Only 8% reported they had no family doctor, and less than 1% mentioned insurance or prepayment coverage as their reason for choosing the emergency room.

Among the results cited by the study: "Delays in caring for patients become longer and complaints more frequent. Attending physicians and other hospital staff often respond to the increased case load by becoming less sympathetic with patients having minor illnesses."

"Fifteen years ago, the emergency room was the back door of the hospital, a hell of a place," says Dr. Spencer T. Snedecor, a New Jersey surgeon long active in the improvement of emergency care. "Now, it is a new method of medical care for the people of this country, a general practice headquarters for communities at night and on weekends. The emergency is what the patient feels. If mother thinks little Suzy swallowed something harmful, it's an emergency."

County hospitals are often the destination when little Suzy's mother and countless others decide that a medical condition is an emergency. Partly, this is because the whole reason for county hospitals' existence is to give help to anyone who needs it regardless of ability to pay.

But private hospitals are troubled by the deluge, too. While they see fewer patients, the demands placed upon them and their already-thin operating budgets has increased.

At Allegheny General Hospital in Pittsburgh, for example, the annual patient load in the ED has grown from 12,000 in 1954 to 42,000 in 1969. At Alexandria Hospital in Alexandria, Va., the number of patients has increased from 18,000 a year in 1961 to 45,000 patients last year.

"Handling those patients who are not truly emergencies creates a public relations problem for us," says Dean M. Crowder, executive director of the Donald N. Sharp Memorial Community Hospital, a voluntary nonprofit

hospital in San Diego. "They have to wait while the more seriously injured go ahead of them because we establish priorities. But every patient should be examined if that patient thinks he should be there." Sharp Memorial breaks even on its emergency department, which handles about 9,600 patients annually.

Good Samaritan Hospital in Phoenix has the same difficulty, but solves it by letting the non-emergency patients know that they are getting a different priority than the emergency ones. "We don't discourage their coming, but we try to make the non-emergency patient realize that he's getting another priority than a coronary patient," explains Harry Long, director of the outpatient department. Even with a $15 average fee, however, Good Samaritan breaks even in its emergency department.

Rural hospitals aren't escaping either. Even though it isn't swamped with emergency patients, Bethesda General, a community hospital in Fort Dodge, Iowa, lost $12,000 last year on its facility, which treated 2,500 people, not all of them true emergencies.

The problem at Bethesda is that the ED has to be kept open to serve all comers, no matter what their symptoms. "There is not really anything we can do to offset their loss," says James A. Anderson, administrator. "It is part of the standby posture of the hospital and we have to wait for someone to show up. The emergency department sometimes sits for hours but you still have to heat and cool it and scrub it."

But county hospitals still bear the brunt of this walk-in crunch and a closer examination of how some of the biggest are responding may provide lessons for private hospitals, whose emergency departments' case loads will undoubtedly get worse.

"A quiet night for us would be a disaster for most hospitals," said Cook County's Dr. Boswell as he glanced quickly around the main waiting room of the emergency department on a recent Tuesday night that he explained was quiet. About 500 patients come through the main doors of the hospital daily; 236 people had been seen on the 7 a.m. to 3 p.m. shift but the night was quieter.

About 100 people sat on wooden benches around the main admitting desk and in two adjacent rooms to the rear. Main admission to the hospital is through the emergency department, so everyone comes in this way unless they are brought by ambulance or private car to the back door.

First stop is the desk where two clerks get preliminary information and a brief idea of what the patient thinks is wrong with him. They are trained to spot critical situations and speed them quickly to a physician.

The others must wait, men separated from women in two adjacent rooms where the wooden benches face wall-mounted television sets. The wait may vary from ten minutes to several hours. Dr. Boswell keeps trying to reduce the time and has the nurses keep a running tabulation as a reminder to everyone to lower his rate. On this day, the waiting periods ran as long as 5½ hours.

People who are not critically ill are seen by one of the 17 physicians on duty throughout the three shifts of the day; more or less in the order of their arrival, except that a senior resident, acting as triage officer, reviews the information sheets of people waiting in order to take care of the less-serious patients and get them out quickly. "They can separate those who need only an x-ray or a prescription and send them home without a long wait," says Dr. Boswell.

After being seen by a doctor, a patient is either admitted to the hospital, sent to surgery, put under observation for 24 hours in one of the emergency department wards, or treated and sent home, perhaps with a later outpatient clinic appointment.

A recent survey conducted by the Chicago Hospital Council revealed that 27% of adult emergency department visits in 1968 resulted in admission, 10% were treated in the surgical dispensary, and 63% were referred to the outpatient department or were treated and sent home. A review of patient records for the week of June 3–9, 1969, and interviews with the same patients provide a glimpse of the kinds of people who use EDs and help illuminate the resultant problems.

Fifty-four per cent patients were seen during the day shift (Monday had the highest number), 55% were female, and 89% were nonwhite, with 37% between the ages of 19 and 39. Only 28% had completed high school. Only 41% were employed, but 31% had family incomes of over $5,000. Median family income was $2,692 for white patients and $4,444 for nonwhites. Over half the patients reported not having any health insurance, while 20% were on welfare.

Only 24% of the patients had a family doctor, and 63% said they had used the Cook County emergency department before. Nearly half were unable to report a previous visit by a member of the family to a private physician in Chicago. Eighty per cent came straight to Cook County without attempting to secure medical assistance elsewhere, and about 25% came because they could not afford treatment elsewhere.

Seventy-nine per cent of patients arrived with conditions that were nontraumatic in origin; 19% revealed that they had been sick or injured from one to three days before checking in, and 18% had been ill three to seven days.

"This, of course, reflects the fact that Cook County Hospital patients are much more likely to come for nonemergent conditions, many of which were of a chronic or recurring nature," says the report, which concludes: "These figures confirm the major recurrent finding of this chapter—that the emergency department of Cook County Hospital serves primarily as a primary health care center for nonacute conditions of those patients who are without private physicians and generally feel themselves excluded from the private medical sector in Chicago."

The study points out, however, that the role played by Cook County Hospital in the emergency medical system is steadily declining—down from 265,000 annual adult visits in 1965, for example. And one of its main recommendations aims to reduce this further, encouraging all hospitals to treat "all medically indigent patients within their service areas as an alternative to referring to Cook County."

As he waits for other hospitals to start doing their share, Dr. Boswell must continue to deal with the real daily problems. And at present, one of the biggest is the "dumping" of patients by the other hospitals. "They will send an ambulance on, then call to say it's coming," he says. In at least one case in the past year, the patient was dead when the vehicle pulled up to the rear portal of the hospital.

Since taking over the ED two years ago, Dr. Boswell, a 38-year-old internist with an additional degree in bioengineering, has made a number of changes. He added the triage officer to speed patient flow, simplified the admission form, and expanded the time a social worker is on duty to 16 hours a day, seven days a week.

He has also instituted a rather controversial rule: Nurses in the ED have the power to admit patients over his signature. As in many hospital emergency departments, Cook County is staffed with residents and interns who rotate to the department from other areas of the hospital for two months at a time, destroying continuity of care.

"Nurses know an emergency," says Dr. Boswell. "Doctors have a vested interest. They come from other parts of the hospital and here for two months at the most. A nurse has more observations to make. She may not know all the physiology, but she knows the kind of patient where we've gotten in trouble. She may say, 'Doctor, we've got to help this man or he's going to die.' I'm only a physician. I have to rely on the nurses to keep me and the young doctors out of trouble."

Despite complaints from the residents, he has refused to change the new system. For financial reasons, he cannot go to a procedure using permanently assigned doctors, so he must use the residents.

The emergency department already runs at a deficit, but because its records are not kept separately from those of the hospital as a whole, the exact amount is not broken out. Even cursory arithmetic indicates the big gap between income and expenses: Emergency department services cost the hospital about $115 a day per patient, and those patients who can pay (or whose Medicare or state welfare coverage pay for them) are charged only $16 a day.

As a deficit operation, the department does not have enough money to hire emergency physicians. "This is a very demanding type of practice," he says. "A man has to be experienced across a broad range of diseases and be able to smell the rat and identify the patient who is sick and needs help." He worries constantly about the quality of care and reviews charts and hears complaints to rectify errors. "In many cases, like alcoholics and asthmatics, we don't have enough time," he says. "There is a minimum of psychiatry. We don't have continuity of care, preventive medicine, or an adequate lab setup."

Added to the financial and manpower problems is the general milieu of the Cook County emergency department, which can create confusion and disruption. Most patients sit quietly and wait their turn, their faces drained of the anguish that brought them to the emergency department. A few, however, cause disturbance.

A drunk is left to sit alone on a rolling cart while an attendant looks at a chart. In trying to get off he sits directly up and upends the cart, immediately crashing to the floor in a flurry of straps and sheets.

Nearby, a policeman and another drunk get into an argument and the policeman gets mad. The drunk is thrown out.

Drunks and prisoners plague the department as much as anything else. Recently, a doctor insisted that a man in leg irons have them removed before he worked on him in one of the emergency wards upstairs. Later, a policeman handcuffed the man to a wooden wheelchair and left him for a few moments. Once he was by himself, the prisoner smashed the wheelchair and escaped. It was hours before he was finally routed out of an obscure part of the hospital where he was hiding.

The next week, a man was admitted with a severe knife wound in his side. Soon after, a woman who said she was his wife ran in asking where he had been sent. No sooner had the desk clerk sent her after her husband than the police arrived in search of her. She was the one who had wounded him.

Drunks especially bother Dr. Boswell because they disrupt the regular routine and often berate the staff. Last month, he broke up a fight between two of them. "If you're well enough to fight, you don't need to be in here," he had yelled at them and thrown them both out. Later, an intern had asked him: "Know who that tall guy was? A professional boxer."

L.A. County's Dr. Elconin avoids Cook County's staffing problem because of the hospital's financial ability to hire 27 full-time staff physicians who work exclusively in the emergency department. The department is staffed by residents at night and on weekends, and no interns are used. This creates a doctor-patient ratio of one to 30.

New Orleans Charity has given up staffing with residents entirely. "The specialty boards felt that the work was not educational and was an imposition on their men," says Dr. Mary. "We hire GPs to work in the ambulatory area now. There are fewer patient complaints and we've got doctors doing the work who like to do it."

Dr. Elconin wants to bring residents from other departments to L.A. County's ED and have them go upstairs with patients who are admitted to the hospital. Now there are two separate staffs—for emergency and other departments. "If you bring a resident down here, he expects training, and teaching takes time. Now, there is too much chaos for that. We've got to move patients."

To this end, she has proposed the creation of a two-year residency in emergency care, in conjunction with the adjacent University of California School of Medicine. "The key to improving care is improving the physician," she says. "This program will lead to certification as an emergentoligist." She also wants to train ED physicians' assistants who are hospital-based (vs PAs under the Medex program who are office-based).

With the manpower problem somewhat under control, Dr. Elconin is plagued by the tendency of patients to come all at once. "That is the tragedy of the emergency department," she says, "the bunching of patients. You can't staff that way. We may stand around for hours and then four ambulances will roll in, each with four patients. This causes you to abuse some doctors and use other inefficiently."

And the patients must all be seen, regardless of how long it takes. "We could check them and let them go home," says Dr. Elconin, "but by the time you check them to see if they have pneumonia and not just a cold, you might as well treat them."

Upon their arrival, patients are routed to one of three areas. People who are acutely ill or badly injured when they arrive by ambulance or private vehicle at the rear of the hospital usually get "red blanket" priority and go directly to one of 40 private cubicles or one of 19 small operating rooms.

"Minimum trauma" patients are defined as those, in Dr. Elconin's words, "who have anything that needs to be sutured or casted and sent home without a general anesthetic." They are seen in one of the cubicles as quickly as possible.

The walk-in patients, mostly black or Chicano, come in the front of the building where they encounter a triage nurse who talks to them about their ailments and takes a case history. This is the key element to keeping a smooth flow of non-emergency patients.

The department has recently been expanded by increasing the number of cubicles and small operating rooms. A 50-bed observation unit was also added to enable patients whose diagnosis is uncertain, or who need a day to recover, to remain on the premises without being admitted to the hospital.

The average waiting time for patients is 45 minutes, with some delays reaching two or three hours. Dr. Elconin despairs over this, but admits that it cannot completely be avoided because of the rules of the hospital. "We're the only hospital that can't say we're full," she says. "Often, with overcrowding, a patient can't help but judge his medical care by what happens to him."

Lack of money is not a major problem, although the department operates at a loss. "We have all the basic tools to provide good care," she says. The hospital does not tally the ED deficit separately. The department costs $4 million annually and only 1% of patients can pay the full $18 walk-in fee, with 5% paying part of the fee.

Beyond the number of non-emergency patients, Dr. Elconin's greatest problems are two over which she has no control: clinical follow-up and the dumping of patients.

"After people are seen in the emergency department, it takes an average of three months to get an appointment for the regular oupatient clinic, six months for orthopedics," she says. "For example, a man comes in with a low back problem and we diagnose it and initiate treatment. But after he leaves there is no follow-up. That is lousy medical care no matter how you cut it." The outpatient clinic is not part of the emergency department.

Dumping of patients by other hospitals is perhaps more serious than at Cook County. "It is very, very big," she says. "Nobody wants to treat the overdose or the alcoholic because they're troublesome and a malpractice worry. Hospitals don't want to get involved because it's a time-consuming, thankless job. The family is usually so angry and so guilty."

The result is a horrifying example of all that is bad in emergency medical services today. Says Dr. Elconin: "It is not uncommon to have an ambulance arrive containing patient with the I.V.s still running or in the middle of a transfusion. They arrive without a note about what the illness is or what the other hospital has done. The only way you know where the patient came from is the name band on his arm. This is not a rare thing."

Across the continent, dumping is just as much of a problem at District of Columbia General in Washington. "It will always be a problem," says the medical director, Dr. R. H. Lowry. "It's our job to be the hospital of last resort. What really bothers me is that too often the patient is not stabilized before he is transferred. We've had them alive over there and dead when they get here. And of course from a training point of view, the resident hates to get a patient someone else has started."

Dr. Lowry has adopted several devices to lessen the burden of the 70% nonacute patients among his 100,000 ED visitors a year. Because about 4% of patients are not sick at all, but do have social problems that consume about 10% of ED time, he has a full-time social worker in the department. There are separate walk-in clinics for gynecologic, venereal-disease, and dental patients. The adjoining outpatient department and eight neighborhood health centers in Washington are also available for referrals.

Across town, the ED of George Washington University handles about 40,000 visitors a year, of whom only about 15% are "hard" emergencies. Yet every visitor is seen by a physician after triage by a former medic. Dr. Thomas E. Piemme keeps down waiting time by assigning one medical intern to do nothing but take care of the small matters that can be handled immediately.

Ambulatory care is treated as a unit at GW. If an ED patient has to come to the OP department for a follow-up visit, he sees there the same resident or intern who cared for him in the ED. If he needs longer-term care, it is provided by a health-care team consisting of a physician, two students, and a nurse, and the patient always sees that same team.

Dr. Piemme sees the overburdening of the ED largely as a reflection of the failure of outpatient departments. His average ED patient is a man between the ages of 24 and 28; his typical OP patient is a black woman of 64 who came from the South and is raising several grandchildren. "I'm going to lower that age or bust," he vows.

"I think the clinic idea for the welfare patient is bankrupt. It began in 1966 with Medicare, and it's going fast. We have to learn to provide people with good care and treat them with dignity, because as sure as green apples we're going to get national health insurance, and then there won't be any more medically indigent."

[From the Washington Post, Mar. 27, 1971]

FIFTEEN OF 32 DOCTORS IN D.C. GENERAL EMERGENCY ROOM QUIT

(By Carl Bernstein)

At least 15 of the 32 resident physicians who regularly staff the D.C. General Hospital emergency room have resigned, resulting in "serious problems" of patient care, according to city officials.

As of 6:30 p.m. yesterday, the chief nurse of the emergency room described the shortage of doctors as acute, although the city's physicians were on duty at the time.

On Thrusday night, according to emergency room personnel, the only phsicians on duty were an intern and Dr. Romney H. Lowry, the hospital's acting medical director. Some patients reportedly waited more than 10 hours before being examined by a physician Thursday night and early Friday.

The resignations, caused by what residents maintain are inadequate wages and inferior medical and clerical services to patients, began in January.

During the past month, according to Dr. Lowry, 12 residents have resigned, bringing the total number of residents to "at least 15." More resignations are scheduled to take effect on April 3, by which time about 20 of the 32 emergency room residents will have resigned, according to the protesting doctors.

The effect of the resignations on emergency room services reached its peak this week, city officials and the residents agree.

Dr. Lowry, however, asserted yesterday that the patients thus far have been affected only "minimally," a judgment not shared by most emergency room personnel interviewed yesterday.

Dr. William J. Washington, director of the city government's hospital and medical care administration, said yesterday that the resignations "have caused serious problems in terms of staffing the emergency room."

"There have not been enough doctors to handle all patients on a rapid basis, particularly during the night hours," he asserted.

Although no patients have been denied care, Dr. Washington said, "I rather suspect that some people have left because they had to wait a long time."

Dr. Michael Davidson, a first-year resident whose resignation takes effect April 3, was one of several physicians who reported that many patients waited eight to 10 hours to see a physician on Thursday night and Friday morning.

From midnight to 8 a.m. yesterday, according to Davidson, one intern was the only physician scheduled to staff the emergency room. Dr. Lowry confirmed that he arrived shortly after 1 a.m. to help staff the emergency room.

"Usually we try to see infants right away," Dr. Davidson said. "Thursday night and Friday morning, it was four hours before a doctor could see them."

According to city and hospital officials, the bulk of emergency room staffing is done by the 32 residents, who work under contract for $5.40 hourly pay.

Although their individual letters of resignation have differed, most have listed the following general demands:

Wages of $10 an hour, the salary the residents say other hospitals pay for commensurate positions.

A requirement that all 130 of D.C. General's residents be assigned at some point in their residency to the emergency room.

A significant increase in the number of clerical personnel, nurses and supervisors assigned to the emergency room to reduce patients' waiting time.

According to Dr. Washington, all the demands are under consideration by the hospital's board of governors and "for the most part have been favorably received."

PACKARD WELCOMES HOUSE MOVEMENT TOWARD ENDING THE DRAFT

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, when the Committee on Armed Services reported a selective service bill with pay raises comparing favorably to those recommended by the Gates commission, there was some speculation that these increases would be opposed because of the budgetary implications. Strong support for first-term hikes came from the Executive, however, as Deputy Secretary of Defense David Packard declared:

If the Congress wants to move faster and will give us the money to move faster, I would see nothing wrong with this . . . This is something that is entirely appropriate.

Mr. Packard's remarks underscored the importance of raising pay in order that conscription not be used to impose a financial penalty on our men in uniform. It was extremely gratifying last week to note general agreement on this principle in the House, as Members of both parties, representing all points of view, joined in the overwhelming passage of the compensation portions of the draft bill.

I commend this item from the Air Force Times to your attention:

PACKARD FAVORS SPEEDUP IN PROPOSED PAY RAISE

WASHINGTON.—While there were reports that the White House is unhappy over the prospect of Congress enacting its two-year pay raise proposals in a single law effective this year, Defense's number two official endorsed the action.

Deputy Assistant Secretary of Defense David Packard told a press conference last week, "We felt that it would be wise not to take the full step at this time and if the Congress wants to move faster and will give us the money to move faster, I would see nothing wrong with this.

"We need to increase R&D, and we're requesting a substantial increase this year for the simple reason that, if we have lower forces, we've simply got to do a better job and in getting the capability up."

The Defense Department proposal included raises for enlisted men and officers with fewer than two years of service and wanted to raise other pays, including quarters allowances next year.

The House committee passed, with some modification, both years' bills at once. Full House action and Senate passage is still needed.

Packard said Defense will have 125,000 fewer people in 1972 on its payroll (military and civilian) but "in terms of current dollars, it's going to cost us $20 billion more to support these forces in terms of personnel, operations and retired pay."

He said the most important factor in the $20 billion increase is military pay.

"Military pay has gone up 185 percent between 1964 and 1972, and it should go up. It's too low. This is something that is entirely appropriate."

Asked whether he believes the $3.7 billion retired pay budget should be shifted to the Veterans Administration, Packard said, "If we could get it out of our budget, we'd like to do it, but I don't have any thoughts one way or the other about whether it would be better no matter where it is."

A TRIBUTE TO POLICE OFFICER GLEN P. FISHER, KILLED IN THE PERFORMANCE OF HIS DUTIES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. BIAGGI. Mr. Speaker, whenever I learn that a police officer has given his life in the performance of his duties, no matter where it occurs, I can't help but feel that I, too, have suffered a deep and personal loss. In my own past experience in law enforcement, these tragedies befell police officers with whom I worked all too often. Having lost my share of close friends to assassins, I'm haunted again and again with these disturbing memories whenever another policeman falls dead with a bullet in his body or a knife in his back.

Now here in Washington, D.C. only a few weeks ago, I was again touched by the grim consequences of another officer's death—one that made me shiver in a conflict of outrageous anger, professional pride and a deep and sickening sorrow.

Officer Glen Fisher of the District of Columbia's Police Department was a young, dedicated policeman, a faithful husband, a proud father, and, he was also the son-in-law of my personal friend Mr. Lee Perri of Washington, D.C. Glen Fisher was shot dead by a suspected narcotics dealer at the age of 21 when he and his fellow officers saw fit to respectfully knock at the suspect's door and announce their identity and presence.

My friend Lee Perri, in his grief, told me that Glen's decision to join the District's police force was influenced by a radio broadcast I participated in, and in which I recounted my own personal experiences and extolled the proud tradition of policemen everywhere.

Glen's sudden death is a terrible shock to his wife, his parents and his fellow officers. To me it is another horror story in the history of law enforcement in America. But yet, I am proud that America still produces young men of the caliber of Glen Fisher. On the other hand, I am deeply disturbed by the increasing number of policemen attacked, shot at, vilified, and slaughtered in the cities, towns, and villages across our Nation. And, of course, I was again struck with that haunting feeling of a deep personal sorrow. The loss in Glen's case was, like so many others, enormous in its impact. His parents have lost a loving son; his wife, a faithful husband; his son and yet unborn second child, a proud father; and America has lost another dedicated frontline defender of public order.

For the benefit of my colleagues here in the House who may never have been directly affected by a tragedy of such proportions, and for the millions of people across our country who, if they do at all, learn of the cold, impersonal details of a cop-killing somewhere in the back pages of their newspapers, I am presenting for the RECORD a letter sent to me by Mr. Perri and a copy of a penetrating statement made by Rev. R. Joseph Dooley, the District's Police Chaplain, in his eulogy of Officer Glen Fisher. Both these statements may help awaken our Nation to the fact that American lives are being sacrificed in this country's two tragic wars—the one fought in the land of a foreign country and the other in the streets and neighborhoods of our American cities, towns, and villages.

(The letter from Mr. Lee Perri and the eulogy of Reverend Dooley follow:)

MARCH 17, 1971.

The Honorable MARIO BIAGGI,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. BIAGGI: Thank you for your kind efforts in behalf of the bereaved families of patrolman Glen Fisher of the Metropolitan Police Department of Washington, D.C., who was killed while carrying out his duties and responsibilities to the citizens of Washington.

It had been a difficult decision for this young man to join the police department in the city where he and his parents had lived their lives. He had served with honor as a Marine in Vietnam. He knew the dangers of the policeman's life from his father Charles J. Fisher, retired from the police department, and his Uncle Robert E. Fisher who had recently joined that department. Knowing these dangers, he considered them carefully in light of his young wife, their infant son, and their future. He deliberated long and carefully and made his decision to apply for the Department, after listening to a radio broadcast during which you spoke of the need for and proud traditions of police work, drawing on your own excellent record.

At that point Glen, who had served his country, answered the call to serve his city. To that city he gave the ultimate, his life.

His parents; his only brother, Marine Lt. Charles Steven Fisher; his wife, Mary Linda Fisher; and Mary Linda's parents, Mr. and Mrs. Lee Perri, were shocked and deeply grieved. Yet, they were consoled in the knowledge that his efforts were not overlooked by his superiors, including Police Chief Wilson, by fellow officers from across the nation, by so many friends, and by President and Mrs. Nixon.

Officer Fisher's son Stephen, is too young to realize his great loss, and when he grows up will have little or no memory of his father or what his father stood for, nor of the devisiveness that had torn our country while he was but an infant.

Again, our sincerest thanks for your deep interest in this sad and so often repeated misfortune.

Very truly yours,

LEE PERRI.

SERMON FOR OFFICER GLEN P. FISHER, ON MARCH 15, 1971, AT ST. FRANCIS XAVIER CHURCH

Recently at a sports event, there was the usual pre-game ceremony, including the playing of our National Anthem and the raising of our flag. I noticed then, as I had at other similar events, the conduct of the crowd which, to me, seemed a microcosm of the American people. Most stood with rapt attention and quiet dignity, observing with pride the few moments dedicated to patriotism. Others seemed restless during the ceremony, and I heard grumblings about "old fashioned patriotism" and the propriety of this ceremony at gatherings of this type. And, of course, there were also the ones who refused to stand or remove their hats and who

seemed to take delight in their aggravating conduct and obvious bad taste.

Today, we honor one of the members of that number whom we can call true patriots. One who loved his flag, his country, his city, his job, and his family. To Officer Glen P. Fisher of the Metropolitan Police Department, patriotism was not a momentary emotion, but rather the steady devotion of a lifetime. He put country and his city ahead of himself. For what other reason would he have stepped into a darkened hallway in an apartment project last Wednesday night and ultimately to his untimely death.

Officer Fisher performed an act of extreme heroism equal to any this city has even seen. He, too, had a dream. He had a zest for life and love for his fellow man. Armed only with a search warrant, issued by the court, he was ruthlessly gunned down by a calculating and cowardly hoodlum. He looked forward to advancement as you do. His goals were set extremely high. What is Heroism? What is Dedication? A young officer deciding to give up his dream so you and I might have ours.

To the people he was dedicated to protect, he was just a "cop". He was 21 years old, an ex-Marine, a Vietnam war veteran with several citations, born and raised in Southeast Washington. Glen Fisher was surrounded by the police-style of living, since his father served on the D.C. Police Force before him. He was a good son and brother, a loving husband and father, and a wonderful Police Officer. He was, in every sense of the word, an outstanding young man—a real credit to his family and community. He was quiet and reflective—but a deep person when you got to know him.

Yet none of the vast majority of silent "fellow citizens", whose burdens and responsibilities he carried, cared very much. He was just a "cop" to them. Not a fellow human being; not a person with normal feelings of pain and pride and anger; not someone who would have preferred a quiet sedate family life—compared to his life as an undercover man. Not a young sorrowing wife's beloved husband. Not even a courageous and unselfish fellow citizen doing his duty, and theirs, to uphold the law.

You know, it is growing more and more difficult to induce young men in this country to enter the field of law enforcement. Why should they?

Read the newspapers. Listen to the radio. Watch television. There is a firmly established group of newscasters and reporters who regularly indoctrinate you with the anti-law enforcement mania of our times. In their subtle, "completely impersonal", but degenerating way, they are chipping away at the very foundation of American democracy. They routinely suggest, and produce alleged "evidence" to prove that policemen represent no one but themselves; that individual officers are sadistic in their treatment of persons accused of crime—who are always "innocent", of course, or "justified" in breaking the law.

"The Heroes" of these monsters of the media are the criminals—because "society made them so." The heroes are "the users", "the pushers", the narcotics peddlers, the rioters, the destructive demonstrators, never the policemen! He is the villain.

It has been said over and over again that ours is a "government of laws and not of men". Yet, no law is self-operative. Enforcement is not inherent in the words of any statute. Men enact our laws. Men interpret and apply them and men enforce them because other men don't obey them.

We are confused by judges who strain to interpret words in our constitution, which, for almost two hundred years, have seemed plain enough; but now are said to have meanings which result in proven criminals being set free on technicalities, when honest citizens are increasingly victimized by crime.

The Honorable Edward M. Curran, Chief Judge, of the U.S. District Court recently stated: "Constitutional rights are proper and necessary, but today we encounter, all too often, cases in which it seems that the concern of some courts is greater for the rights of the criminal then for the rights of society". Justice is not a matter of expediency.

Yet, despite all these conditions Glen Fisher, ten short months ago, after serving in Vietnam, joined the Metropolitan Police Department. He entered a profession which he knew involved great hazards and dedication. He did it, I believe, because of his Faith in God.

His untimely death has been a shock to all of us. Your profession, as law-enforcement Officers, is truly a sacred one. You have a religious and sacred responsibility in the performance of your duties. It was this consecration and dedication to the highest ideals of your profession that led Glen Fisher into a remote apartment hallway and his eventual death.

It now remains for each of us to let this tragedy serve to draw us to a higher dedication of our own lives, and a willing acceptance of responsibility.

What we are doing today, we should continue to do. Pray for his soul and for his loved ones who have suffered such a loss. Pray that God will find him worthy of the reward for which he lived and worked and prayed. Please God, history will bear us out, that he and men like him who have given their lives in line of duty, have not died in vain. May he rest in peace.

Reverend R. JOSEPH DOOLEY,
Chaplain.

POUNDAGE QUOTA BILL GOOD COMPROMISE

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. CARTER. Mr. Speaker, April 1, 1971, this body passed major legislation concerning burley tobacco farmers. Long debates have been waged by men of good intentions but differing views on the role of small, one-half acre and less farmers. The poundage quota bill we passed is a good compromise of the interests and it offers needed protection to the small farmers.

Several colleagues should be singled out for their efforts on behalf of the small burley farmers. WILMER MIZELL, in particular, led a successful effort to protect small farmers by providing that after the first year they will experience only 50 percent of poundage quota cuts levied on all burley tobacco farmers. He has been at the forefront of committee action in obtaining this compromise and these protections will be greatly appreciated by all farmers in the burley tobacco belt. WILLIAM WAMPLER, ranking member on the tobacco subcommittee, and CLARENCE MILLER are also to be praised for their leadership and determination in seeing that a bill fair to all farmers was presented to us for a vote.

Had it not been for the dedication of these colleagues a grave injustice may have been served on the small tobacco farmers. In behalf of the thousands of tobacco farmers in Kentucky's Fifth Congressional District, my thanks and appreciation are extended.

NICHOLAS J. OGANOVIC TO END LONG FEDERAL SERVICE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. DULSKI. Mr. Speaker, Chairman Robert E. Hampton of the Civil Service Commission, has announced the retirement of Nicholas J. Oganovic as Executive Director of the Commission, effective next month.

Mr. Oganovic began his outstanding Federal career with the National Youth Administration in St. Paul, Minn., and 3 years later joined the Civil Service Commission in 1943.

He served assignments both in the central and field offices, including the role of deputy director and then director of the St. Paul regional office from 1945 to 1953. When the Commission was reorganized in 1953 he became Assistant Director of the newly established Bureau of Departmental Operations in Washington. Then he was named director of the Denver region, returning to Washington in 1958 as Director of the Bureau.

In 1960, the Commission established the position of Deputy Executive Director and named Mr. Oganovic to fill that position. In 1965, he was promoted to Executive Director.

Over the years, and particularly in the past decade, Mr. Oganovic has been in frequent communication with the Post Office and Civil Service Committee in an official capacity and is highly regarded by members and staff of our committee.

The mark of the man, of course, is reflected in the respect he has engendered among his associates and the Commissioners. Upon Mr. Oganovic's decision to retire, Chairman Hampton said:

Nick Oganovic's career in Government has been studded with significant and lasting contributions to better personnel administration and improvements in the Federal career service.

His 6 years as the Commission's Executive Director and 5 years as Deputy Executive Director have been an era of great changes and advances in the Government's personnel system, and many of the improvements are attributable to Nick's creativity, imagination, and forceful leadership.

He will be missed by his many associates and admirers in the Commission and throughout the Federal service.

As his successor the Commission has named his deputy, Bernard Rosen, also a highly respected member of the Commission staff.

Mr. Speaker, I join Chairman Hampton and others in paying tribute to the loyal Federal service of Mr. Oganovic. I include with my remarks an excellent column in the Washington Star by Joseph Young, Federal Spotlight reporter:

"SUPER-SALESMAN" ROSEN NAMED TO HIGH CSC POST

Bernard Rosen has been appointed executive director of the Civil Service Commission, effective June 1.

Rosen, 50, now the commission's deputy executive director, will become the government's top career boss of 2.5 million federal employees.

He succeeds Nicholas Oganovic, 58, who is

retiring after six years in that position and 30 years' service with the CSC.

Rosen is known in federal personnel circles as a "super-salesman," with a talent for persuading federal departments and agencies to accept commission ideas.

He also is regarded as an able administrator who has successfully infused life into lagging programs and gotten new programs and policies off the ground.

Unlike Oganovic who is known as an innovator and "idea man" Rosen has concentrated on administration of programs and their implementation.

GETS STRONGER ROLE

Of course, as executive director, Rosen will get the chance to play a stronger role in formulating policies.

Rosen is small, slight and bright, with a youthful appearance that belies his white hair.

Someone once said of him, "He reminds me of the main character in the novel, 'What Makes Sammy Run,' only he is a nice guy and not a heel."

This observation was based on the fact that Rosen is a bundle of nervous energy, constantly on the go, impatient at delays, very ambitious, friendly, enthusiastic, and has a political sense of knowing the right people in government to help assure favorable response to commission views.

Rosen gets along fine with government employe union leaders.

John Griner, president of the AFL–CIO American Federation of Government Employes, said, "The commission couldn't have made a better choice. Rosen is a good man and I have always found him to be completely fair and reasonable in our dealings."

LONG WITH COMMISSION

Rosen is generally popular with the CSC professional staff, although he has rubbed some the wrong way with what they feel is an excessive Madison Avenue approach to things. Others complain that he is too much of a "glad-hander" in dealings with members of Congress and White House and top government officials. But that is the way to get things done in Washington.

Rosen has been with the commission since 1942, except for three years in the Army during World War II and a stint as a foreign service officer in 1962–64.

His reputation advanced in the CSC when he guided the initial government employes' incentive awards program to a resounding success. He then served with distinction as director of the CSC's San Francisco region, making that region a model of efficiency and progress for other regional offices to follow. For the past six years he has been the CSC's deputy executive director.

MAN WITH A HEART

Oganovic has been an excellent CSC executive director and is known to government employe unions and many federal workers as "a man with a heart."

Oganovic played a large role in strengthening the government's equal employment opportunity program, establishing federal job priorities for Vietnam veterans, ending abuses of the involuntary disability retirement program, improving the government's appeals and grievance system, strengthening the merit promotion program, and setting up the occupational health program.

CSC Chairman Robert Hampton, in noting Oganovic's retirement, said: "Nick Oganovic's career in government has been studded with significant and lasting contributions to better personnel administration and improvements in the federal career service."

Hampton noted that Oganovic's executive directorship had been an era of "great changes and advances" and "many of the improvements are attributable to Nick's creativity, imagination and forceful leadership."

SST: DEAD DUCK OR PHOENIX?

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. BOW: Mr. Speaker, under leave to extend my remarks, I wish to place in the RECORD an excellent National Review article on the SST entitled: SST: Dead Duck or Phoenix?

SST: DEAD DUCK OR PHOENIX?
(By James Burnham)

The star witness at this year's SST hearings was one James E. McDonald. It was he who suddenly discovered last autumn that the SST was going to give practically all of us skin cancer. Professor McDonald was last in the news a couple of years ago when he named flying saucers from other worlds as the guilty parties in the New York electric power failures.

This eleventh-hour frenzy over skin cancer is typical of the tactics of the anti-SST lobby. Its campaign has been based on the appeal to fear, above all to fear of the unknown. Reading month after month about all the horrors the SST was going to bring—cancer (hairtrigger of the fear reflex), birth defects, reduction of sunlight, miscarriages in humans and animals, deafened ears, shattering of ancient monuments, ecological disaster through increased average temperature, nervous breakdown from the boom—I often thought of those gorgeous fourteenth- and fifteenth-century maps through which men learned about the earth in Columbus' day. In the distant realms of the Ocean beyond the Pillars of Hercules, you can see, foaming and surging, the gigantic serpents, dragons and other monsters who would gobble up any mariner foodhardy enough to sail west to their watery lairs.

I do not suggest that we can at this moment dismiss all the horrors as impossible. Conceivably a fleet of five hundred SSTs zooming daily through the stratosphere might bring about one or more of them. Just as, from the point of view of fifteenth-century scientific knowledge, it was not inconceivable that those serpents and dragons actually were swimming around there at the edge of the world. If things had turned out that way, the Age of Discovery would doubtless have ended or at least been postponed, after the prototype-voyages of Columbus and John Cabot.

But no one is proposing that we should, here and now, commit ourselves to building an American SST fleet. The Kremlin has apparently decided to build a Russian SST fleet, and the London-Paris combine is in the process of deciding whether to build an Anglo-French SST fleet, so we're not going to have much choice on the skin-cancer front whatever we do, but the decision now before the nation is merely whether to complete the final stage of the SST research, development and test program by building two (2) prototype aircraft. And no one, not even Ralph Nader or Senator Proxmire, claims that two test models are going to have any effect one way or another on the global environment.

WHY NOT FIND OUT?

There is only one way to reduce the speculations about the SST to knowledge, and that is by building a couple of them and putting them through their paces.

The cost of this final test-phase is peanuts: $250 million net. The same House of Representatives that exorcised this niggling sum with bell, candle and the book of high-falutin' oratory about pollution and fiscal responsibility (at the time I write the Senate has not spoken) had a week before whooped through a $4-billion annual increase in Social Security payments without a single minute of committee hearings or floor debate. Well, there are a lot of votes in them there Social Security checks.

Suppose we ask ourselves: What do we stand to lose by the decison on the SST prototypes?

If we decide to build them and they prove the SST no good, then the only loss will be a relatively small sum of money. Even that will be compensated by useful knowledge and the attainment of a national consensus on this bitterly disputed issue.

If the SST is in fact viable but we cancel the prototypes now, and thus opt out of the SST project, then the loss will be many billions of dollars, plus grave injury to the dollar, plus abandonment of our leadership in commercial air transport and advanced technology more generally, plus the consequent weakening of the support structure for military defense.

No professional gambler would have trouble rating those odds.

If Congress turns a final thumbs down, does this mean the SST is a dead duck? Why couldn't private business put up the money if the SST is such a hot proposition? This last question troubles conservatives in Congress—though the core of the opposition is left-liberal.

All major air transport from the marvelous DC–3 on have been developed with mostly government money, though this has not been obvious because the civilian transport is customarily an adaptation of a plane produced for military purposes. Actually, private sources (manufacturers and airlines) are putting up more of the money for the 2707 than for past transports, and the government, under the royalty schedule, has for the first time a chance of recouping—with interest.

FROM THE ASHES

More generally, the aerospace industry has always in all countries been either totally a government enterprise or closely tied in with government. There are several reasons for this, but the sufficient reason is the critical military role of aerospace, and the military necessity for maintaining a functioning aerospace industry "in being." (Naturally there will be applications of the 2707 to military purposes. *Already* what has been learned from SST development has saved hundreds of millions of dollars in developing the supersonic bomber.) Furthermore, there is the kind of risk and kind of need in the case of a new species of global air transport that doesn't come under older economic rules.

In the present weak condition of the general economy and much weaker condition of the aerospace industry it is hard to see how a full funding by normal nongovernmental processes is possible. Nevertheless, I cannot yet believe that my country is so far gone that it will crawl away whining from this SST challenge, even if a majority of its legislators do. Although normal private financing probably couldn't take over from here, a special consortium of our great banks and business corporations could handle it. Have they got the vision, and the guts, to do so?

DR. MARTIN LUTHER KING, JR.

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. PEYSER. Mr. Speaker, Rev. Martin Luther King, Jr., Negro leader and winner of the Nobel Peace Prize in 1964, was assassinated in Memphis, Tenn., on April 4, 1968.

Dr. King was a man of inspiration and dedication. His life and works show a powerful and vibrant force for good. This man and his ideals should serve as a lasting example to the peoples of the world of the natural good in mankind.

On this, the third anniversary of Dr. King's death, his message remains as a beacon to all people who believe in freedom and equality in the world.

ANNIVERSARY OF THE KEY WEST NAVAL STATION

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. FASCELL. Mr. Speaker, Saturday, April 3, was the occasion of the 148th anniversary of the Key West Naval Station. Originally established by Commodore David Porter in 1823, its position 90 miles from Castro's Cuba has never been of greater significance.

In fact, in hearings last summer before my Subcommittee on Inter-American Affairs of the House Foreign Affairs Committee, Adm. E. P. Holmes, commander in chief of the U.S. Atlantic Fleet, stated that it was "absolutely essential to our security" to have the military capability provided by this facility.

The fascinating history of this important naval base is the subject of an article which appeared in the March 30, edition of the Key West Citizen. I commend the attention of our colleagues to the full text of the article, written by Ida W. Barron, concerning the proud history of the Key West Naval Station:

SATURDAY WILL BE NAVAL STATION ANNIVERSARY

(By Ida W. Barron)

April 3 will mark the anniversary of the Key West Naval Station, and a busy 148 years it has been.

On March 25, 1822, Lt. M. C. Perry, captain of the USS Schooner Shark, on orders from the Secretary of the Navy, arrived in Key West to make . . . "an examination of the Islands, its harbours, its extent, and the dangers of navigation." Thus was the first Navy ship of the line ordered to Key West officially.

Lt. Perry was favorably impressed with what he saw and on that day raised the flag declaring the island to be the property of the United States. This ceremony is commemorated by a plaque located in front of the Waterfront Playhouse, where it is thought, the original flag was raised.

Almost a year later, on April 3, 1823, Commodore David Porter arrived in Key West with orders to establish Key West's first Naval Station and to make it his headquarters during his successful purge of the marauding pirates in the Gulf area.

Commodore Porter's orders read in part . . . "You will establish at Thompson's Island, usually called Key West, a depot and land the ordnance and marines to protect the stores and provisions. . . ."

Later, in 1893, Porter was to write the Secretary of the Navy that Key West . . . "has no equal except Gilbraltar . . . It commands the outlets of all trade from Jamaica, the Caribbean Sea, the Bay of Honduras, and the Gulf of Mexico, and is a check to the Naval forces of whatever nation may hold Cuba." The latter statement was rather prophetic.

In 1824, a company of Marines was stationed on the island as a deterrent to Indian raids on the small station.

Two years later, in 1826, the entire station was moved to Pensacola, the first of many crises affecting the Navy's tie with Key West.

By 1828, Key West was incorporated as a city and the Navy, already an integral part of the community, helped its few citizens to clear the townsite of underbrush.

Before too long, it became apparent that a system of fortifications was going to be needed on the east coast and particularly in the Gulf area where shipping was prevalent and vital.

Among the places selected were Dry Tortugas and Key West. Forts began to go up in 1845 in both places and continued under construction until 1866 when work came to a halt.

Fort Zachary Taylor, named for the president, was in use through four wars beginning in 1861. It was partially torn down, deliberately, from 1895 to 1905, to make it less vulnerable to new powerful guns.

In 1846, with business in shipping picking up, it was decided that a hospital was needed in the area.

John Simonton, owner of the island, sold the site to the Navy and was named its contractor and also agreed to furnish the building. Robert Mills, city of Washington architect, drew up the plans.

It was called the Marine Hospital (no relation to the Corps) and was used by civilians and servicemen alike. Both city and Navy doctors served there too. It has been used continually since, and is at present, known as Quarters "R."

The Navy Department began construction on its first permanent building in 1852 when $20,000 was allotted for the purpose. It was not only the first concrete building erected by the Navy but the first to be built in Key West. Construction was halted soon after the walls were up because of a lack of funds. (Does that have a familiar ring?)

In 1856, with the rumbles of Civil War in the distance, work was rushed to completion. The building, used constantly since, is now occupied by the Coast Guard and proudly wears the number "1" on its side.

The city of Key West, in 1861, was split almost down the middle, as other locations were, on the subject of Northern and Southern sympathies.

As to which way the island would actually go in the war, this was determined easily by the occupying Federal troops and Navy in Key West. It was a simple matter of securing the harbor and remaining in full charge of the Army Barracks and Fort Taylor. All of this was accomplished with dispatch.

Key West was the only completely Federal-held city in the South during the entire conflict, and in spite of the many, and there were many, who leaned heavily toward the South, it remained so throughout.

Once, during those years, an over-zealous Army commander, wired the Secretary of the Army, that in his opinion, there were far too many Southern sympathizers in the city and they should be shipped out, together with any northerners who had relatives fighting in the Confederate Army or Navy.

For some strange reason the Secretary agreed. Luckily the local Navy commander got wind of it, thought it disgraceful, wired the Navy Secretary the full story and changed their collective minds.

So, as 600 uprooted citizens were boarding the ship with only what they could carry in their hands, a reprieve by wire arrived and the joyous people returned to their homes.

In 1875, with rumors of war running rampant from Cuba, there were 26 vessels of the South Atlantic and European Fleets assembled in the Key West harbor and during the war the entire Atlantic Fleet was stationed in Key West.

It was from here that the USS Maine steamed to Fort Jefferson and on to Havana to be blown to bits there killing 261 men and placing the United States smack in the middle of the Spanish-American War.

The wounded from the Maine were brought to Key West and cared for at St. Mary, Star of the Sea Convent. Many of the dead were buried in the Key West cemetery.

There was a mass grave for those unidentifiable which lies, it is generally believed, under the Maine monument which was erected by the people of the city. The skipper of the Maine was Capt. Charles G. Sigsbee, for whom Sigsbee Park was named.

After the Spanish-American War ended there was a period of little movement, Navy-wise. The Naval Station was still a port of call and a refueling station however, which kept it alive.

In 1906, the first radio towers were erected and Naval Communications arrived in Key West.

During World War I, the Naval Station was a training area. It also became Seventh Naval District Headquarters, a submarine basin was dug out and at Trumbo Point, an air base was built for seaplanes.

After the war, the Naval Communications Station with 17 men was left to hold things together.

It was not revived this time until 1939, since the depression of the 30s was in full swing and Key West was almost completely inundated by it.

During the opening days of World War II the Naval Station came into its own. From 1939 and the following six years, the Navy acquired nearly 3200 acres, including the 320 acres up the Keys for a water line. An additional 18 acres was purchased in 1942, almost an entire city street and close to $32 million was spent in Navy construction during this period.

Between 1941 and 1945, 14,000 ships were logged into Key West and adjacent anchorage. The 3,000 ton marine railway was constructed and there were 5,200 personnel aboard the Naval Station.

Key West's most famous tourist, President Harry S. Truman, began a series of visits to the Naval Station in 1946 and returned 11 times on vacation, giving his vacation spot the name it still bears, "The Little White House."

During the 1950's there was a slight cut in the number of civilian personnel but by the 1960s there was a steady construction and many improvements together with increases in civilian personnel.

In 1962, affairs in Cuba blazed up and President Kennedy made his threat of retaliation for Cuba's missiles good by a large gathering of troops and ships assembled in Key West.

The situation grew very tense and during the crisis President Kennedy and the Joint Chiefs of Staff met aboard the Naval Station to make some vital decisions. It was the largest group of flag officers and general officers ever to assemble in the same place at the same time, not only in the history of the city but of the United States as well.

At present the Naval Station has reached another plateau. There is for the most part a leveling off of work, construction and personnel.

Things again move slowly but steadily at Key West Naval Station and its families, once more assume an attitude of watchful wariness in the direction of Cuba.

It has been a long and fruitful association, that of Key West and the Naval Station. Hopefully it will remain so.

THE CANCER STORY

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. SCHWENGEL. Mr. Speaker, on Saturday, March 27, a good friend of mine, Bob J. Slavens, was the guest editorialist in the Davenport Times-Democrat.

Bob is the chairman of the Scott County Cancer Crusade for 1971.

In his editorial, Bob very effectively lays out the work of the American Cancer Society while pointing to the challenges still faced:

THE CANCER STORY

(EDITOR'S NOTE: The guest article today is by Bob J. Slavens, president of Northwest Bank and Trust Co., Davenport, who has been appointed chairman of the Scott County 1971 Cancer Crusade. He is a longtime member of the Scott County Chapter, American Cancer Society)

No one knows better than the persons working in the American Cancer Society how inadequate the past resources devoted to the fight against cancer have been. This disease, which is as old as man, still claims millions of lives each year. The American Cancer Society is an "emergency" organization. We are pledged to go out of business when enough dollars can be raised to provide enough research to control cancer.

Cancer is the second leading cause of death in the United States today. Only heart disease kills more people. In 1970, in Scott County, 229 persons died of cancer, and 25 per cent of our population can look forward to having this disease sometime in their life, according to present figures. Researchers have been making great strides in recent years, but the cause of cancer still has not been found.

It is our business to tell you, our neighbors and friends, any time and anywhere we can, the cancer story, so we may all join in the fight against this killer. We try to reach people of all ages, starting with about the fourth grade in school, with the seven warning signals of cancer and the dangers of smoking. These signals are:

Change in bowel or bladder habits.
A sore that does not heal.
Unusual bleeding or discharge.
Thickening or lump in breast or elsewhere.
Indigestion or difficulty in swallowing.
Obvious change in wart or mole.
Nagging cough or hoarseness.

If you have one of these signals for more than two weeks, check with your doctor. Literature, posters, 16 mm films and filmstrips are available through our local Information Center Office, 120 Insurance Exchange Building, Davenport, telephone number 326-4522 at no cost to any school, club or business wishing to use them. Our volunteers will come to show films and speak to any group that requests them.

Our local chapter also provides aid to cancer patients in the form of the loan of hospital beds, wheelchairs, etc.; visiting nurse and homemaker service; dressings and bed pads; bibs and ascots for laryngectomees; information about the referral to other agencies—at no cost to patients who qualify. A program for rehabilitation of breast surgery patients, called "Reach to Recovery" is sponsored by the American Cancer Society and volunteers have been working in this program in Scott County for the past 14 months.

The American Cancer Society's 1971 Crusade begins March 28 in Scott County. Your generous donation will be put to good use to carry on our programs of research, education and service. We are suggesting that you give twice as much this year when the volunteer calls upon you . . . and by doing so, the length of time required to find the cure for, or prevention of, cancer could be cut in half.

We want to wipe out cancer in your lifetime. Won't you help us close the door of the American Cancer Society forever.

"KNOX"-CLASS DESTROYER ESCORTS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. HOSMER. Mr. Speaker, a considerable ruckus has been raised over the merits or demerits of the *Knox* (1052) class destroyer escorts. Whatever the case may be these ships are, in fact, sailing the seas. From the following March 23 report by the skipper, one of them, Comdr. S. D. Landersman, USN, commanding officer, U.S.S. *Hepburn* (DE-1055), to family and friends of the crew I gather that things are not all bad:

U.S.S. "HEPBURN" (DE-1055),
FPO San Francisco, March 23, 1971.

DEAR FAMILIES AND FRIENDS: Following Hepburn's first duty assignment off the Coast of Vietnam in early February, we proceeded into the South China Sea. There we met a Russian Guided Missile Destroyer and you may have heard this press item which was released to the U.S.:

"Soviet Guided Missile Destroyer in the Western Pacific today asked a United States Seventh Fleet Destroyer to convey congratulations to the Apollo 14 Astronauts. The Soviet Kotlin Class Destroyer was proceeding northeasterly through the South China Sea when met by the U.S. Destroyer Hepburn. After the usual exchange of greetings by international flaghoist and signal light, the Captain of the Soviet ship asked Hepburn's Skipper to send congratulations of the Soviet ship to the Astronauts for their 'Great Scientific Achievements.' Commander Stuart D. Landersman of Poughkeepsie, New York, Commanding Officer of the Hepburn, replied that he would be pleased to pass along the congratulations."

It was an interesting meeting and all of us with cameras on Hepburn had a good time photographing the Soviets. Of course we could see that they were doing the same to us. If your Hepburn man had a camera aboard at that time, I'm sure he will have interesting pictures to show you of that ship and others.

I think that our exchange of greetings and comments on the space achievement indicate one of the real values of the space program, in that it provides peoples of all the world with a common interest and pride and a basis for the important communication between us.

Hepburn arrived in Sasebo on February 14 and immediately all hands set about purchasing "bargains." The ship is presently full of tape recorders, amplifiers, turntables, speakers, motorcycles, china, cameras and other products of the Far East!

It was the first trip to Japan for many Hepburn men and there was sightseeing tours to Nagasaki and Arito squeezed in between shopping trips. Sasebo is a center for Japanese ship-building and several of the new 200,000 ton supertankers were being constructed right next to where we were berthed. These supertankers are so large that four Hepburn size ships could be put on the main deck of one of them.

We left Sasebo on February 20, with the USS Gridley (DLG 21) for an eight day patrol in the Sea of Japan. During this time we got a chance to test out our cold weather clothing and some of our men even had an opportunity to have a brief snowball fight one day.

While in the Sea of Japan we participated in a trash and garbage study. Yes, trash and garbage! Actually it was called a refuse survey. Hepburn had been designated to weigh, measure and otherwise determine how much trash and garbage a ship our size produces per day. An ecology-conscious nation concerned about polluting the world's oceans, is looking to the U.S. Navy for leadership in preserving the oceanic environment, and Hepburn was up front again gathering the statistics.

We returned to Sasebo with Gridley and set about getting some needed maintenance done on our equipment. The repair ship USS Jason (AR 8), was in Sasebo and we received a lot of assistance—both men and material—from Jason for our maintenance efforts. Rather unexpectedly, we left Sasebo to continue our maintenance in Yokosuka, Japan. This change of schedule was appreciated because it gave us a chance to visit another Japanese port. Also, we were able to see the Frazier-Ali Heavyweight Championship Fight on board ship on Japanese TV the day we arrived in Yokosuka.

From March 9 to March 20, Hepburn was berthed in Yokosuka which is about one hour and twenty minutes by train from Tokyo. We had tours to Tokyo, Mount Fuji and Kamakura while we were in port as well as a lot of schooling. Over half the crew got an opportunity to attend refresher courses in fire fighting, preventive maintenance procedures, and navigation.

At the present time, Hepburn is proceeding to the Gulf of Tonkin to operate with the attack carrier USS Hancock (CVA 19). We have spent much of our time in port in the last month and the crew has had a fine opportunity to see how the Japanese people live and even get to know some of them. We all enjoyed Japan and now we look forward to visits to the Philippines, Hong Kong, and Taiwan. These port visits will come after a considerable time underway so we'll have earned a good rest by then—and earned some more money to spend, too.

An item of interest which doesn't have anything to do with our present deployment with the Seventh Fleet is our change of destroyer squadrons. On August 1, Hepburn will become a part of Destroyer Squadron Twenty-Nine. Our homeport will remain Long Beach.

So far this cruise, Hepburn has earned two medals, the Vietnam Service Medal for operations in Vietnam and the Armed Forces Expeditionary Medal (Korea) for operations in the Sea of Japan. The crew is entitled to wear these medals and even the ship is sporting facsimiles of the ribbons on the bridge wings.

Hepburn has managed to ring up a fine record while with the Seventh Fleet and we feel confident that this record of achievement will continue.

Sincerely,

S. D. LANDERSMAN,
Commander, U.S. Navy Commanding Officer.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 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?

POW

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. CULVER. Mr. Speaker, I rise to express my own deep concern, shared by my colleagues and by Americans throughout the Nation, over the tragedy of prolonged captivity endured by American servicemen held prisoner of war in Southeast Asia as well as those Americans whose whereabouts and conditions are unknown, and thus are considered to be missing in action.

However painful and divisive our military involvement in Southeast Asia has been for the people of this country, we have been and will remain united in our strong desire that American prisoners of war be treated humanely and released at the earliest possible date. The plight of these men, for those of us here at home—able to enjoy the comforts of family, decent food, and housing and the freedom of democracy, is a devastating and intolerable contrast. All too frequently, our prisoners of war, we are told, are denied even the barest essentials of life—sufficient food and nourishment, adequate treatment of wounds and illnesses, and the ability to communicate with their relatives and loved ones at home.

And for the families and friends of these men, the longing and suffering is made even more painful by this vacuum of information and knowledge of poor treatment.

By allowing this situation to persist, by refusing to provide information on their camps or access to these camps by neutral observers, and by refusing to give needed identification of all our men held captive, the North Vietnamese have acted in violation of the Geneva Convention and ignored the most basic considerations of humane treatment both for our prisoners of war and their anxious families and friends.

As other Members of this body, I have constituents who are among those held prisoner of war, and I know of and share the anguish of their friends and relatives. And many of my constituents have dedicated long hours to pursuing the freedom of these men—Mrs. Robert Naughton, whose husband is held prisoner and who has worked tirelessly as Iowa State coordinator of the National League of Families of American Prisoners and Missing in Southeast Asia, and Mayor Donald Canney, of Cedar Rapids, who served as cochairman of an 11-member delegation of Iowans who went to Paris to seek information concerning Iowans held prisoner of war as well as new flexibility and concern from the North Vietnamese delegation, are two excellent examples.

This week of March 21–28, as a result of House and Senate passage of House Joint Resolution 16, has been set aside as the National Week of Concern for Prisoners of War/Missing in Action, in order that we as a people may express our tenacious concern in a unified voice. The Foreign Affairs Committee of the House, of which I am a member, is holding hearings to coincide with the National Week of Concern and hearing testimony of former prisoners, relatives of prisoners, and representatives of groups and Government departments who have been particularly involved in seeking better treatment and assurances of release for our prisoners.

It is essential that we, as Members of Congress, do all in our power to focus world attention on this critical problem. But we must not delude ourselves that public lament, by itself, will be sufficient to meet our objectives. Rather we must constantly seek out new ways to more effectively express our great concern, new methods to reverse the attitude of the North Vietnamese, and new initiatives that may serve to fulfill our objective of humane treatment and early release for all American prisoners of war in Southeast Asia.

DRAFT NOT A MORAL ISSUE

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 1, 1971

Mr. COLLIER. Mr. Speaker, during the past few days there have been many convincing arguments for and against the termination of the draft. It is interesting to note that some of those who have opposed American involvement in Vietnam on moralistic grounds also oppose the draft as a moral issue.

An interesting and enlightening viewpoint on this subject recently appeared in the Des Plaines Herald-Day, a newspaper published in my district. I include it for the perusal of my colleagues:

YOUTH IGNORES REALITIES

(By Don Oakley)

"If it was a free country, I wouldn't have been here."

So said David Harris upon his release from a federal prison after serving 20 months for refusing to obey the draft.

Harris, whom nobody would ever have heard of had he not been the husband of folk singer Joan Baez, has certainly earned the right to his beliefs.

Nobody should be so blindly patriotic as to be unwilling to acknowledge that it takes a great deal of guts to say "No" to Uncle Sam and to accept the consequences, which is something that cannot be said about thousands of other young men who have fled to Canada or Sweden to escape the draft.

Having the courage of one's convictions, however, has never been an automatic guarantee that those convictions are correct.

Harris' sentiments were echoed the other day by another representative of youth in testimony before the House Armed Services Committee, which is considering an extension of the draft law that is due to expire in June.

"The draft must be ended now," said 18-year-old Stanford University freshman Pete Knutson in a passionate plea. "It has no place in an open society. Any country which must force people to fight for it cannot be a country worth defending. Any country which is worth defending will be defended by its citizens. Free people will defend free institutions."

This statement could have been made by George Washington himself. In fact, it is as American as a flintlock musket—and about as useful or appropriate in today's world as a muzzle-loader would be in modern arsenal.

In an age when missiles launched by pressing a button can wreak mass destruction 6,000 miles away, when everything that takes place in every country in the world must be evaluated in terms of its potential effect on our security, the defense of America involves a little more than fighting off enemy soldiers landing on our shores or Indians attacking a frontier outpost.

If only it were not so. If only we could disband our military forces and send the boys home to hang their guns on the wall, ready to grab them again when Paul Revere or somebody spreads the alarm that the enemy is approaching.

Unfortunately, the days are gone when we could wait for clear and present danger to our national life and could depend upon a free citizenry to spring up voluntarily to defend free institutions.

It is a regrettable thing that the world has grown so complex that what is and what is not in the true interests of the nation's defense is not always obvious, that we must involve ourselves, not always wisely, in every foreign entanglement, that we must "force" young men to defend their country when it is not under actual attack and sometimes send them to far-off places to die in dubious wars that are never declared and never seem to end and never seem to solve anything.

But it is even more regrettable that the agonizing moral issues surrounding the Vietnam war have so overwhelmed the thinking of many young Americans that they ignore the realities of the past 25 years, in the context of which this war must be understood, and accuse their country of having betrayed the ideals of human freedom it was founded on.

Whether at this point in history the nation still needs conscription or whether it can get along with a volunteer army is a question of legitimate—and necessary—public debate.

But it has nothing to do with whether or not America is a free country.

AMERICA'S GREAT ACCOMPLISHMENTS

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. There are 46 land vehicular tunnels in the United States which are each more than 1,000 feet in length. All combined, the length of these tunnels is more than 141,000 feet long.

FARM BETRAYAL

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. ABOUREZK. Mr. Speaker, in the very first remarks that I prepared for insertion in the CONGRESSIONAL RECORD, I stated my belief that the results of the 1970 election were a clear manifestation of farm discontent. Yet despite this warning, the policy of the administration piles disaster on disaster. I would like to examine some of the events that have had major impact on the agricultural areas of our country since the election.

Despite the sound recommendation of the Honorable JAMIE WHITTEN that any changes in the agricultural conservation program should properly be made with the requests for fiscal year 1972, the administration pushed ahead with its new rural environmental assistance program to replace ACP. I have nothing against REAP and the concept of improving the rural environment, but that is precisely what ACP has been doing, and doing well, for years. Why take a highly successful program such as ACP and throw it out for something new?

Then there is the matter of the grain callup. In December 1970, and February 1971, the Department of Agriculture announced that reseal privileges would not be extended for grains in storage from specified crop years. This has had the effect of dumping over 500 million bushels of grain on the market in a very short period of time. You can easily imagine what impact that had on prices. Let me illustrate this. In the Huron, S. Dak. grain market, 14 percent protein wheat, a high quality grade, was selling for $1.70 a bushel on November 29, 1970. By December 31, 1970, that price had dropped to $1.61. At the end of January the price was down to $1.55. And the latest figure that I have for March shows the price at $1.50. That amounts to a disastrous 20 cents per bushel drop in less than 4 months. Is it any wonder that farmers continue to be driven from the land. Our cities are swelled with people who would rather be back on their farms but simply cannot make it with $1.50 wheat.

Parity, of course, is of paramount importance to the farmer. And what has the record been here? We find that not only have parity figures sunk to lows not experienced since the Great Depression, but also that the administration deals with this by giving us a new parity formula that creates the image of a magical jump in parity. This is not only an insult to the intelligence of the farmer who knows what prices he is really receiving, but also drives a bigger wedge between the rural and urban segment of our society by the blatant effort to trick the urbanite into thinking the farmer is better off than he really is.

And how well off is the farmer? In January 1971, the index or prices received by the farmer was 271. In the period 1947–49, the index was 271. In 20 years no change occurred in farmers' prices, but the retail food prices increased in the same period by 56 percent. In January 1971, the index of prices paid by farmers was 399. The 1947–49 figure was 250. This was a 20-year increase of 59.6 percent. The parity ratio in 1947–49 was 108. In January 1971, it was 72. How long can farmers be expected to make sacrifices like that simply to stay on the land?

Now what are the new programs offered to solve the farmers problems? First, there is the rural revenue-sharing proposal. What does this do? At its simplest, it takes all the proven rural programs that have done so much for the farmer in the past and places them in jeopardy. The Agricultural Extension Service, ACP, the Economic Development Administration are all thrown together and asked to hope that State legislatures, increasingly dominated by urban representatives, will see fit to maintain them.

But the crowning glory of all is the administration's plans for the Department of Agriculture. I have not always agreed with the USDA. Indeed in recent years, I have seldom agreed with the USDA. But at least it provides a voice for the farmer's interest in the executive branch. It is a centralized area where farm programs and interests can be focalized. And what does the administration propose? An executive reorganization that will take these programs and spread them out through four different departments. I certainly approve of the concept of tightening the management of the executive branch to save money, but this abolition of the Department of Agriculture is nothing more than another example of the neglect, indeed more than neglect, of the open betrayal of the rural American citizen.

Mr. Speaker, this litany of betrayal could go on forever. But it is time for more than just complaints. It is time for action. Clearly, leadership is not going to come from the executive establishment. In fact, much of the farm problem can be traced to that branch. Congress must reaffirm the Nation's commitment to the farmer. The farmer has done his part to see that our Nation enjoys the world's highest standard of living. The cost of food, as a percentage of total income, is lower here than in any other country. Yet the farmer is not allowed to share that high standard of living when his prices received remain static and prices paid go up. The concept of parity was designed to deal with just that problem, and the farmer must be reassured that parity has not been abandoned. I call upon my colleagues in Congress, both rural and urban, to seize the initiative in putting together a comprehensive program of legislative action to improve farm income and bring dignity of living to rural America. I make this call because it will benefit both rural and urban America. It is just. It is right. And it is long overdue.

"TRUTH IN NEWS BROADCASTING"

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MINSHALL. Mr. Speaker, as author of the "truth in news broadcasting" bill, H.R. 6935, I have been following with close interest the editorial exchange between the Washington Post and the broadcast media regarding editing techniques.

The Post's response to the most recent barrage of indignant "Letters to the Editor," from network news officials makes some very valid points as to the responsibility of the broadcast media, particularly in the area of honest self-examination.

I insert the letters and editorial from the Post:

F.Y.I.

Something approaching a state of hostilities seems to be developing between us and the network news people over some comments we made last week about the CBS documentary, "The Selling of the Pentagon." In essence, we said that certain editing techniques employed in a particular taped interview in one segment of the show were of the sort which could result in "a material distortion of the record" and that it was a pity to jeopardize, in this fashion, the credibility of what was on the whole a "highly valuable and informative exposition of a subject about which the American people should know more—not less."

Not exactly fighting words, we would have thought. But Mr. Richard Salant, president of CBS News, thought otherwise and last Monday in a letter from him and in an editorial in this space we exchanged views. That might have seemed enough to end the matter, except that Mr. Reuven Frank, president of NBC News, who was nowhere mentioned in our editorial, apparently thought he had been attacked, presumably because his editing techniques are the same as Mr. Salant's. So today we are publishing a singularly strident communication from him in the Letters space on the opposite page. Meanwhile, copies of their letters to us had apparently been distributed by both men to various other people, including Mr. Fred Friendly, the Edward R. Murrow Professor of Broadcast Journalism at Columbia University, and Time magazine, which obligingly praised Mr. Salant and Mr. Frank for having "effectively refuted" us before we had even received their letters, let alone put them into print. Mr. Friendly subsequently weighed in with a letter which also appears today.

Well, we seek no wider war. On the other hand, we do seek to be understood. And so, For Your Information, we would like to try to straighten out the tangle that has been made of the rather narrow issue at hand—by way of leading up to a broader and far more fundamental issue which these rebuttals raise.

As with Mr. Salant, Mr. Frank and Mr. Friendly both seem to think that we are proposing to surrender up some sacred journalistic right; that we are disinterested in the "protection of editorial independence," as Mr. Friendly puts it; or that we are proposing to "deny any reporter or editor not only the right but the responsibility of choosing which sentences in any public statement are interesting or important," as Mr. Frank puts it. Just to begin with, we were not even talking about public statements or speeches, and still less were we talking about newscasts or news stories—the run of the mill news fare. Both media of course reserve the right to exercise their own judgments about what to use and what to ignore, what to play up or down, how to paraphrase. And both are equally subject to errors of judgment in compressing material into limited time or space. But that, as any careful reading of the editorial in question would show, was not what we were talking about. There is no issue of "delegating the choosing process" here.

What we *were* talking about was what is called a question-and-answer interview (or "Q-and-A"), a technique common to both media whether it is reproduced in print or

on film. Either way the "Q" is supposed to give rise to the "A." The reader or viewer is not only entitled, but positively encouraged, to believe that this is the case by the juxtaposition of the two. And what we were questioning was simply the practice of rearranging the "Q's" and the "A's" arbitrarily so as to destroy or to distort their original relationship—to present as the "A" something that didn't in fact arise from the original "Q." This, as we demonstrated in our reply to Mr. Salant on Monday, is precisely what happened in an interview with a Pentagon official in "The Selling of the Pentagon" and we think the official was quite right to protest.

Of course, the print media edit transcripts of "Q's" and A's" to shorten them, to enhance continuity, or simply to make them more comprehensible. But it does seem to us that when this happens the reader deserves to be forewarned that what he is getting has been excerpted; in print this is done by dots or asterisks. Surely television, which can instantly tell us when we are getting "simulated" space maneuvers or "instant replays," and when we are getting it "live," could figure out an easy way to identify disjointed excerpts as such. Nor does it seem to us to be too large a surrender of rights, when there has been serious rearranging of the original material, to allow the subject to at least look at the product before it is printed or aired and to argue about it; we offered this as an option, an "and/or" proposition in special cases, on the theory that if the subject doesn't recognize or accept the validity of what he is represented as having said, it has no validity.

Obviously the network news people don't agree, which is fair enough. What is disturbing to us, however, is the notion implicit in Mr. Frank's letter that for those in our business to raise any questions about our performance is to "Agnewize" (his phrase). If this means anything at all, it means that he would have us surrender all discussion of the news business to others—to people like Mr. Agnew. For somewhat longer than the Vice President has been on the scene, it has been our feeling that this is a genuinely dangerous surrender; that we can no longer afford to hold ourselves beyond reproach and above scrutiny and immune from criticism by ourselves—even while directing scrutiny and reproach and criticism at everything else. That is why we were examining our own performance and practices, in this space, under the rubric F.Y.I., long before Mr. Agnew launched his quixotic assault against the media a little more than a year ago. That is why we regularly print commentary on the news business by Richard Harwood on this page.

We do it because we believe there has been a long-developing deterioration of public trust in the news media—as in other institutions—and that the way to deal with this is not to stand aloof but to talk about it; to deal with our business as we treat everybody else's business; to be a little less arrogant about conceding the bare possibility of a mistake every once in a while. Mr. Frank calls this "introspection." We think of it as a matter of simple equity. How can we not treat our own business the way we treat the government, or the courts, or the church—or, for that matter, the Pentagon? Mr. Frank finds this "boring," and that may be. But if it is all that boring, you have to wonder what the gentlemen of the network news business are so wrought up about.

LETTERS TO THE EDITOR

NBC NEWS CHIEF REUVEN FRANK AND FRED FRIENDLY ON TELEVISION

Your editorial of March 26 suggests that when television news uses excerpts of a speech or statement, it explains how such excerpting was done. It further suggests we ask the speaker to approve this use of some of his remarks, since we are not using all of them. This is admirable arrogance at a time of boring introspection, but I might wish you were more cavalier about your own practices and less about mine.

One can try so hard to appear to do one's job right as to be unable to do it right, and this is a good example. In television news film as in print, such remarks are excerpted for importance from material of less importance, for interest from material of varying interest, and for time because unlimited time, like unlimited space, is not available. To use up the time saved by explaining how and why is a little like allowing one's secretary, as Sam Goldwyn is reputed to have done, to throw away outdated files only if copies are made.

To deny any reporter or editor not only the right but the responsibility of choosing which sentences in any public statement are interesting or important is to deny that reporters or editors are needed. Both political parties have their own publications wherein only the interested parties decide what should be used. It is frightening to think that the lead editorial in an important American newspaper should suggest that widely circulated news reports in another medium should delegate this choosing process to the most narrowly interested party, the man who made the speech.

All this suggesting is in your last paragraph, in which you elect to prescribe for our ills. Your penultimate paragraph, in which you say in effect that all news reporting is distorted but television news reporting is more distorted than most, I consider one more example of the standard lament of the editorial writer that his colleagues reporting for the news pages are too interesting.

But I had thought we were at least a decade past those days when newspapermen considered freedom to gather and transmit information freely according to the tradition of their craft was somehow a chemical component of ink. But when The Washington Post can Agnewize in this fashion I hear a bell tolling. I hope that on reflection you do too.

REUVEN FRANK,
President, NBC News.

New York.

No newspaper has done more than The Washington Post to stimulate serious broadcast journalism. But your "pox on both houses" editorial, "Mr. Agnew versus CBS versus DOD," struck me as an unfortunate shotgun indictment of all who have tried to build a mature and responsible broadcast profession. It also seemed curious that you should choose to overlook the common bond between good broadcasting and what my colleague, Norman Isaacs, calls good newspapering—fair and honorable editing.

That there is editing, "foreshortening and rearranging," in journalism is as evident to viewers of "The Selling of the Pentagon" as it is to readers of The Washington Post. Indeed, there may be even more editing and distillation in a single issue of The Post as in half a dozen documentaries or a month of Walter Cronkite news shows.

We can agree that responsible editing is essential both to intelligent broadcast and print journalism. Documentaries such as the Murrow-McCarthy broadcast in 1954, or "Harvest of Shame" or "Biography of a Bookie Joint," all praised by The Post, were the result of responsible editing as much as solid investigative reporting. The Annie Lee Moss broadcast which Mr. Murrow and I always considered a high point of our partnership, was the distillation of 20 minutes out of 90 minutes of hearings. The editing was painfully and carefully done with transcript in hand to preserve the meaning and tone of the original event.

Your editorial concedes the dangers of bad editing. But your remedy, that there be some indication "that something has been dropped and/or give the subject of the interview an opportunity to see and approve his revised or altered remarks," seems to imply that a double standard should exist—one for newspapers and one for broadcast. It has always been my understanding that one of the major points of newspaper independence has been never to permit a news source to review and/or edit what is to appear in the newspaper. Perhaps The Washington Post now operates under different rules, but I know that this protection of editorial independence is still a benchmark of broadcast news.

I can testify that the strongest motivation of a news producer or editor is to preserve original meaning. Producers often permit verbose politicians to continue endlessly in an effort to preserve the original, if redundant, meaning, only to be victims of newspaper reviewers critical of "talking heads." Indeed, this too, is a price of integrity. Implicitly, in a question and answer sequence, the original context must be preserved.

I do not mean to imply the "The Selling of the Pentagon" was without its imperfections. I have spent some time and had considerable correspondence with its producers and its detractors. In every discussion and in every letter, it has become clear that the imperfections do not mar the central thrust of the broadcast, i.e., that ". . . this gigantic and colossal propaganda machine on the banks of the Potomac . . . is still turned on," as Congressman F. Edward Hébert once put it.

We need more such documentaries, not fewer. We need more interpretive reporting, more new analysis, and this is precisely what the Vice President, the Federal Communications Commission and The Washington Post should be urging.

By equating film and tape editing with staging, I fear that your editorial tends to cloud the fundamental issue. It is akin to the Vice President charging that your reporters' copy is being distorted by your editors. I wonder what your response would be if one of your critics elected to focus on the "built-in problems" of those who deal in the permanence of the printed word.

FRED W. FRIENDLY,
Edward R. Murrow, Professor of Broadcast Journalism, Columbia University.

NEW YORK.

See today's editorial: "F.Y.I."

SEEKS BENEFITS FOR SMALL NUMBER OF WOMEN

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mrs. CHISHOLM. Mr. Speaker, today we have the opportunity to benefit a small number of women in this country who have heretofore been neglected by legislators. I am speaking of those women who have been divorced before their marriage reached its 20th year and therefore are denied the social security benefits which accure to wives and widows.

Under the present social security laws a person can become insured with as little as 6 quarters or 1½ years of work and will be fully and permanently insured with 40 quarters or 10 years of covered work. A wife becomes entitled to all the benefits of her husband's policy after as little as 1 year of marriage, and in the

case where she is widowed, the marriage requirement is only 9 months. Since a woman acquires equity with her husband during the marriage, but ceases this acquisition after divorce, even though she supported her husband in her role as wife during the marriage, if a divorce results, she is cut off from her rightful insurance unless she has fulfilled this long 20-year requirement.

The President's Commission on the Status of Women in 1963 proposed 10 years as a practical limit in keeping with the general minimum period of social security regulations. Indeed, 20 years or 10 years is at best an arbitrary number, and if we can only be arbitrary, we must at least be liberal.

In order to help this situation, I am cosponsoring Mr. DUNCAN'S bill, H.R. 6757 to reduce from 20 to 10 years the length of time a divorced woman's marriage to an insured individual must have lasted in order for her to qualify for wife's or widow's benefits on his wage record.

The women who would benefit from this bill number, only between 5 and 7 thousand, a rather insignificant number compared to the millions that are covered by the social security system, but it is these women who can use these benefits.

The greatest fear in regard to legislation of this kind has been that one man could theoretically qualify four women under his single policy and therefore work a hardship on the coffers of the social security system. But let us be reasonable. Even under the present 20-year limit, there exist only two or three cases of dual qualification and no cases of triple qualification under a single policy. If there is indeed risk involved in lowering this limitation, then let us see it clearly, otherwise let us rise for the need of these 5,000 women and help our social security system to meet their needs.

WATER AND WASTE DISPOSAL MODERNIZATION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. FINDLEY. Mr. Speaker, in a bipartisan effort to free up nearly $300 million in loan and grant funds for water and waste disposal modernization in small towns and cities, Representative NEAL SMITH, of Iowa, and I were joined on Friday by 73 other Members of the House in signing a letter to President Nixon urging the release of these badly needed funds.

Congress last year appropriated $56 million in additional grant funds and $240 million more in loans than the administration has made available for spending by the Farmers Home Administration. The Office of Management and Budget has been holding up the release of these funds.

These funds are to be used in cities and towns of less than 5,500 for improving their water and waste disposal systems. In late February there were more than 4,000 applications on file with the Farmers Home Administration for loans and grants to be used for this purpose. Lack of available funding is the primary reason most of these communities have been prevented from making the necessary improvements.

Illinois towns and cities alone, in this size category, had 31 of these applications for $6.2 million in loans and grants for water and waste disposal assistance from FHA.

A recent nationwide survey of the Farmers Home Administration shows that about $11 billion would be necessary to help solve the rural water and waste disposal requirements of the Nation. This is a lot of money, but certainly spent in this way, we would be taking a solid first step toward helping maintain and redevelop our Nation's great small towns and cities into pleasant, healthy places to live. In the process, I am convinced, we will slow the pace of people moving from our small towns to a new life in the cities.

A copy of the letter sent to President Nixon and the Members who signed it is being made a part of these remarks:

WASHINGTON, D.C.,
April 2, 1971,

The PRESIDENT
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing with respect to the urgent need to provide additional grant and loan funds for the rural water and sewer facilities program operated by the Farmers Home Administration in the U.S. Department of Agriculture.

This program, established in 1965, provides financial assistance to rural communities of 5,500 population or less for the construction of basic water and sewer facilities. In addition to protecting the natural environment and removing health hazards caused by unclean water, this program is vitally needed at a fully funded level to enhance population growth in rural areas and stem the migration to already overcrowded urban areas. This is the only Federal program which provides assistance, in the form of both grants and loans, to rural communities for the construction of water facilities and community-wide sewage disposal systems.

Last year, by an overwhelming vote in both the House and Senate, the Congress approved an amendment appropriating $100 million in grant funds for the program during fiscal year 1971, the maximum available under the basic authorization legislation. In addition, Congress last year also passed another bill, Public Law 91-617, specifically designed to permit the Farmers Home Administration to use insured loan funds under the program. In view of the support for this program in Congress, we note with deep regret that the Administration has decided to distribute only $44 million of the $100 million appropriated in grant funds for this program during fiscal year 1971.

At the present time, the Farmers Home Administration has a massive backlog of applications from rural communities which simply do not have the financial resources or organizational structure to build water and sewer systems without this program. As of January 31, 1971, the Farmers Home Administration had on hand applications requesting a total of more than $600 million in assistance. In addition, over the last three years, applications totaling nearly $1.2 billion were returned to about 7,300 communities because these projects could not be financed in the immediate future.

In short, there is a crucial need at this time to provide the funds approved by the Congress to assist these rural communities. We therefore respectfully urge that you release the additional $56 million in grant funds for expenditure during this fiscal year and also authorize the use this fiscal year of an additional $240 million in insured loan funds. We feel that the rural water and sewer facilities program is a keystone to effecting rural redevelopment and, because funds are so urgently needed at this time, we hope you will act promptly and favorably on this request.

Sincerely yours,

Paul Findley, 20th District, Ill.; Ken Hechler, Fourth District, W. Va.; Donold M. Fraser, Fifth District, Minn.; Charles H. Griffin, Third District, Miss.; Neal Smith, Fifth District, Iowa; Frank Thompson, Jr., Fourth District, N.J.; Bill Nicholas, Fourth District, Ala.; N. J. Begich, District of Alaska; William R. Anderson, Sixth District, Tenn.; Ray Roberts, Fourth District, Tex.; Bob Bergland, Seventh District, Minn., James C. Cleveland, Second District, N.H.; John Culver, Second District, Iowa; W. J. Bryan Dorn, Third District, S.C.; Richard H. Fulton, Fifth District, Tenn.; Thomas S. Foley, Fifth District, Wash.; William S. Stuckey, Eighth District, Ga.; Mike McCormack, Fourth District, Wash.; Robert L. F. Sikes, First District, Fla.; William D. Hathaway, Second District Maine; Bob Casey, 22d District, Tex.; Michael Harrington, Sixth District, Mass.; Howard W. Robison, 33d District, N.Y.; John Paul Hammerschmidt, Third District, Ark.; Paul N. McCloskey, 11th District, Calif.; Graham Purcell, 13th District, Tex.; Robert McEwen, 31st District, N.Y.; Albert H. Quie, First District, Minn.; Alton Lennon, Seventh District, N.C.; Harold T. Johnson, Second District, Calif.; Abraham Kazan, Jr., 23d District, Tex.; Tom Railsback, 19th District, Ill.; Robert L. Leggett, Fourth District, Calif.; John H. Andrews, First District, N. Dak.; Arthur A. Link, Second District, N. Dak.; Ray Blanton, Seventh District, Tenn.; Philip E. Ruppe, 11th District, Mich.; Bill Berlison, 10th District, Mo.; William J. Randall, Fourth District, Mo.; John T. Myers, Seventh District, Ind.; Frank E. Evans, Third District, Colo.; Vernon W. Thomson, Third District, Wis.; Robert Stephens, Jr., 10th District, Ga.; Wayne L. Hays, 18th District, Ohio; Jack Brinkley, Third District, Ga.; Edwin B. Forsythe, Sixth District, N.J.; Carleton King, 30th District, N.Y.; Claude Pepper, 11th District, Fla.; Melvin Price, 24th District, Ill.; Frank M. Clark, 25th District, Pa.; Lee H. Hamilton, Ninth District, Ind.; George E. Shipley, 23d District, Ill.; Walter B. Jones, First District, N.C.; Patsy T. Mink, District of Hawaii; Tom Bevill, Seventh District, Ala.; Don Fuqua, Second District, Fla.; Robert A Roe, Eighth District, N.J.; Walter Flowers, Fifth District, Ala.; Albert W. Johnson, 23d District, Pa.; Julia Butler Hansen, Third District, Wash.; J. J. Pickle, 10th District, Tex.; Joseph P. Vigorito, 24th District, Pa.; Guy Vander Jagt, 37th District, Mich.; John M. Zwach, Sixth District, Minn.; Orval Hansen, Second District, Idaho; William V. Alexander, First District, Ark.; David R. Obey, Seventh District, Wis.; James F. Hastings, 38th District, N.Y.; Floyd V. Hicks, Sixth District, Wash.; Richard H. Ichord, Eighth District, Mo.; James G. Fulton, 27th District, Pa.; Peter N. Kyros, First District, Maine; John Brademas, Third District, Ind.; Frank E. Denholm, First District, S. Dak.

AN EDITORIAL ON LIEUTENANT CALLEY AND MY LAI

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. HARVEY. Mr. Speaker, I do not believe any issue has gripped this country or stirred it up more in recent years than the conviction of Lt. William L. Calley, Jr., U.S. Army. I can speak from particularly personal experience as I have just returned from holding office hours in our Eighth Congressional District. Practically every person with whom I met had a comment—and a strong one—in support of Lieutenant Calley. For example, I met with about 25 high school students who wanted to let me know that they disapproved of the sentence imposed upon Lieutenant Calley. And, like all Members of Congress, I have received a great many telephone calls, hundreds of letters and telegrams. The sentiment runs strongly in Lieutenant Calley's favor.

In addition, much has been said and seen through our public media. Undoubtedly, there will be many "special" productions in the days ahead. This, of course, is to be expected. However, in these early days of reaction, I would like to bring to your attention an editorial which appeared in the Sunday Star, of April 4, 1971, which, in my judgment, presents a rather balanced story on "A Nation Troubled by the Specter of My Lai." I do not necessarily embrace every thought or comment espoused by this editorial but, by and large, it does cover rather fairly all aspects and facets of a most controversial and emotional trial and sentence.

The editorial follows:

A NATION TROUBLED BY THE SPECTER OF MYLAI

The conviction of Lieutenant Calley has precipitated a wave of protest in this country. If the majority of the calls to this newspaper are typical, the tenor of the pro-Calley callers (who are greatly in the majority) reflects more intensity of emotion than either clarity of logic or dedication to a discernible code of ethics.

Be that as it may, this wave of protest exists. And it has thrown into each other's embrace such unlikely bedfellows as superdoves and superhawks, congressmen and clergymen, housewives and hippies. President Nixon, a helmsman never slow to trim his sails to a prevailing political wind, has acknowledged the strength of this sou'wester by ordering Calley's release from the Fort Benning stockade, pending the appeal of his life sentence on which the White House yesterday said the President himself will make the final decision for the military.

It is clear, from what many of those protesting the jury's decision say, that they either have not read or have failed to understand or believe the testimony of 104 witnesses in the longest military trial in American history.

Many, for instance, appear to be under the impression that Calley was convicted for killing enemy soldiers. Others hold that, whatever he did, he was ordered to do it. The first is untrue; the second is under dispute, with the weight of the evidence running against Calley.

His victims, who may well have been ideologically hostile to the United States, were 22 unarmed, unresisting *South* Vietnamese civilians of both sexes, ranging in age from small children to elderly people. There was not a word of testimony at the trial to indicate that as much as a single shot was fired at Calley's platoon on March 16, 1968. The only American casualty sustained that day was a man who shot himself in the foot. So much for the imputation that Calley was engaged in heavy combat and acted in self-defense.

As for Calley's contention that he was acting under orders to "waste" (kill) everyone in My Lai 4, his commanding officer, Captain Ernest L. Medina (who also is facing murder charges) denies having issued such orders. Charlie Company's other platoon leaders have testified that they heard no such order. Had such an order been issued, it would have been an unlawful one and obedience to it would not have constituted a valid defense.

It is clear that some of those most vehemently protesting Calley's conviction and sentencing really do not *care* how many South Vietnamese he may have killed or under what circumstances. Their attitude is that any American soldier in a war zone has an unlimited license to kill, particularly if the victims are "mere gooks." The abhorent and self-defeating nature of this view is so obvious as not to require comment.

Others hold that because Calley was young, probably scared and certainly in command of troops who could hardly be described as elite, his conduct fell within the limits of what is permissible in enemy territory in time of war. True, Calley was young, 24 at the time. But literally tens of thousands of other lieutenants younger than he have faced greater provocation and greater danger without reverting to "Jack the Ripper." Certainly the probability is that he was scared when he began the operation. But he met no resistance, he held all the cards and he played the one impermissible one. Surely his troops were green and had sustained casualties on previous operations. But it was not a question of restraining his troops from doing something but of *ordering* them to do it. In short, Calley had viable alternatives; he did not choose them. He killed unresisting, helpless human beings.

The Army never has taught its officers to murder civilians. The nation's first military code, drawn up during the Civil War, states that "men who take up arms against one another in public war do not cease on this account to be moral beings, responsible to one another and to God." That still holds, or ought to.

A more sophisticated protest has come from the left end of the political spectrum. These protesters want Calley let off because they are after bigger political and doctrinal fish. So convinced are they of the wrongness of the war and the detestable nature of the government in Saigon that they seek to extend Calley's guilt on up through the Army and ultimately, to the White House.

Their argument is based primarily on the Nuremberg principles and on what has come to be known as the Yamashita precedent. The Nuremberg trial of the Nazi leaders established the principle of the responsibility of political leaders for acts committed by their armies. The 1946 trial of General Yamashita, the Japanese commander in the Philippines, resulted in his death by hanging for atrocities committed by his troops, although no evidence was offered that he had ordered, condoned or even known about these acts. The military commission's finding was confirmed by the Supreme Court of the United States.

In a prophetic dissenting opinion, Associate Justice Frank Murphy wrote:

"In the sober afterglow will come realization of the boundless and dangerous implications of the procedure sanctioned today. No one in a position of command in an army, from sergeant to general, can escape these implications. Indeed, the fate of some future President of the United States and his chiefs of staff and military advisers may well have been sealed by this decision."

What Justice Murphy was saying—and what Calley's supporters on the left are implying—is that the Vietnam War has been conducted in such a way that if Calley was guilty, so were General Abrams, General Westmoreland, President Johnson, President Nixon and most of Congress.

We reject that contention. And in so doing, we have to face up to the fact that the Nuremberg and Tokyo trials were verdicts imposed by the victors upon the vanquished; that they resulted in much—although not all—bad law. That, of course, is small compensation to General Yamashita's family, but we think it ought to be said.

The question has also been raised as to whether it is more moral to dump bombs on civilians from 30,000 feet, as was done (at lower altitudes) by both sides during World War II and by ourselves in Vietnam, than to gun them down in a ditch, as Calley has been convicted of doing at My Lai. The end effect, after all, is much the same for civilians involved. That is true. But a quality of wantonness, of callousness to one's fellow human beings, is required to stare a child in the face and then snuff out his life.

And, indeed, while it may be possible to postulate that if Calley is guilty, the pilots are guilty, it does not follow that, because the pilots are technically guilty, Calley should be set free.

In the end, it comes down largely to what you want to think of your army and your country. We think—in fact we know—that the United States Army and the other branches of the service are composed in the main of honorable men who have tried, and usually succeeded in their efforts to make the best of the dirty job which war always is. And precisely because we do think highly of the Army, we refuse to believe that Calley's actions were typical, much less exemplary. We believe that the six officers who convicted him, all of whom had been decorated for gallantry in action and five of whom had seen combat in Vietnam, voted as they did because they recognized Calley's actions as exceeding any conceivable standards of behavior in warfare. If Calley's sentence is found by an appeal court to be excessive, or if testimony at the three remaining My Lai trials produces new evidence bearing on his case, the possibility of a commutation remain open.

But the day this country goes on record as saying that unarmed civilian men, women and children of any race are fair game for wanton murder, that will be the day that the United States forfeits all claims to any moral leadership of this world. We do not believe that black day has come.

PENSION PROTECTION

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. GAYDOS. Mr. Speaker, each Saturday morning in my 20th Congressional District of Pennsylvania, I conduct "congressional workshops" to learn what issues or problems are of prime concern to my constituents. Since the district is highly industrialized, one of the subjects most discussed is the lack of protection afforded the pension rights of white and blue collar workers.

It has been estimated less than one-third of all employees now covered by

pension plans will ever receive anything in return for their contributions over the years. This is grossly unjust. The General Subcommittee on Labor, on which I serve, is vitally interested in correcting the many flaws in the pension plan system which it uncovered during more than 6 months of hearing on the issue. I, along with others of my colleagues, have already introduced legislation which will help correct these inequities and achieve the objectives sought by the subcommittee and more than 30 million American workers.

The need for the pension right protection is thoroughly explored in an article appearing in the April issue of the Reader's Digest. I am inserting the article in the RECORD and I urge my colleagues to read it.

The problems are critical and complex. Solutions to all of them will not be easy nor quickly forthcoming, but Congress must do something and give the American worker assurance he has not labored for life for nothing.

The article follows:

WHAT YOU SHOULD KNOW ABOUT YOUR PENSION

(By Irwin Ross)

Week after week despairing letters stream into Congress and the Labor Department from people who have suddenly discovered that their long-expected pensions have evaporated into thin air. Last April, George P. Shultz, then Secretary of Labor, told a Congressional committee that an estimated *one third* of all employes currently covered by private retirement plans "will never receive a pension." According to this calculation, nearly nine million of the 26 million Americans now enrolled in these plans will lose out.

The crunch in large part comes because only a minority of workers spend a lifetime or even 20 years with one employer. In a dynamic, innovative economy it is quite common to change jobs three or four times in a working career of 40 to 45 years. No personal instability is involved, merely an individual's desire to better himself, or the need to shift because technological change has wiped out old jobs. In recent months, too, because of the recession as well as budgetary cutbacks in the defense and aerospace industries, a great many people have lost their jobs before they could nail down their pension rights.

Clearly, there are major flaws in this country's system of private pension plans. Among them:

Inadequate "vesting" provisions. Vesting is the non-forfeitable right to a pension that an employe retains when he leaves a job prior to retirement age. Generally, it is a deferred right—the worker draws the pension when he reaches 60 or 65—and it is less than a full pension, its amount depending on his length of service. According to a recent Bureau of Labor Statistics study, 23 percent of pension plans offer no vesting—which, of course, means that a worker has to stay on the job until retirement age to be assured of a pension.

Moreover, only 34 percent of plans give vested rights after five to ten years' service—an excellent provision—whereas 30 percent require 11 to 15 years and nine percent 16 to 20 years. (In many of these plans an employe has to attain a certain age—often 40 or 50—before he can be vested.)

Business disasters. Expectations of a pension can be cruelly thwarted not only because employes change or lose jobs before they qualify; some workers are victimized because their employers go out of business before they can put enough money in the pension fund to meet all its obligations. The best-known disaster of that kind befell employes of the Studebaker Corporation, which stopped automobile manufacturing at its South Bend, Ind., factory in 1964. Studebaker had instituted a pension plan in 1950, but by the time the fund was formally terminated and retirees were compensated through the purchase of annuities, the money left in the pot was grievously inadequate to satisfy all the vested claims. The solution: each man got 15 percent of what he was entitled to, in lump-sum settlements that ranged from $200 to $1600. Most of these workers were in their early 50s and had only a remote chance of qualifying elsewhere for a pension.

The United Steelworkers of America, which has about a million members covered by pension plans, has within the last five years seen over 70 pension funds founder because of plant shutdowns, bankruptcy or merger. A Department of Labor study showed that 4259 pension plans were terminated from 1955 through 1965—affecting some 225,000 employes. Some of these plans had a fair amount of money in the till, and some of the workers were transferred to plans in merged corporations. Nonetheless, many thousands of workers each year were victimized.

Unethical conduct. Another threat to employes' pensions comes from the loose standards which govern the plans. In theory, a pension fund is set up solely in the interest of its beneficiaries. In practice, there are innumerable opportunities for the company or the plan trustees to manipulate the fund for their own private advantage. In one celebrated case, corporate officers of a holding company were also the trustees of the pension fund of their principal operating company. They used pension-fund money to purchase the stock of the holding company, thereby supporting its market price when it was declining. During this same period, the trustees were prudently selling blocks of their own stock in the company. At the end of a two-year period, the fund took a loss of more than $1.6 million in these overvalued securities. There was nothing illegal in this operation. It was simply unethical.

Pension funds have also been known to pay their trustees enormous sums for their services. One large corporation had 16 pension and profit-sharing plans, administered by five trustees. In one year, the trustees received $300,000 in fees from the 16 funds. Their duties could not have been too onerous, however, for the funds also paid $130,000 to a separate corporation to handle their investments and administer the benefit plans.

What can be done? The problem has been under study for years, and both Republicans and Democrats have introduced legislation to eliminate abuses and inadequacies. Among the proposed remedies are mandatory vesting after ten years and "graded vesting" (already in existence in many of the better pension plans), whereby vesting starts, say, after the sixth year of employment and increases by ten percent a year thereafter, so that the employe is half vested after ten years, fully vested after 15.

Another suggested solution involves "portability," which allows employes to transfer credits from one pension plan to another as they shift jobs. Such reciprocity in the transfer of pension credits already exists between a number of multi-employer pension plans. Though portability is a useful device, most experts believe that it involves many technical problems, and that adequate vesting provisions will achieve a similar result, enabling a worker to retire with two or three reduced pensions.

Improved funding standards have also been proposed, to ensure that the employer continues to put enough money in the pot each year so that if the plan were terminated it could pay off all its pension obligations. To solve the problem of a company going out of business prior to full pension-plan funding, a federal insurance program has been suggested, similar to the nearly 40-year-old program that insures bank deposits. (Premiums would be paid by the pension funds, just as banks pay premiums to the Federal Deposit Insurance Corporation.)

Requirements for vesting, funding and insurance are contentious matters, however. Employer groups like the U.S. Chamber of Commerce oppose mandatory provisions largely on the ground that the additional financial burden will restrain the creation of new pension plans. Labor is of divided mind on the issue. The steelworkers and auto workers have strenuously campaigned for vesting, funding and insurance, while the International Ladies' Garment Workers' Union and the Amalgamated Clothing Workers, which have long sponsored multiemployer plans, have vigorously argued that the cost of the proposed reforms would be onerous for their modest-sized and often hard-pressed employers and would force a reduction of already small pension benefits—$75 and $85 a month in the case of the ILGWU. Like the garment unions, the AFL–CIO maintains that the multi-employer plans, 25- or 30-year funding is unnecessary, for with many hundreds of employers putting up the money, the demise of any particular employer would not imperil the fund. The view has merit and, in at least one proposal, a multi-employer plan which is clearly not dominated by any one employer would be exempt.

Less controversial proposals involve stricter standards under which "self-dealing" would be outlawed. Pension fund trustees would be held to standards similar to those that apply to the trustees of an estate. Any deviation from such behavior would compel the trustees to make up losses suffered by a fund and, in the case of willful delinquency, criminal penalties could be imposed. Annual reports would have to be filed with the Labor Department providing far more detail on fund investments than is now required.

The Nixon Administration is strongly on record for a fiduciary standards and disclosure bill, and there will be an energetic push to pass reform legislation in the new Congress. But even now there are a few important steps you can take to protect your pension:

1. Study the details of your pension plan. Benefits have often been lost through ignorance. If the plan requires 15 years' service and attaining the age of 42 for vesting, don't make the mistake of leaving when you're 41.

2. See if there are any hidden gimmicks in the plan. Sometimes an ex-employe is denied vested rights in a pension if he goes to work for a competitor.

3. Check occasionally with the personnel office to make sure that there are no errors about your length of service. It is easier to correct mistakes soon after they occur than when you are on the brink of retirement.

4. If you have a vested right in a pension, get a written statement from the pension fund as to your equity when you leave your job. Don't wait until you retire.

Foresight can save a lot of woe. But in the end Congress will have to act if the pension rights of millions of Americans are to be protected.

TRUTH-IN-NEWS BROADCASTING

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. MINSHALL. Mr. Speaker, in line with introduction of my truth-in-news broadcasting bill, H.R. 6935, there has been brought to my attention a press release issued by the International Association of Game, Fish, and Conservation Commissioners regarding NBC's production, "Say Goodbye."

I wish to make the release and letter

from the association to Julian Goodman, president of NBC, a part of the RECORD:

NBC POLAR BEAR TV SEQUENCE IN ERROR COMMISSIONERS SAY

The International Association of Game, Fish and Conservation Commissioners today has written to Mr. Julian Goodman, President of the National Broadcasting Company to express serious concern regarding segments of the "Say Goodbye" production. Association President Chester F. Phelps told Goodman that "I am convinced that the sequence which purported to depict the killing of the female polar bear is a false depiction of the event actually filmed."

The International Association numbers among its government members the fish and wildlife agencies of the 50 states, 5 Canadian provinces, and the Commonwealth of Puerto Rico. The agencies have responsibilities for the protection and management of the fish and wildlife resources of much of the North American continent.

Phelps said he is "advised by officials of the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, and by officials of the Alaska Fish and Game Department that the female bear in the sequence, instead of undergoing a death agony as represented, was in fact succumbing to a tranquilizing drug administered by biologists employed by the State of Alaska and engaged in a scientific and humane project designed to improve knowledge of polar bear. I am advised that the female polar bear later rejoined her cubs which were not harmed . . ."

Phelps continued, "the program was presented in a documentary fashion leading viewers to believe that the incidents portrayed actually happened as presented. Would television viewers have had reason to believe they had witnessed a management project, humanely and scientifically conducted by biologists, in an effort to improve knowledge of polar bear? I believe not.

"In my view," Phelps continued, "manipulations such as this makes no contribution to wildlife conservation. They do succeed in unfairly undermining public faith in federal and statewide wildlife officials and as the true facts become available, as they inevitably do, such incidents serve also to undermine the public's faith in television broadcasting. I believe the networks have a responsibility to the public as well as to network affiliates to guard against occurrences such as this."

Phelps urged that NBC make a full investigation of the program and requested a report of the findings "so that I may notify federal and state agencies which must respond to the many critical letters received from the public as a result of the program. The wildlife official advised Goodman that "through the exposure provided by your network and affiliates, the public has been misled about this matter, and I submit that the National Broadcasting Company has duty to correct this false impression. I feel it should be done soon, and with sufficient exposure to bring to the public the true facts. Will you please advise me as to how you intend to accomplish this?"

INTERNATIONAL ASSOCIATION OF GAME FISH AND CONSERVATION COMMISSIOERS,
Richmond, Va., February 26, 1971.

Mr. JULIAN GOODMAN,
President, National Broadcasting Co.
RCA Building,
New York, N.Y.

DEAR MR. GOODMAN: I am writing on behalf of the International Association of Game, Fish and Conservation Commissioners to express our serious concern regarding segments of the production "Say Goodbye" which was shown on the NBC television network on January 8, 1971. The International Association numbers among its government members the fish and game agencies of the fifty States, five Canadian provinces, and the Commonwealth of Puerto Rico. These agencies have responsibilities for the protection and management of the fish and wildlife resource of much of the North American continent.

Information has recently been brought to my attention which indicates that a segment of the production "Say Goodbye" was contrived to depict an incident, viz., the tracking and killing from a helicopter of a female polar bear accompanied by two cubs. I am advised that the sequence which purported to depict the killing of the female polar bear is a false depiction of the event actually filmed.

I am advised by officials of the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, and by officials of the Alaska Fish and Game Department that the female bear in the sequence, instead of undergoing a death agony as represented, was in fact succumbing to a tranquilizing drug administered by biologists employed by the State of Alaska and engaged in a scientific and humane project designed to improve knowledge of polar bear I am advised that the female polar bear later rejoined her cubs which were not harmed as you will note in the attached letter from James W. Brooks, Arctic research Biologist, Bureau of Sports Fisheries and Wildlife.

The program was presented in documentary fashion leading viewers to believe that the incidents portrayed actually happened as presented. Would television viewers have had reason to believe they had witnessed a management project, humanely and scientifically conducted by biologists, in an effort to improve knowledge of polar bear? I believe not.

In my view manipulations such as this makes no contribution to wildlife conservation. They do succeed in unfairly undermining public faith in federal and state wildlife officials and as the true facts become available, as inevitably they do, such incidents serve also to undermine the public's faith in television broadcasting. I believe the networks have a responsibility to the public as well as to network affiliates to guard against occurrences such as this.

I would urge that NBC make a full investigation. I would appreciate receiving a report of your findings so that I may notify federal and state agencies which must respond to the many critical letters received from the public as a result of the program. I would like to include, as a part of such notification, assurance from your network that every possible step will be taken to insure that future conservation programs are accurate and do not contain contrived, albeit sensational, segments.

Finally, I feel very keenly that your network has a responsibility to set the record straight with respect to "Say Goodbye." Through the exposure provided by your network and affiliates, the public has been misled about this matter, and I submit that the National Broadcasting Company has a duty to correct this false impression. I feel that it should be done soon, and with sufficient exposure to bring to the public the true facts. Will you please advise me as to how you intend to accomplish this?

I would appreciate your early reply.

Sincerely yours,

CHESTER F. PHELPS,
President.

FAMILY FARMS NEED LONG-TERM CREDIT TO SUCCEED

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, April 5, 1971

Mr. EVANS of Colorado. Mr. Speaker, probably the hardest fact facing an American farmer today is that he needs capital to be successful—and lots of it.

Recent figures show the farmers' use of borrowed capital has now risen to nearly $60 billion, more than double the amount of 10 years ago. Within this decade, the figure is likely to double again.

It seems clear, therefore, that one of the most critical factors in determining whether individual family farmers will survive and prosper in the years ahead is the extent to which they will be able to obtain adequate financing.

Though it varies by the area and the type of farming, it is generally acknowledged that to achieve an efficient sized farming unit today requires a capital investment of about $200,000. This would be the amount of money needed to purchase sufficient land, equipment, and livestock to return a reasonable income to the producer.

Obviously, a young man just does not walk up to a lender, borrow $200,000 and go out and begin his career as a farmer. It does not work that way.

First, no commercial lender would advance the entire amount needed for a young farmer to get started. That would place all the risk on the lender and none on the farmer.

Second, today's farming is too complicated and sophisticated for an untrained individual to succeed. It takes several years of work as a hired man or in partnership with his father or another farmer for a young man to become knowledgeable enough to make good in today's agriculture with its low profit margins.

There are, nevertheless, a great many capable farmers — particularly young farmers—who are unable to obtain sufficient long-term credit to buy their own farm.

It is essential that we as a nation find ways to encourage these young men—and that we seek every possible avenue to keep agriculture in the hands of individual family farmers. Adequate financing of today's operators—and of the young farmers coming up—should therefore be a national goal. It would be a sad day indeed if we were to awaken to find that our family system of farming had been replaced by giant corporate entities.

Accordingly, I was encouraged recently to learn of a special, cooperative effort by the Federal land bank system and the Farmers Home Administration which adds another dimension to long-term financing of farm real estate.

Under the program, long-term loans for purchasing farm real estate can be made to the same borrower by both the Federal land bank and the FHA. The program would work like this:

The Federal land bank would make a long-range first mortgage farm real estate loan to a farmer. Simultaneously, the FHA would make an initial farm ownership loan to the same farmer. In doing so, the FHA would subordinate its mortgage to the Federal land bank lien.

There are a number of benefits which will flow from this program.

It should be noted that by law the Federal land banks are restricted to advancing not more than 65 percent of the normal value of a given piece of farm real estate. On the average this is about 50 percent of the present market price

of the farm. Obviously, with such a restriction, a large downpayment is required on the part of the borrower.

But with the FHA financing a substantial share of the total, a far lesser amount of initial cash downpayment is required. This of course is crucial when one considers the large amount of capital required in today's agriculture.

The net result of the program is that there will be more young, capable farmers on the land contributing to their rural community than would otherwise be possible.

A direct byproduct of the program is that with the land banks and FHA pooling their efforts, more funds are left available to FHA to serve other farmers. This is important because FHA is subject to a ceiling on the total amount of farm ownership loans it can make. Historically, there has been more demand for these insured loans than money made available.

The Federal land banks, on the other hand, are completely owned by their member-borrowers. Though the banks were initially capitalized by the Government, these funds have been repaid for more than 20 years. The banks received nearly all their loan funds by issuing their bonds on the Nation's money markets.

Both the Federal land banks and the Farmers Home Administration are to be commended for their efforts. It is a prime example of the Government, representated by the FHA, and the private sector, represented by the land banks, of cooperating in a common and worthwhile purpose.

As I stated earlier, the sheer magnitude of financing agriculture in the future is such that no opportunities can be overlooked if the family farming we know today is to survive.

In this regard I applaud the efforts by the entire Farm Credit System with its indepth look at the future of credit in agriculture as contained in the report of the Commission on Agricultural Credit. That document spells out the importance of the job ahead in agricultural lending and some of the changes which are needed if that job is to be successfully carried out.

I commend these and other efforts to improve upon the financing of today's agriculture—financing with the goal of improving the economic well-being of the family farm unit.

COMPREHENSIVE CHILD DEVELOPMENT ACT

HON. WALTER F. MONDALE

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Monday, April 5, 1971

Mr. MONDALE. Mr. President, today, I am introducing for myself and Senators JAVITS, NELSON, SCHWEIKER, BAYH, BROOKE, CASE, CRANSTON, EAGLETON, HARRIS, HART, HARTKE, HOLLINGS, HUMPHREY, INOUYE, KENNEDY, MANSFIELD, MATHIAS, MCGEE, MCGOVERN, METCALF, MOSS, MUSKIE, PASTORE, PELL, RANDOLPH, RIBICOFF, STEVENSON, TUNNEY, and WILLIAMS, a bill entitled "The Comprehensive Child Development Act of 1971." This legislation builds upon the successful experience of Headstart. It provides a full range of quality health, education, nutrition, and social services for American children, on a voluntary basis. It is designed to assure that every child has a fair opportunity to reach his full potential.

While maintaining Headstart's priority on economically disadvantaged children, our new bill also expands services to include children from families above the poverty level, especially children of working mothers and single parents. It provides the legislative framework for eventual universally available child development programs for all families who need and want them. Priority on preschool programs continues, but services will be expanded to include infant care and before and after school services for children in school, as well as parental services and child development training for parents and prospective parents.

The legislation is designed to allow the greatest possible flexibility, within the priorities established, to provide whatever combination of full- or part-time, day or night services, in-the-home services, neighborhood centers, schools, or work-based facilities will best meet locally determined needs. Planning, operation, and administration of programs will take place at the local level through the partnership of parents, community, and local government. It emphasizes participation of parents and older family members in the development and implementation of the programs which serve their children.

In February 1969, President Nixon called for "a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life" and pledged himself to that commitment. Last December, delegates to the White House Conference on Children voted as their top priority the provision of "comprehensive family-oriented child development programs including health services, day care, and early childhood education." Enactment and full funding of the Comprehensive Child Development Act will enable us to fulfill these commitments.

THE CRITICAL EARLY CHILDHOOD YEARS

The critical effect of the first 5 years of life has been well documented. We know that the beginning years of life are the most important for a child's intellectual growth, and for his social, emotional, physical, and motivational development. These early years are the formative years—they are the years in which permanent foundations are laid for a child's feelings of self-worth, his sense of self-respect, his motivation, his initiative, and his ability to learn and achieve.

We know, moreover, that a child's intelligence is not fixed, once and for all, at birth. We have learned that his intelligence is shaped by his experiences, and that his mental development is heavily determined by the conditions and the environment he encounters in the first few years of life.

We know, in addition, that children are most eager and often most able to learn during their early childhood years. As Dr. Benjamin Bloom concluded in "Stability and Change in Human Characteristics":

> As time goes on . . . more and more powerful changes are required to produce a given amount of change in a child's intelligence, . . . and the emotional cost it exacts is increasingly severe.
>
> To a very great extent, a child's experiences at the beginning are critical determinants of his entire future life.

Yet, we have never adequately provided for those early childhood years; we have left things to chance; and we have particularly neglected those children with the greatest economic and social need.

Today, there are nearly 3½ million children under the age of 6 whose families have incomes below the poverty level, and probably an equal number from families living in near poverty. Regardless of the love and attention these children receive from their families, many of them are growing up without adequate nutrition and health care, and without the active mental and intellectual stimulation that is necessary during their early years.

As a result, many of these children are depressed, withdrawn, and listless. Child development specialists report that in the beginning it is difficult to get some of them to smile or show interest in anything around them. Young children in many of these homes are considered well behaved if they sit quietly in a corner during the day, instead of talking, playing, and exploring. The frequent moving and use of many different babysitters makes some of the children confused, insecure and, in extreme cases, results in emotional disturbances and hyperactivity. Sometimes there are no books or magazines in these homes, no clocks or radios, and what few toys there are usually have no educational value for the child.

In addition, many poor children—Mexican Americans, Indians, Eskimos, Puerto Ricans, and members of other minority groups—grow up learning English as a second language, or not at all. Besides being burdened with possible nutritional and intellectual deprivation in their early years, many of them are confronted with an alien language and an alien culture when they begin school.

Most American children are more fortunate. Their early childhood years are spent in a more secure and stimulating environment where they receive the physical and mental nourishment necessary for development. Some have the additional advantage of a private pre-school experience.

The child from a privileged family who enters school at the age of 6, even if his parents have made no conscious effort to teach him, has behind him a full and complex learning history.

The variety of skills this well-endowed 6-year-old brings to school with him are impressive. Yet the child was born with none of these specific abilities. He has learned them all from interactions with his environment. In short, his "cognitive development" is already well advanced. He also, as a rule, has had his medical and dental needs attended to. And he has

never truly been hungry or undernourished.

Unfortunately, most poor and near poor children arrive at school without these same advantages and assets. Many of them may have suffered irreparable damage in their early years. Many have not had the benefit of adequate physical and mental nourishment. Many have not received sufficient nutrition, health care, and intellectual stimulation. Many of them, as a result, appear listless and apathetic at early ages—in stark contrast to the curiousity-filled active youngster from the average middle-class home.

Research reveals quite clearly the costly and lasting effects of deprivation in these early years. It reveals, for example, that as early as 18 months of age, poor children start falling behind middle-class children in tests of language development, and general intelligence. It reveals, furthermore, that this intellectual gap between poor and nonpoor children that appears so early in life tends to grow larger over time.

The following passage from the Westinghouse Learning Corp. study of headstart summarizes the tragic conclusions of research in early childhood deprivation:

> One theme which emerges with great clarity from all the related literature and research is that there exists significant and substantial differences between so-called lower-class and middle-class children. It is universally reported that the former typically enter school much below the level attained by the latter, on the average, and that schooling furthermore operates to increase these differences, so that the children of the poor suffer a "cumulative deficit" as they progress through school. Consequently, they drop out of school in large numbers, fail to develop saleable vocational competence, and thus continue the cycle of poverty throughout their own lives and throughout the lives of their own children, in turn.

The work of the Select Committee on Equal Educational Opportunity, which I chair, has underscored this tragic cycle of poverty and failure. Testimony before our committee has documented the way in which many of the underfunded schools in our large cities—often serving the poorest of the poor—are educational graveyards. Many of the children who enter their first grades have already had their minds stunted by malnutrition or inadequate educational stimulation in preschool years. And the schools often cannot reverse this trend of destruction.

Once they enter inner city schools, all too often this deterioration continues. In Hartford, Conn., the average IQ of fourth graders in ghetto schools was 94 in 1965. Two years later, when that class was in the sixth grade, its average IQ had dropped to 88. In another 2 years, in the eight grade, it was 86—only 6 points above the IQ level at which children become candidates for institutionalization in Connecticut facilities for the retarded.

Similarly third graders in Washington test four-tenths of a year behind students in 11 other big cities. By the ninth grade they are 1.6 years behind other big city students, and of course even further behind—some 2.2 years behind—the national averages.

In short, damage is done in the crucial early years, and often our educational institutions are unable to repair it in later life. The cycle of deprivation rolls on.

Research and testimony like this demonstrate the critical nature of the early childhood years. But let us make sure we understand exactly what this means. It means that neglect, hunger, inadequate health care and lack of stimulation during this period can cripple a child's intellect for life, or at least make it exceedingly difficult and expensive to restore and recover what has been lost. But it does not mean—and this fact cannot be overemphasized—that quality preschool programs alone will guarantee that children reach their full potential.

Early childhood services are not an innoculation that lasts for life. There are no magic periods in childhood. Child development is continuous, and we must provide adequate support and services through childhood. That is why our bill authorizes services from prenatal period through age 14. We have placed a priority on the preschool years not because those are "magic years," but because they are the foundation years, and the years that are most neglected in our existing pattern of services for children.

NUTRITIONAL DEPRIVATION

Mr. President, I would like to underscore the role that inadequate nutrition plays in perpetuating this cycle of poverty. As a member of the Senate Select Committee on Nutrition and Human Needs, I have had an opportunity to hear expert testimony about the tragic and permanent effects of nutritional deficiency during pregnancy and the first few years of life. Presently, there is no government program that deals adequately with the critical nutrition needs of infants from the period before birth until they reach school age. Pediatricians have pleaded eloquently before the committee for national recognition of the disaster—mental as well as physical—which befalls undernourished infants. Besides the dangers of permanent physical impairment and increased susceptibility to illness which malnutrition brings during the preschool period, a child's capacity to learn can be seriously and permanently damaged by undernourishment.

Dr. Charles Lowe, chairman of the Committee on Nutrition of the American Academy of Pediatrics, testified before the Nutrition Committee:

> Severe malnutrition suffered during childhood affects learning ability, body growth, rate of maturation, ultimate size, and if prolonged, productivity throughout life.

Dr. Lowe stated further that:

> In effect, the quality and quantity of nutrition given during the first formative years of life may have the effect of programming the individual for all the years of his life. Malnutrition during the last trimester of pregnancy and certainly during the first months of life may seriously compromise ultimate intellectual achievement.

When I asked Dr. Lowe if Government food and nutrition programs had to be limited arbitrarily to only 6 years, which period of a person's life he would focus these programs on, he answered without hesitation, the last 3 months of pregnancy and the first 5¾ years of a child's life.

Mr. President, the problems and the potentials I have been discussing are all too familiar to most of us. We have known for some time that deprived children start school at a disadvantage; that most of them do not have the intellectual and verbal skills that their middle-class classmates developed at home. And we have learned in recent years some of the reasons for this inequality, and the importance of early childhood and preschool programs.

SOCIOECONOMIC DIVERSITY

I do not mean to suggest that middle-class children cannot benefit from child development programs and preschool experiences. Indeed, quality comprehensive programs can help all children and should be available in this country—on a voluntary basis—to all children as a matter of right, regardless of their economic, social, and family background. Many families whose income falls above the poverty level cannot afford child development programs for their children. Preschool in this country thus becomes a privilege for the very rich and, to the extent that public programs are currently provided, for the very poor.

But, by providing services only at the socioeconomic extremes, we are neglecting the majority of our children and, in a very real sense, we are assigning poor children to a track system even before they enter the public schools. Perhaps most tragically we are ignoring the enormous opportunity for children to learn from one another.

Dr. Edward Zigler, Director of the Office of Child Development, testified before the Senate Subcommittee on Employment, Manpower and Poverty in the 91st Congress, in his capacity then as a member of the National Planning Committee and the National Research Council of Headstart and of the Department of Psychology of Yale University specializing in child development programs. He strongly supported the need for expanded and improved programs of child development and argued most eloquently for expanded participation in Headstart by children "of middle socioeconomic class":

> Another important reason for guaranteeing a good socioeconomic mix in Headstart centers is the growing body of evidence that children learn a great deal from one another. The middle-class child does have a number of attributes that the poor child could profitably model. By the same token we often find in poor children particular strength and characteristics worthy of emulation by the middle-class child. We must see to it that Headstart centers are institutions where our Nation's children, regardless of economic status, can enrich one another.

SERVICES FOR CHILDREN OF WORKING MOTHERS

The demand for quality child development services has grown, not only with the recognition of the vital importance of the early childhood years, but with the steady increase in the number of mothers who are working outside the home. Their infants and preschool children need care, affection, social stimulation and intellectual motivation, and their older children need supervision and support before and after school.

In 1965, the Women's Bureau of the U.S. Department of Labor conducted a

survey of the 6.3 million mothers who worked, to determine the kind of care provided for their 12.3 million children under the age of 14, and particularly for their 4.5 million children under the age of 6. That survey revealed that about 87 percent of the children required supplementary care—only 13 percent were in school during all the hours their mothers were outside the home. Forty-six percent were cared for at home by other family members, 15 percent by mothers on the job, and 16 percent by relatives outside the home or in small family day-care homes. Only 2 percent were enrolled in any type of day-care center or nursery school. Most shocking of all—8 percent, incuding 18,000 preschoolers, were left to take care of themselves.

Today's situation is unquestionably worse. Since 1965, the number of working mothers has nearly doubled. One-half of all mothers with children in school work today, and one-third of all mothers with preschool children, are working at least part-time. But we have increased the space available in licensed child-care centers to accommodate less than 40,000 more children than we accommodated in 1965.

In other words, while more and more mothers are working—most of them out of economic necessity—quality services for their children are simply not available. Too many mothers who are forced to work, or who chose to do so, must rely at best on custodial care, and all too often must utilize centers which cannot even provide for the basic health and safety of their children. Others must leave their "latch key" children on the streets, where they are subjected to drugs and delinquency, rather than constructive development programs which might supplement their school and home environment.

CUSTODIAL VS. COMPREHENSIVE SERVICES

Mr. President, the increasing demand for day-care services has been accompanied by a disturbing shift of focus from the development of the child to the convenience of the parents.

A Washington Post reporter in an excellent series reviewing day-care programs and prospects put it this way:

The focal point of government interest seems to be shifting—from the "develop the child" emphasis of the Great Society days to the "free the mother to work" emphasis of the Nixon Administration's proposed welfare reform bill.

I am deeply concerned about the current discussion of day care in the context of welfare and food stamp reform and forced work requirements, because the emphasis is being placed not on helping the child but on putting the mother to work.

If, under the guise of welfare reform, we take more and more disadvantaged children away from their mothers and condemn them to custodial care centers, then we are neglecting the potential of their early childhood years and denying them their greatest opportunity to move out of the cycle of poverty. We accomplish little toward real reform if, in the process of getting parents into jobs and off the welfare roles, we deny their children the comprehensive services they need to compete in the classroom and become productive members of their society.

A recent series in the Washington Post described the kind of custodial care that is being offered in the Nation's Capital—"not the best of it, but some of it, and not the worst".

In one corner of the large, neat and very bare room 21 children, 3 to 6 years old, and two adults sit, watching "Captain Kangaroo" on a small-screen black-and-white television perched far above their heads on a room divider.

About half the children seem attentive, a handful are squinting or glassy-eyed and five have their heads down on the table either resting or sleeping. . . .

There is no talk, either during commercials or after the program ends. The images flitting across the small screen are the only movement, their mechanically jolly banter the only sound.

According to the reporter, there are few books in the center, no educational toys, little if anything to stimulate creative play. The children spend up to 11 hours in the sparsely equipped room with a schedule which includes an hour of television, 3 hours of naptime, morning and afternoon devotions, an hour and 15 minutes "getting ready to go home," and an hour and a half for "going home." Only 1 hour is set aside for "class."

Such a center is all too typical, not just in the District of Columbia, but throughout the Nation. And as the demand for such services increases, these typical centers, and others even less adequate, will proliferate—unless we provide the financial resources, the technical assistance, and the delivery mechanism to provide quality care for every child who needs it.

FEDERAL ROLE IN CHILD DEVELOPMENT

Mr. President, quality child development programs are expensive. Several years ago, the Office of Child Development prepared estimates of national costs, based on three levels of services: "minimum" custodial care, "acceptable" basic programs of developmental activities, and "desirable" programs with a full range of general and specialized activities suitable to individualized development.

Group day care for 3- to 5-year-olds, OCD estimated, would cost $1,245 a child at a "minimum" level, $1,862 at an "acceptable" level, and $2,320 at a "desirable" level. "Minimum" programs for children under 3 would cost $1,423, "acceptable" programs, $2,032, and "desirable" programs, $2,372. Services for children in school would be $310 at a "minimum," and $653 at an "acceptable" or "desirable" level. Limiting the total costs to 4 million children of families with incomes under $5,000 who were identified as "needing day care," OCD calculated that such programs would require a "minimum" national expenditure of $2.5 billion, $4.2 billion at an "acceptable" level, and $4.6 billion at a "desirable" level. The study pointed out, however, that for children from disadvantaged homes, only the "desirable" level would be appropriate.

Since that study was published, inflation has pushed the cost of child development programs upward, and more mothers are working. Thus, the $4.6 billion is an outdated, conservative "desirable" cost, and does not take into consideration any children from families above the $5,000 cutoff who might need and benefit from such programs or the other poor children who may not "need" day care but who could benefit from it.

Mr. President, our States and cities are already being bankrupted by the costs of elementary and secondary education. They have no resources to undertake a massive program of this kind. Parents of the poor cannot pay for the services their children need, and indeed, the 2 million working mothers of preschool children with family incomes between $5,000 and $10,000 can contribute little if anything toward the cost of child development programs.

The Federal Government must assume the responsibility. The President has already expressed his commitment to that responsibility, although the administration's budget requests do not reflect it.

The major, in fact the only, Federal investment in quality comprehensive child development programs has been Headstart—a program designed to give poor young children the kind of foundation that makes it possible for them to succeed in life, based on the understanding that a child's development involves not only the child but also his parents, other family members, and the community. The results of Headstart have been notable, but one of the clearest lessons we have learned from our experience thus far is that, if we are to accomplish our objective, then Headstart must be expanded downward toward infancy and upward through the elementary and secondary schools. In addition, we must reach more than the 425,000 children who will be served in the coming year. Even if we limit Headstart to 3- to 5-year-olds below the poverty level, there are 1,598,000 children eligible for the program. Yet the administration has requested only those funds necessary to keep the program going at its present level. In testimony before the House Education and Labor Committee recently, Dr. Zigler, the Director of the Office of Child Development, conceded that the request for $376.5 million was only a "maintenance budget" and that it would require an additional $1.126 million to reach all of the eligible children. This does not include the expansion to include a broader socio-economic diversity in programs, which Dr. Zigler has supported in his testimony and I agree is so important.

The other major Federal expenditures for day care services are provided through the Social Security Act and the State welfare agencies. The President has requested $78 million to provide day care services for 200,000 children of welfare recipients in training, for the most part under the work incentive program, and has proposed an additional $400 million under the new family assistance plan, to provide day care services for children whose mothers will be required to work if the program is enacted. I question whether any of this money will be spent for quality comprehensive programs, rather than custodial care, in the

absence of legislation such as we are introducing today.

Mr. President, the national need for child development is obvious and irreversible. Only the Federal Government has the financial ability to meet that need. The question before us today, therefore is not whether we are going to have Federal involvement in day care, but rather how it is going to be structured and what kind of services we are going to provide for our children and their families.

THE COMPREHENSIVE CHILD DEVELOPMENT ACT OF 1971

We have examined all of the proposals for child development and day care which have been introduced in this and earlier Congresses, including the administration's proposals for the family assistance plan and the Federal Child Care Corporation which was proposed in this body last year. We have studied the testimony of expert witnesses before both the House and Senate Committees. We have benefited from some of the community decisionmaking emphases in a bill introduced by Senator JAVITS and Senator BAYH. And we have consulted with a broad coalition of organizations interested in child development including the: Amalgamated Clothing Workers; AFL–CIO; Americans for Democratic Action; Americans for Indian Opportunity Action Council; Black Child Development Institute; Committee for Community Affairs; Common Cause; Day Care and Child Development Council of America, Inc.; Friends Committee on National Legislation; Interstate Research Associates; International Ladies Garment Workers Union; League of Women Voters; Leadership Conference on Civil Rights; National Council of Churches; National Council of Negro Women; National Education Association; National League of Cities and U.S. Conference of Mayors; National Organization of Women, president and vice president for Legislation; National Welfare Rights Organization; United Auto Workers; U.S. Catholic Conference, Family Life Division and Washington Research Project Action Council.

A companion bill which is very similar in many ways to the one we introduce today was introduced recently in the House of Representatives by Representative BRADEMAS, Representative REID and a large number of cosponsors from both parties. I am delighted that these bills are so similar. Both versions have benefited from the gifted leadership of JOHN BRADEMAS in particular, who has been a pioneer in this field and whose subcommittee held extensive hearings on child development last session.

The Comprehensive Child Development Act of 1971 which we are introducing today is the result of that exhaustive study and consultation, and embodies the following components which we have determined to be essential to any national effort in this field:

First. Comprehensiveness: Our bill assures comprehensive educational, nutritional, social and health services to provide for the cognitive, physical, and psychological development of each participating child; including prenatal services, infant care, preschool programs, and before and after school programs for children in school.

Second. Local flexibility: Within the priorities established, programs may be full or part time, day or night services, in child development facilities, neighborhood centers, homes, work-based facilities, or mobile units, according to locally determined needs and priorities for child development services.

Third. Priorities for economically disadvantaged: Priority will be given to children from families with an annual income below the lower living standard budget determined by the Bureau of Labor Statistics—currently $6,900 for an urban family of four—by reserving 65 percent of all Federal funds for such children and by assuring that services will be provided free for children in this category.

Fourth. Socioeconomic diversity: To the extent possible, each program will include children from a broad range of socioeconomic backgrounds. Up to 35 percent of the available funds may be spent to include children whose families have an income above the lower living standard budget, with fees charged on a sliding scale according to ability to pay. Until funds are available for all children in this income category, priority will be given to those with the greatest need, especially children of working mothers and single parents.

Fifth. Needs of minority, Indian, migrant, and bilingual children: Funds are provided for year-round mobile programs for migrant children, and for programs on Indian reservations. In addition, each local program must provide equitably for the needs of all minority groups, Indian, and migrant children in the area served, with particular emphasis on the needs of children from bilingual families for the development of skills in English and the other language spoken in the home.

Sixth. Administration by local governmental units: The success of child development programs depends upon their relevance to local needs—needs which vary from one community to another. Most of the programs which do exist today, with or without public funds, are operated locally; few States have become involved in early childhood development programs in any significant manner, and none have the resources to undertake a program of the scope we intend in this legislation. For their reasons, our bill provides for administration by local governmental units—cities or counties in most cases, or combinations of cities or counties if local officials decide such cooperation will provide more efficient administration. Local governments will prepare comprehensive child development plans to serve their own communities, and once these plans are approved by the Secretary, local authorities may directly fund program applications from private and public organizations, including parent groups, headstart and community action agencies, labor unions and employed groups.

We have provided the authority and the funds for the States to sponsor programs in those areas where no other sponsor has been designated. In those cases where the local government refuses to act, fails to meet the requirements of the law, or does not meet the needs of economically disadvantaged or minority group children, the Secretary may fund public or private nonprofit groups directly.

Seventh. Parent, family, and community participation: Parents will determine needs and priorities for child development services within their communities, assist in developing project proposals, recommend projects to the local governmental unit for funding, and serve equally with locally appointed officials in the overall administration of the city's or county's program.

In addition, parents and older family members will participate directly in programs in which their children are enrolled, as volunteers and as paid personnel with opportunities for in-service training and career advancement. Local programs will include in-home services for children and their parents, with training in the fundamental of child development for parents, older family members, and prospective parents.

Eighth. Protection of current Headstart programs: Our bill builds heavily on the experience with comprehensive programs under Headstart. To assure coordination and efficient administration of all child development programs, Headstart will be incorporated into the comprehensive legislation. However, funds will be set aside to assure continuation of such programs for the Headstart target group at no less than the 1972 level. Local sponsors will be required to fund on-going Headstart programs unless there is a community determination that such programs are no longer providing adequate services. In addition, community action and Headstart agencies will be given an opportunity to comment on the comprehensive child development plan in their area before it is approved by the Secretary. Authority is also provided for the coordination of other child development programs operated by Federal, State, and local governments, and by private organizations.

Ninth. Training and technical assistance: Assistance is provided for local community groups and governmental agencies to develop comprehensive child development programs and to train the professional and paraprofessional personnel, especially members of the community necessary to conduct quality programs.

Tenth: Adequate funds: Appropriations are authorized at a level adequate to assure an effective comprehensive national program, not a token response to the overwhelming need: $2 billion for fiscal year 1973, $4 billion for fiscal year 1974, and $7 billion for fiscal year 1975.

Federal funds will pay for 80 percent of individual program costs, with discretion to fund up to 100 percent where it may be necessary to do so in order to meet the needs of economically disadvantaged, Indian, and migrant children.

Mr. President, the Forum on Development Child Care Services of the 1970 White House Conference on Children identified the challenge before us:

There are two clear issues in developmental child care for American children: the comprehensive and quality of care which all children deserve; and the responsiveness and flexibility of social institutions to the changing needs and desires of American parents. The best care, with stimulating and nurturing personnel, will be wasted if offered in programs which will not be used by families as they adjust their own special, economic, and personal needs. Simply keeping the child during parents' working hours without applying our utmost expertise and common sense for his sound development is as cruel and absurd as feeding him only minimal nutrition required to sustain life and expecting a vigorous and healthy body. We need not just day care centers so mothers can work, nor just preschools. Rather, we must respond as a nation to the changes that we as individuals are living, changes in our views of family roles and in the needs of our families with children. Our lives are changing more rapidly than our institutions. We must develop a network of voluntary supplementary child care, flexible enough to be part of family life, able to promote the full development of our children, and readily available to all families with children. We must commit our heads, our hearts, and our pocketbooks.

The Comprehensive Child Development Act of 1971, which we are introducing today, provides the mechanism and the resources to meet that challenge, and to assure that every child and every family in this Nation has an equal opportunity to reach its full potential.

I ask unanimous consent that a complete section-by-section analysis and the text of the bill be printed in the RECORD.

There being no objection, the section-by-section analsyis and text of the bill were ordered to be printed in the Record, as follows:

SECTION-BY-SECTION ANALYSIS OF THE COMPREHENSIVE CHILD DEVELOPMENT ACT

Sec. 2—Amendment

The bill technically amends title V of the Economic Opportunity Act (but places administrative responsibility in the Office of Child Development in the Department of HEW).

Sec. 501—Statement of findings and purpose

States (a) the finding of Congress that (1) children are suffering unnecessarily from the lack of adequate child development services, particularly during their early childhood years; (2) comprehensive child development programs should be available as a matter of right to all children, (3) until such programs are available to all children, priority should be given to preschool children with the greatest economic and social need, (4) such programs are essential to allow many parents to accept work, (5) such programs should be undertaken as a partnership of parents, community and local government.

(b) the purpose of the Act to provide a fair and full opportunity to each child to reach his full potential by establishing and expanding comprehensive child development programs, building on the Headstart experience, with emphasis on economically and socially disadvantaged and preschool children and including children of working mothers and single parents, involving parents and community groups in the decision-making process, and establishing the legislative framework for eventual universally available child development programs.

PART A—COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS

Sec. 511

Authorizes Secretary of HEW to direct programs.

Sec. 512—Appropriations

Funding levels established at $2 billion for FY 73, $4 billion FY 74, $7 billion FY 75.

Sec. 513—Allotments among prime sponsors

Reserves for Secretary funds for migrant and Indian programs at a ratio equal to the ratio of such children in the nation; 5% for Secretary's discretion, with the remainder apportioned among the States as follows: (1) 50% according to the ratio of economically disadvantaged children in the State, (2) 25% according to the ratio of children through age 5; (3) 25% according to the ratio of children of working mothers and single parents. Apportions a State's allotment among prime sponsors within the State according to same formula as used for apportioning money among States. Provides for reallotment of unused funds among States and prime sponsors.

Sec. 514—Use of Federal Funds

Lists activities for which funds can be provided, including: planning and development of programs; establishing, maintaining, and operating comprehensive fulltime, parttime, family, day, night, intermittent and home and group programs for children through 14 with a broad range of activities; design, acquisition, construction, alteration, renovation or remodeling of facilities including mobile facilities; programs to meet special needs of minority children, with emphasis on bilingual skills; training programs for professionals, paraprofessionals, parents, older family members and prospective parents; public information activities; child advocates; assistance to enable community organizations to participate in programs; monitoring and evaluation.

Sec. 515—Prime sponsors

Authorizes any city, county, combination of units of local government, or federally recognized Indian reservation to serve as prime sponsor, upon approval of application by Secretary of HEW.

Authorizes a public or private non-profit agency or organization to become a prime sponsor if the appropriate unit of local government has not submitted an application or is out of compliance, or if Secretary determines such prime sponsor is necessary to meet the needs of minority or economically disadvantaged children.

Authorizes public or private non-profit agency or organization to become a prime sponsor for year-round programs for migrant children.

Authorizes States as residual prime sponsor for those areas where no other prime sponsor has been designated.

Provides opportunity for State to comment on all applications for designation; notice and hearing before Secretary makes adverse decision on designation, and judicial review of Secretary's final action.

Sec. 516—Child development councils and local policy councils

Requires that each prime sponsor which is a local governmental unit (or the State as residual prime sponsor) establish: 1.) a Child Development Council to submit a Comprehensive Child Development Plan and to conduct, coordinate, and monitor programs in the prime sponsorship areas; one-half of its members to be elected representatives of Local Policy Councils, one-half selected by the mayor or chief executive officer of the prime sponsor unit, one-third of the total membership to be parents of economically disadvantaged children; chairman selected by members; and 2.) Local Policy Councils elected by parents of eligible children to serve appropriate subdivisions within the prime sponsor area, including nongeographic groupings of parents working or training for employment in a common area; each Local Policy Council to determine needs and priorities for its own area and to recommend project applicants to the Child Development Council for funding.

Requires that each prime sponsor which is a public or private nonprofit organization funded directly by the Secretary establish a Local Policy Council elected by parents of eligible children to serve the appropriate functions of Local Policy Council and Child Development Council in the area served by such prime sponsor.

Sec. 517—Comprehensive child development plans

Requires submission by CDC and Secretary's approval of a Comprehensive Child Development Plan before a governmental prime sponsor may receive financial assistance. Such plan (1) identifies needs and goals and describes purposes for which funds will be used; (2) provides for needs of eligible children with priority to programs for children through age 5; (3) gives priority to economically disadvantaged children by reserving for them funds equal to 1972 Headstart and 65% of the remaining federal allotment to the prime sponsor; (4) gives priority thereafter to children of single parents and working mothers; (5) provides free services for economically disadvantaged and fees on a sliding scale for others; (6) provides for coordination and cooperative funding among prime sponsors in metropolitan areas; (7) provides in so far as possible for socio-economic mix in centers; (8) provides for special needs of minority, bilingual, migrant and Indian children in the area; (9) provides equitably for children from all minority groups; (10) coordinates programs so family members relate to each other during the day; (11) assures benefits for children in nonpublic preschool and school programs; (12) provides for parental participation in plans and programs; (13) provides for paraprofessional and volunteers, including parents, older Americans, students, other children, and those preparing for child development careers; (14) provides jobs in so far as possible for unemployed and low-income residents of the community; (15) assures dissemination of information on child development programs to parents of eligible children; (16) eliminates barrier of State teacher certification standards; (17) assures coordination with schools and with other child development programs in the community; (18) assures payment of the non-Federal share; (19) provides for fiscal control and fund accounting procedures; (20) provides for continuing evaluation, analysis of needs and reports to the Secretary; (21) gives emphasis to on-going programs; (22) adequately provides for staff and administrative expenses of Local Policy Councils.

Sec. 518—Project applications

Authorizes funding by CDC, on recommendation of LPC after open hearing, of a qualified public or private agency which submits an application to run a child development program, which provides comprehensive services for children served, assures adequate personnel, provides for parent participation, and otherwise satisfies appropriate provisions of the Comprehensive Child Development Plan.

Authorizes funding by Secretary of a non-government prime sponsor designated under Section 518 which submits a project application on which the LPC has held open hearings.

Sec. 519

Provides for promulgation of *Federal Standards of Child Development Services*, applicable to all programs receiving assistance under this Act.

Sec. 520

Provides for promulgation of *Uniform Minimum Code for Facilities* for all facilities which receive assistance under this Act or in which programs which receive assistance under this Act are operated.

Sec. 521—Additional conditions for programs including construction

Allows construction only of facilities essential to provide child development services, where use of existing facilities is shown to be not practicable. Limits construction to 15% of a State's or prime sponsor area's total apportionment. Provides for 20-year use of facility for child development programs or return of proportionate value of facility to the Federal government. Requires that prevailing wage rate be paid by contractors and subcontractors. Authorizes Secretary to establish interest rates of construction loans. Limits federal share of cost to other than private nonprofit organizations, to 50% of total cost and requires that it be in the form of loans; authorizes grants up to total cost of construction for private nonprofit organizations.

Sec. 522

Provides for maximum utilization of existing Federal, state, and local public facilities, including school buildings, for child development programs.

Sec. 523—Payments

Provides 80% Federal share (with allowance for Secretary to pay up to 100% if necessary to provide services for economically disadvantaged) of costs; 100% Federal share of migrant and Indian programs. Provides that non-Federal share may be in cash or kind. Fees paid by parents, returned to prime sponsor to create additional lots.

PART B—TRAINING, PLANNING AND TECHNICAL ASSISTANCE, AND EVALUATION

Authorizes training grants to individuals working or preparing to work in programs assisted under this Act, and to prime sponsors to carry out preservice and inservice training of professional and paraprofessional personnel, including volnuteers.

Authorizes Office of Child Development (OCD) to evaluate Federal involvement in child development and to provide technical assistance to prime sponsors and project applicants including funds for initial planning and staffing of prime sponsors and Local Policy Councils.

Authorizes $25,000,000 annual appropriation to carry out purposes of this title

PART C—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAMS

Authorizes federal grants for child development programs for children of employees of the Federal Government, with a $5,000,000 appropriation.

PART D—NATIONAL CENTER FOR CHILD DEVELOPMENT

Establishes National Center within OCD to conduct, coordinate, and disseminate research on child development.

PART E—GENERAL PROVISIONS

Sec. 561

Defines the terms used in the Act to insure accurate interpretation of its intent. Defines "economically disadvantaged" as the Lower Living Standard Budget determined by the Bureau of Labor Statistics (currently $6960 for an urban family of four).

Sec. 562

Establishes Office of Child Development (OCD) to be principal agency in HEW to administer this Act.

Sec. 563

Provides that economically disadvantaged children and families eligible for programs under this Act would be eligible for supplemental food programs including Section 32 of P. L. 74320, and full authority under Section 32 and that other federally assisted commodity distribution programs would be utilized to provide economically disadvantaged persons participating in programs under this Act with well balanced nutritionally adequate diets.

Sec. 564

Provides for advance appropriations and advance funding of programs.

Sec. 565

Establishes procedure for withholding grants to prime sponsors for noncompliance with provisions of this Act, or with a Comprehensive Child Development Plan or a project application submitted by the prime sponsor.

Sec. 566

Assures public information, without charge.

Sec. 567

Prohibits federal control.

Sec. 568

Repeals, consolidates, and coordinates existing child development programs, effective July 1, 1973.

S. 1512

A bill to amend the Economic Opportunity Act of 1964 to provide for a comprehensive child development program in the Department of Health, Education, and Welfare

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Child Development Act of 1971".

AMENDMENT

SEC. 2. Title V of the Economic Opportunity Act of 1964, as amended, is amended to read as follows:

"TITLE V—COMPREHENSIVE CHILD DEVELOPMENT PROGRAM

"STATEMENT OF FINDINGS AND PURPOSE

"SEC. 501. (a) The Congress finds that—

"(1) millions of American children are suffering unnecessary harm from the lack of adequate child development services, particularly during early childhood years;

"(2) comprehensive child development programs, including a full range of health, education and social services, are essential to the achievement of the full potential of America's children and should be available as a matter of right to all children, regardless of economic, social and family background;

"(3) children with special needs must receive full and special consideration in planning any child development programs and, pending the availability of such programs for all children, priority must be given to preschool children with the greatest economic and social need;

"(4) while no mother may be forced to work outside the home as a condition for using child development programs, such programs are essential to allow many parents to undertake or continue full- or part-time employment, training, or education; and

"(5) it is essential that the planning and operation of such programs be undertaken as a partnership of parents, community, and local government.

"(b) It is the purpose of this Act to provide every child with a fair and full opportunity to reach his full potential by establishing and expanding comprehensive child development programs and services designed to assure the sound and coordinated development of these programs, to recognize and build upon the experience and success gained through the Headstart program and similar efforts, to furnish child development services for those children who need them most, with special emphasis on preschool programs for economically disadvantaged children, and for children of working mothers and single parent families, to provide that decisions on the nature and funding of such programs be made at the community level with the full involvement of parents and other individuals and organizations in the community interested in child development, and to establish the legislative framework for the future expansion of such programs to universally available child development services.

"PART A—COMPREHENSIVE CHILD DEVELOPMENT PROGRAMS

"PROGRAM AUTHORIZED

"SEC. 511. The Secretary of Health, Education, and Welfare is authorized and directed to provide financial assistance for child development programs in accordance with the provisions of this title.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 512. For the purpose of carrying out this part, there is hereby authorized to be appropriated the sum of $2,000,000,000 for the fiscal year ending June 30, 1973; the sum of $4,000,000,000 for the fiscal year ending June 30, 1974; and the sum of $7,000,000,000 for the fiscal year ending June 30, 1975.

"ALLOTMENTS AMONG PRIME SPONSORS

"SEC. 513. (a) From the amounts appropriated for carrying out this part the Secretary shall first reserve the following:

"(1) not less than that proportion of the total amount available for carrying out this part as is equivalent to that proportion which the total number of children of migrant agricultural workers bears to the total number of economically disadvantaged children in the United States, which shall be made available to prime sponsors designated pursuant to section 515(a)(5)(C);

"(2) not less than that proportion of the total amount available for carrying out this part as is equivalent to that proportion which the total number of children on Indian reservations bears to the total number of economically disadvantaged children in the United States, which shall be apportioned among federally recognized Indian reservations for programs serving such reservations so that the amount apportioned to each such reservation bears the same relationship to the total amounts reserved pursuant to this paragraph that the number of children residing in such reservation bears to the total number of children residing in all such reservations;

"(3) not to exceed 5 per centum of the total amount available under Sec. 502, which shall be made available under section 515(a)(5)(D); and

"(b) The Secretary shall allot the remainder of the amount appropriated for carrying out this part among the States in the following manner—

"(1) 50 per centum of such remainder so that the amount allotted to each State bears the same ratio to such 50 per centum as the number of economically disadvantaged children in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the number of economically disadvantaged children in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section;

"(2) 25 per centum of such remainder so that the amount to each State bears the same ratio to such 25 per centum as the number of children who have not attained 6 years of age through age 5 in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the number of children who have not attained 6 years of age in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section;

"(3) 25 per centum of such remainder so that the amount allotted to each State bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the State, excluding those children in the State who are counted under paragraphs (1) and (2) of subsection (a) of this section, bears to the total number of children of working mothers

and single parents in all the States, excluding those children in all the States who are counted under paragraphs (1) and (2) of subsection (a) of this section.

"(c) The Secretary shall apportion the amount allotted to each State among the localities within such State in the following manner:

"(1) 50 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 50 per centum as the number of economically disadvantaged children in the area of the locality bears to the total number of such children in the State;

"(2) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children who have not attained 6 years of age in the area of the locality bears to the total number of such children in the State;

"(3) 25 per centum thereof so that the amount apportioned to each locality bears the same ratio to such 25 per centum as the number of children of working mothers and single parents in the area served by the locality bears to the number of children of working mothers and single parents in the State;

"(d) The number of children who have not attained 6 years of age, the number of economically disadvantaged children, and the number of children of working mothers and single parents in the area of a locality in a State, and in all the States, shall be determined by the Secretary on the basis of the most recent satisfactory date available to him.

"(e) The portion of any allotment or apportionment under subsection (b) or (c) for a fiscal year which the Secretary determines will not be required, for the period such allotment is available, for carrying out programs under this part, shall be available for reallotment or reapportionment from time to time, on such dates during such period as the Secretary shall fix, to other States in the case of allotments under subsection (b), or to other localities in the case of apportionments under subsection (c), in proportion to the original allotments to such States under subsection (b), or apportionments to such localities under subsection (c), for such year, but with such proportionate amount for any of such States, or localities, being reduced to the extent it exceeds the needs of such State, or locality, for carrying out activities approved under this part, and the total of such reduction shall be similarly reallotted among the States, or reapportioned among localities, whose proportionate amounts are not so reduced. Any amount reallotted to a State or reapportioned to a locality under this subsection during a year shall be deemed part of its allotment under subsection (b) or apportionment under subsection (c) for such year.

"USES OF FEDERAL FUNDS

"SEC. 514. Funds appropriated under section 512 may be used (in accordance with approved applications) for the following services and activities—

"(1) planning and developing child development programs, including the operation of pilot programs to test the effectiveness of new concepts, programs, and delivery systems;

"(2) establishing, maintaining, and operating child development programs, which may include—

"(A) comprehensive physical and mental health, social, and cognitive development services necessary for children participating in the program to profit fully from their educational opportunities and to attain their maximum potential;

"(B) food and nutritional services (including family consultation);

"(C) rental, remodeling, renovation, alteration, construction, or acquisition of facilities, including mobile facilities, and the acquisition of necessary equipment and supplies;

"(D) programs designed (i) to meet the special needs of minority group, Indian and migrant children with particular emphasis on the needs of children from bilingual families for the development of skills in English and the other language spoken in the home and (ii) to meet the needs of all children to understand the history and cultural backgrounds of minority groups which belong to their communities and the role of members of such minority groups in the history and cultural development of the nation and of the region in which they reside;

"(E) a program of daily activities designed to develop fully each child's potential;

"(F) other specially designed health, social and educational programs (including after school, summer, weekend, vacation, and overnight programs);

"(G) medical, psychological, educational, and other appropriate diagnosis and identification of visual, hearing, speech, nutritional and other physical, mental, and emotional barriers to full participation in child development programs;

"(H) prenatal services to expectant mothers designed to help reduce malnutrition, infant and maternal mortality and the incidence of mental retardation and other handicapping conditions;

"(I) incorporation within child development programs of special activities designed to identify and ameliorate identified handicaps, and special learning disabilities, and, where necessary or desirable because of the severity of such handicaps, establishing, maintaining, and operating separate child development programs designed primarily to meet the needs of handicapped children;

"(J) preservice and inservice education and other training for professional and paraprofessional personnel;

"(K) dissemination of information in the functional language of those to be served to assure that parents are well informed of child development programs available to them and may become directly involved in such programs;

"(L) services, including in-home services, and training in the fundamentals of child development, for parents, older family members functioning in the capacity of parents, youth and prospective parents;

"(M) use of child advocates to assist children and parents in securing full access to other services, programs or activities intended for the benefit of children; and

"(N) such other services and activities as the Secretary deems appropriate in furtherance of the purposes of this title; and

"(3) personnel and administrative expenses of Local Policy Councils and Child Development Councils established and operated in accordance with this part.

"PRIME SPONSORS

"SEC. 515. (a) The following shall be eligible to be prime sponsors of a comprehensive child development program in accordance with the provisions of this section—

"(1) any State;

"(2) any locality—

"(A) which is a city; or

"(B) which is a county or other unit of general local government and which the Secretary determines has general powers substantially similar to those of a city;

"(3) any combination of localities;

"(4) a federally recognized Indian reservation; or

"(5) any public or private nonprofit agency or organization, including but not limited to community action agencies, single-purpose Headstart agencies, community corporations, parent cooperatives, organizations of migrant workers, labor unions, organizations of Indians, employers of working mothers, and public and private educational agencies and institutions, serving or applying to serve children in a neighborhood or other area possessing a commonality of interest under the jurisdiction of any locality referred to in subsection (a) in the event that—

"(A) such locality either has not submitted an application pursuant to this section within 120 days of the date of implementation of this title by the promulgation of regulations by the Secretary, or has not submitted a plan pursuant to section 517 within 240 days of such date during the first fiscal year after such date or earlier than 90 days before the start of each succeeding fiscal year, or, although serving as a prime sponsor, is found, in accordance with the procedures contained in subsection (f) of this section, not to be satisfactorily implementing a child development plan which adequately meets the purpose of this part; or

"(B) the Secretary determines such sponsorship necessary to meet the needs of economically disadvantaged or preschool children residing in the area served by a prime sponsor designated pursuant to paragraphs (1) through (4) of this subsection; or

"(C) such sponsorship is for the purpose of providing comprehensive child development programs on a year-round basis to children of migrant workers and their families; or

"(D) with respect to funds reserved pursuant to section 513(a)(3), the Secretary determines that sponsorship by such agency or organization will result in the establishment of a model project responsive to the needs of economically disadvantaged, minority group, or bilingual preschool children.

"(b) Any State, locality or Indian reservation that is eligible to be a prme sponsor under subsection (a) and which desires to be so designated in order to enter into arrangements with the Secretary under this part shall submit to the Secretary an application for designation as prime sponsor which, in addition to describing the area to be served, shall provde for—

"(1) the establishment of a Child Development Council which shall be responsible for submission of a comprehensive child development plan, pursuant to section 107, and for planning, conducting, coordinating, and monitoring child development programs in the prime sponsorship area organized in accordance with section 516(a);

"(2) the establishment of Local Policy Councils organized in accordance with section 516 (b);

"(3) the delegation by the Child Development Council to an appropriate agency (existing or newly created) of the State, locality, or Indian reservation of the administrative responsibility for developing a Comprehensive Child Development Plan pursuant to section 517, for evaluating applications for such assistance submitted to it by other agencies or organizations, for delivering services, activites, and programs for which financial assistance is provided under this part, and for continuously evaluating and overseeing the implementation of programs assisted under this part, provided that such delegate agency will cooperate with the appropriate Local Policy Councils, and will be ultimately responsible for its actions to the Child Development Council.

"(c) Any public or private nonprofit agency or organization that desires to be designated a prime sponsor pursuant to paragraph (5) of subsection (a) of this section in order to enter into arrangements with the Secretary under this title shall submit to the Secretary an application for designation as prime sponsor which, in addition to describing the area to be served, shall—

"(1) demonstrate that such agency or organization qualifies as eligible prime sponsor pursuant to paragraph (5) of subsection (a) of this section;

"(2) evidence the capability of such agency or organization for effectively planning, conducting, coordinating, and moni-

toring child development programs in the area to be served; and

"(3) provide for the establishment of a Child Development Council and Local Policy Councils organized in accordance with section 516(a)(2)(B).

"(d)(1) In the event that a State has submitted an application for designation as prime sponsor to serve or is acting as a prime sponsor serving a geographical area within the jurisdiction of a locality or an Indian reservation which is eligible under paragraphs (2), (3), or (4) of subsection (a) of this section and which has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary shall tentatively approve the latter application, subject to review of the Comprehensive Child Development Plan.

"(2) When a locality has submitted an application for designation as prime sponsor or is acting as prime sponsor serving a geographic area within the jurisdiction of another such locality which is eligible under paragraph (2) or (3) of subsection (a) and which has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary, in accordance with such regulations as he shall prescribe, shall approve for that geographical area the application of the locality which he determines will most effectively carry out the purposes of this part.

"(3) When a locality has submitted an application for designation as prime sponsor to serve or is acting as a prime sponsor serving a geographical area under the jurisdiction of an Indian reservation that has submitted an application for designation as prime sponsor that meets the requirements of subsection (b), the Secretary shall tentatively approve the latter application, subject to review of the appropriate Comprehensive Child Development Plan.

"(e) The Governor or appropriate State agency shall be given a reasonable opportunity to review applications for designation filed by other than the State, offer recommendations to the applicant, and submit comments to the Secretary.

"(f) Except as provided in subsection (d), an application submitted under this section may be disapproved or a prior designation of a prime sponsor may be withdrawn only if the Secretary, in accordance with regulations which he shall prescribe, has provided—

"(1) written notice of intention to disapprove such application including a statement of the reasons therefor;

"(2) a reasonable time in which to submit corrective amendments to such application or undertake other necessary corrective action, and

"(3) an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

"(g)(1) If any party is dissatisfied with the Secretary's final action under subsection (f) with respect to the disapproval of its application submitted under this section or the withdrawal of its designation, such party may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such party is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(2) The Court shall have jurisdiction to affirm the action of the Secretary or as to set aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

CHILD DEVELOPMENT COUNCILS AND LOCAL POLICY COUNCILS

"SEC. 516. (a)(1) Each prime sponsor designated under section 105(b) shall establish and maintain a Child Development Council, which shall be responsible for the submission to the Secretary of a comprehensive child development plan pursuant to section 107, and for planning, conducting, coordinating, and monitoring child development programs in the prime sponsorship area.

"(2) Each Child Development Council shall be selected in the following manner: At least half of the members of such Council shall be elected representatives of Local Policy Councils, and each Local Policy Council located in the area to be served by the prime sponsor shall elect at least one representative to the Child Development Council. The remaining members of the Council shall be appointed by the chief executive officer or officers of the prime sponsor and shall be broadly representative of the government of the prime sponsor, the public and private economic opportunity, health, education, welfare, employment, training and child service agencies in the prime sponsorship area; minority groups and organizations; public and private child development organizations; employers of working mothers; and labor unions. At least one-third of the total members of the Child Development Council shall be parents who are economically disadvantaged, and at least one appointed member shall be a child development specialist. Each council shall select its own chairman, and establish procedures for its operation.

"(b)(1) A Local Policy Council shall be established for each neighborhood, or subarea possessing a commonality of interest, within the area served by a prime sponsor designated under section 105(b). Where the prime sponsor finds it appropriate, pursuant to criteria established by regulation by the Secretary, to provide child development services for a grouping of children eligible to participate under this part, whose parents work or participate in training in a common area, or otherwise possess a particular common interest in the establishment of one or more projects under this part in an area other than the area of their residence, a local policy council shall be established for such grouping. Each local policy council shall be responsible for determining the child development needs and priorities of the neighborhood, community, or other grouping which it serves, encouraging project applications pursuant to section 518, and recommending such applications for funding by the Child Development Council.

"(2) Each Local Policy Council shall be composed of parents of children eligible under this part, or their representatives, who reside in the neighborhood or sub-area, or in the case of a grouping not based on residence, who are members of the grouping, and who are chosen by such parents in accordance with democratic election procedures established by the Secretary.

COMPREHENSIVE CHILD DEVELOPMENT PLANS

"SEC. 517. (a) Financial assistance under this part may be provided by the Secretary for any fiscal year to a prime sponsor designated pursuant to section 515(b) only pursuant to a Comprehensive Child Development Plan which is submitted by such prime sponsor and approved by the Secretary in accordance with the provisions of this part. Any such plan shall set forth a comprehensive program for providing child development services in the prime sponsorship area which—

"(1) identifies child development needs and goals within the area and describes the purposes for which the financial assistance will be used;

"(2) meets the needs of children in the prime sponsorship area, within the limits of available funds, including infant care and before and after school programs for children in school with priority to children who have not attained 6 years of age;

"(3) gives priority to providing child development programs and services to economically disadvantaged children by reserving for such children from such funds as are received under section 513 in any fiscal year an amount at least equal to the aggregate amount received by public or private agencies or organizations within the prime sponsorship area for programs during fiscal year 1972 under section 222(a)(1) of the Economic Opportunity Act of 1964; and by reserving no less than 65 per centum of the remainder of its apportionment under section 513 for child development programs and services for economically disadvantaged children;

"(4) gives priority thereafter to providing child development programs and services to children of single parents and working mothers;

"(5) provides that (A) no charge for services provided under a child development program assisted under the plan will be made with respect to any child who is economically disadvantaged, except to the extent that payment will be made by a third party (including a Government agency) which is authorized or required to pay for such services; and (B) such charges will be made with respect to a child who is not economically disadvantaged in accordance with an appropriate fee schedule which shall be established by the Secretary by regulation and which is based upon the ability of the family to pay for such services, including the extent to which any third party (including a Government agency) is authorized or required to make payment for such services;

"(6) provides, in the case of a prime sponsor located within or adjacent to a metropolitan area, for coordination with other prime sponsors located within such metropolitan area, and arrangements for cooperative funding where appropriate, and particularly for such coordination where appropriate to meet the needs for child development services of children of parents working or participating in training or otherwise occupied during the day within a prime sponsorship area other than that in which they reside;

"(7) provides that, to the extent feasible, the enrollment of children in each program within the prime sponsorship area will include children from a range of socioeconomic backgrounds;

"(8) provides comprehensive services (A) to meet the special needs of minority group and migrant children, with particular emphasis on the needs of children from bilingual families for development of skills in English and in the other language spoken in the home, and (B) to meet the need of all children to understand the history and cultural background of minority groups which belong to the communities and the role of members of such minority groups in the history and cultural development of the nation and the region in which they reside;

"(9) provides equitably for the child development needs for children from each minority group residing within the area served;

"(10) provides that children in the area served will in no case be excluded from the programs operated pursuant to this part because of their participation in nonpublic preschool or school programs or because of the intention of their parents to enroll them in nonpublic schools when they attain school age;

"(11) provides, insofar as possible, for coordination of child development programs so as to keep family units intact or in close proximity during the day;

"(12) provides for direct parent participation in the preparation of project applications pursuant to section 518 and in the conduct, overall direction and evaluation of programs;

"(13) provides that, to the extent appropriate, programs will include participation by paid paraprofessional aides and by volunteers, especially parents and older children, and including senior citizens, students, and persons preparing for employment in child development programs;

"(14) provides that, insofar as possible, unemployed or low income persons residing in communities served by such projects will receive jobs providing career ladder opportunities, including in home and part-time jobs and opportunities for training in programs to be assisted under part B of this title;

"(15) provides for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons in the community are fully informed of the activities of the Child Development Council and its delegate agency;

"(16) provides that no person will be denied employment in any program solely on the ground that he fails to meet State teacher certification standards;

"(17) assures that procedures and mechanisms for coordination have been developed by preschool program administrators and administrators of local educational agencies and nonpublic schools, at a local level, to provide continuity between programs for preschool and elementary school children, and to coordinate programs conducted under this title and programs conducted pursuant to section 222(a)(2) of the Economic Opportunity Act of 1964 and the Elementary and Secondary Education Act of 1965;

"(18) assures coordination of child development programs for which financial assistance is provided under the authority of other laws;

"(19) establishes arrangements in the area served for the coordination of programs conducted under the auspices of or with the support of business, industry, labor, employee and labor-management organizations and other community groups;

"(20) provides assurances satisfactory to the Secretary that the non-Federal share requirements will be met;

"(21) provides for such fiscal control and fund accounting procedures as the Secretary may prescribe to assure proper disbursement of and accounting for Federal funds paid to the prime sponsor;

"(22) sets forth plans for regularly conducting surveys and analyses of needs for child development programs in the prime sponsorship area and for submitting to the Secretary a comprehensive annual report and evaluation in such form and containing such information as the Secretary shall establish by regulation.

"(23) provides that emphasis will be given to continued funding of on-going projects, and that applications submitted by projects which received assistance during the previous year under section 221(a)(1) of the Economic Opportunity Act of 1964 shall be denied continued assistance only upon determination by the Child Development Council, based upon the recommendation of the Local Policy Council, after opportunity for hearing before such Child Development Council, that the applicant no longer provides effective services;

"(24) provides for mid-year termination by the Child Development Council of assistance to programs which no longer provide effective services, or which fail to meet the requirements of the project application or of this part, upon the recommendation of the appropriate Local Policy Council, after opportunity for hearing before such Local Policy Council; and

"(25) makes adequate provision for staff and administrative expenses of the Local Policy Councils.

"(c) No Comprehensive Child Development Plan or modification or amendment thereof submitted by a prime sponsor under this section shall be approved by the Secretary unless he determines that—

"(1) each community action agency or single-purpose Headstart agency in the area to be served, previously responsible for the administration of programs under this part or under section 222 (a) (1) of the Economic Opportunity Act of 1964, has had an opportunity to submit comments to the prime sponsor and to the Secretary;

"(2) any educational agency or institution in the area to be served responsible for the administration of programs under section 222 (a) (2) of the Economic Opportunity Act of 1964 has had an opportunity to submit comments to the prime sponsor and to the Secretary;

"(3) the Governor or appropriate State agency has, in the case of a prime sponsor that is a locality or an Indian reservation, had an opportunity to submit comments to the prime sponsor and to the Secretary.

"(d) A Comprehensive Child Development Plan submitted under this section may be disapproved or a prior approval withdrawn only if the Secretary provides written notice of intention to disapprove such plan, including a statement of the reasons, a reasonable time to submit corrective amendments, and an opportunity for a public hearing upon which basis an appeal to the Secretary may be taken as of right.

PROJECT APPLICATIONS

"SEC. 518. (a) Upon the recommendation of the appropriate Local Policy Council, a prime sponsor designated under section 515 (b) may provide financial assistance, by grant, loan, or contract, pursuant to a Comprehensive Child Development Plan, to any qualified public or private agency or organization, including but not limited to a parent cooperative, community action agency, single-purpose Headstart agency, community development corporation, organization of migrant workers, Indian organization, private organization interested in child development, labor union, or employee and labor-management organization, which submits an application meeting the requirements of subsection (b).

"(b) A project application submitted for approval under this section shall—

"(1) provide such comprehensive health, nutritional, education, social and other services as are necessary for the full cognitive, emotional and physical development of each participating child;

"(2) provide for the utilization of personnel, including paraprofessional and volunteer personnel adequate to meet the specialized needs of each participating child;

"(3) provide for the regular and frequent dissemination of information in the functional language of those to be served, to assure that parents and interested persons are fully informed of project activities; and

"(4) otherwise further the objectives and satisfy the appropriate provisions of the Comprehensive Child Development Plan in force pursuant to section 517.

"(c) The appropriate Local Policy Council shall conduct public hearings on applications submitted to the prime sponsor under this section prior to making its recommendation for funding.

"(d)(1) The Secretary may provide financial assistance, by grant, loan, or contract, to a prime sponsor designated under section 515(a)(5), which submits a project application meeting the requirements of subsection (b);

"(2) Such financial assistance may be provided from the funds allotted under section 513 to the prime sponsorship area in which the section 515(a)(5) prime sponsor will be conducting programs, and in the case of prime sponsors designated pursuant to section 515(a)(5)(C), such financial assistance may be provided from the funds reserved pursuant to section 513(a)(1);

"(3) The Local Policy Council of such prime sponsor shall conduct public hearings on such project application prior to its submission to the prime sponsor and shall submit the record of such hearings to the prime sponsor with the project application.

"FEDERAL STANDARDS FOR CHILD DEVELOPMENT SERVICES

"SEC. 519. (a) Within six months of the enactment of this title, the Secretary shall, after consultation with other Federal agencies, and with the approval of a committee established pursuant to subsection (b), promulgate a common set of program standards which shall be applicable to all programs providing child development services with Federal assistance, to be known as the Federal Standards for Child Development Services.

"(b) The Secretary shall, within sixty days after enactment of this title, appoint a special committee on Federal Standards for Child Development Services, which shall include parents of children enrolled in child development programs, public and private agencies or specialists, and national agencies or organizations interested in the development of children. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under this part, section 222(a)(1) of the Economic Opportunity Act of 1964, and title IV of the Social Security Act. Such Committee shall participate in the development of Federal Standards for Child Development Services.

"DEVELOPMENT OF UNIFORM CODE FOR FACILITIES

"SEC. 520. (a) The Secretary shall, within sixty days after enactment of this title, appoint a special committee to develop a uniform minimum code for facilities, to be used in licensing child development facilities. Such standards shall deal principally with those matters essential to the health, safety, and physical comfort of the children and the relationship of such matters to the Federal standards for Child Development Services under section 519.

"(b) The special committee appointed under this section shall include parents of children enrolled in child development programs and representatives of State and local licensing agencies, public health officials, fire prevention officials, the construction industry and unions, public and private agencies or organizations administering child development programs, and national agencies or organizations interested in the development of children. Not less than one-half of the membership of the committee shall consist of parents of children enrolled in programs conducted under this part, section 22 (a) (1) of the Economic Opportunity Act of 1964, and title IV of the Social Security Act.

"(c) Within six months of its appointment, the special committee shall complete a proposed uniform code and shall hold public hearings on the proposed code prior to submitting its final recommendation to the Secretary for his approval.

"(d) The Secretary must approve the code as a whole or secure the concurrence of the special committee to changes therein, and, upon approval, such standards shall be applicable to all facilities receiving Federal financial assistance or in which programs receiving Federal financial assistance are operated; and the Secretary shall also distribute such standards and urge their adoption by States and local governments. The Secretary may from time to time modify the uniform code for facilities in accordance with the procedures set forth in this section.

"ADDITIONAL CONDITIONS FOR PROGRAMS INCLUDING CONSTRUCTION

"SEC. 521. (a) Applications including construction may be approved only upon a showing that construction of such facilities is essential to the provision of adequate child development services, and that rental renovation, remodeling, or leasing of adequate facilities is not practicable.

"(b) If within twenty years after completion of any construction for which Federal funds have been paid under this part the facility shall cease to be used for the purposes for which it was constructed, unless the Secretary determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so, the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated."

"(c) All laborers and mechanics employed by contractors or subcontractors on all construction remodeling, renovation, or alteration projects assisted under this part shall be paid wages at rates not less than those prevailing on similiar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(d) In the case of loans for construction, the Secretary shall prescribe the interest rate and the period within such loan shall be repaid, but such interest rates shall not be less than 3 per centum per annum and the period within which such loan is repaid shall not be less than 25 years.

"(e) The Federal assistance for construction may be in the form of grants or loans, provided that total Federal funds to be paid to other than private nonprofit agencies and organizations will not exceed 50 per centum of the construction cost, and will be in the form of loans. Repayment of loans shall, to the extent required by the Secretary, be returned to the prime sponsor from whose financial assistance the loan was made, or used for additional loans or grants under this title. Not more than 15 per centum of the total financial assistance provided to a prime sponsor pursuant to section 524 shall be used for construction of facilities, with no more than 7½ per centum of such assistance usable for grants for construction.

"USE OF PUBLIC FACILITIES FOR CHILD DEVELOPMENT PROGRAMS

"SEC. 522. (a) The Secretary, after consultation with other appropriate officials of the Federal Government, shall within sixteen months of enactment of this title report to the Congress in respect to the extent to which facilities owned or leased by Federal departments, agencies, and independent authorities could be made available to public and private nonprofit agencies and organizations if appropriate services were provided, as facilities for child development programs under this title during times and periods when not utilized fully for their usual purposes, together with his recommendations (including recommendations for changes in legislation) or proposed actions for such utilization.

"(b) The Secretary may require as a condition to the receipt of assistance under this title, that any prime sponsor that is a public agency of a State, locality or that is a local educational agency agree to conduct a review and provide the Secretary with a report as to the extent to which facilities owned or leased by such prime sponsor could be available, if appropriate services were provided, as facilities for child development programs under this title during times and periods when not used fully for usual purposes, together with the prime sponsor's proposed actions for such use.

"PAYMENTS

"SEC. 523. (a) The Secretary shall pay from the applicable apportionment under section 103 the Federal share of the costs of programs which have been approved as provided in this part.

"(b)(1) Except as provided in subparagraphs (2) and (3), the Secretary shall pay to each prime sponsor an amount not in excess of 80 per centum of the cost to such prime sponsor of such programs. The Secretary may in accordance with regulations establishing objective criteria, approve assistance in excess of such percentage if he determines that such action is required to provide adequately for the child development needs of economically disadvantaged persons;

"(2) The Secretary shall pay to each prime sponsor approved under section 515(a)(5)(C) an amount equal to 100 per centum of the costs of providing child development programs for children of migrant agricultural workers and their families.

"(3) The Secretary shall pay to each prime sponsor approved under section 515(a)(4) an amount equal to 100 per centum of the costs of providing child development programs for children on federally recognized Indian reservations.

"(c) The non-Federal share of the costs of programs assisted under this part may be provided through public or private funds and may be in the form of goods, services, or facilities (or portions thereof that are used for program purposes), reasonably evaluated, or employee and employer contributions; provided that fees collected for services provided pursuant to Section 517(a)(5) shall be deemed assistance under section 103 for purposes of section 517(a)(3);

"(d) If, in any fiscal year, a prime sponsor provides non-Federal contributions exceeding its requirements, such excess may be applied toward meeting the requirements for such contributions for the subsequent fiscal year under this part.

"(e) Payments under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(f) No State or locality shall reduce its expenditures for child development and day care programs by reason of assistance under this part.

"PART B—TRAINING, PLANNING AND TECHNICAL ASSISTANCE AND EVALUATION

"INSERVICE TRAINING

"SEC. 531. The Secretary is authorized to make payments to individuals preparing for employment or employed in child development programs assisted under part A of this title and to the prime sponsors of such programs for the purposes of meeting the costs of ongoing inservice training for professional and nonprofessional personnel including volunteers, to be conducted by any agency carrying out a child development program, or any institution of higher education, including a community college, or by any combination thereof.

"PLANNING AND TECHNICAL ASSISTANCE

"SEC. 532. (a) The Secretary shall, directly or through grant or contract, make technical assistance available to prime sponsors and to project applicants participating or seeking to participate in programs assisted under this title on a continuing basis.

"(b) The Secretary may provide financial assistance to prime sponsors for use by the prime sponsors and Local Policy Councils to obtain staff and other technical assistance relating to development and submission of child development plans and project applications.

"(c) Payments under this section may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

"EVALUATION

"SEC. 533. (a) The Secretary shall, through the Office of Child Development, make an evaluation of Federal involvement in child development which shall include—

"(1) enumeration and description of all Federal activities which affect child development;

"(2) analysis of expenditures of Federal funds for such activities;

"(3) determination of effectiveness and results of such expenditures and activities;

"(4) the extent to which preschool, minority group, economically disadvantaged children have participated in programs under this title; and

"(5) such recommendations to Congress as the Secretary may deem appropriate.

"(b) The results of this evaluation shall be reported to Congress no later than eighteen months after enactment of this title.

"(c) The Secretary shall establish such procedures as may be necessary to conduct an annual evaluation of Federal involvement in child development programs, and shall report the results of that evaluation to Congress.

"(d) Prime sponsors assisted under part A of this title and departments and agencies of the Federal Government shall upon request by the Secretary make available, consistent with other provisions of law, such information as the Secretary determines is necessary for purposes of making the evaluation required under subsection (c) of this section.

"(e) The Secretary may enter into contracts with public or private nonprofit or profit agencies, organizations, or individuals to carry out the provisions of this section.

"APPROPRIATIONS AUTHORIZED

"SEC. 534. There are authorized to be appropriated for the fiscal year ending June 30, 1972, and for each succeeding year, $25,000,000.

"PART C—FEDERAL GOVERNMENT CHILD DEVELOPMENT PROGRAM

"PROGRAM AUTHORIZED

"SEC. 541. (a) The Secretary is authorized to make grants for the purpose of establishing and operating child development programs (including the lease, rental, or construction of necessary facilities and the acquisition of necessary equipment and supplies) for the children of employees of the Federal Government.

"(b) Employees of any Federal agency or group of such agencies employing eighty working parents of young children who desire to participate in the grant program under this part shall—

"(1) designate or create for the purpose an agency committee, the membership of which shall be broadly representative of the working parents employed by the agency or agencies; and

"(2) submit to the Secretary a plan approved by the official in charge of such agency or agencies, which:

"(A) provides that the child development program shall be administered under the direction of the agency committee;

"(B) provides that the program will meet the Federal Standards for Child Development;

"(C) provides a means of determining priority of eligibility among parents wishing to use the services of the program;

"(D) provides for a scale of fees based upon the parents' financial status; and

"(E) provides for competent management, staffing, and facilities for such program.

"(c) The Secretary shall not make payments under this section unless he has received approval of the plan from the official in charge of the agency whose employees will be served by the child development program.

"PAYMENTS

"SEC. 542. (a) No more than 80 per centum of the total cost of child development programs under this part shall be paid from Federal funds available under this title.

"(b) The share of the total cost not available under paragraph (a) may be provided through public or private funds and may be in the form of cash, goods, services, facilities reasonably evaluated, fees collected from parents, and union and employer contributions.

"(c) If in any fiscal year, a program under this part provides non-Federal contributions exceeding its requirements under this section, such excess may be used to meet the requirements for such contributions of other programs applying for grants under the same part, for the same fiscal year.

"(d) In making grants under this part, the Secretary shall, insofar as is feasible, distribute funds among the States according to the same ratio as the number of children of Federal employees in that State bears to the total number of children of Federal employees in the United States.

"APPROPRIATIONS AUTHORIZED

"SEC. 543. There are authorized to be appropriated for the fiscal year ending June 30, 1973, and for each succeeding year, $25,000,000.

"PART D—NATIONAL CENTER FOR CHILD DEVELOPMENT

"DECLARATION OF PURPOSE

"SEC. 551. It is the purpose of this part to focus national research efforts to attain a fuller understanding of the processes of child development and the effects of organized programs upon these processes; to develop effective programs from research into child development and to assure that the result of research and development efforts are reflected in the conduct of programs affecting children.

"NATIONAL CENTER FOR CHILD DEVELOPMENT

"SEC. 552. (a) There is established in the Office of Child Development in the Department of Health, Education and Welfare an agency to be known as the National Center for Child Development.

"(b) The activities of the Center shall include—

"(1) research to determine the nature of child development processes and the impact of various influences upon them; research to develop techniques to measure and evaluate child development; research to develop standards to evaluate professional and paraprofessional personnel; and research to determine how child development programs conducted in either home or institutional settings positively affect child development processes;

"(2) evaluation of research findings and the development of these findings into effective products for application;

"(3) dissemination of research and development efforts into general practice of childhood programs, using regional demonstration centers and advisory services where feasible;

"(4) production of informational systems and other resources necessary to support the activities of the Center; and

"(5) integration of national child development research efforts into a focused national research program, including the coordination of research and development conducted by other agencies, organizations and individuals.

"GENERAL AUTHORITY OF THE CENTER

"SEC. 553. The Center shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the provisions of this part, including but not limited to, the authority—

"(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

"(2) to make such expenditures as may be necessary for administering the provisions of this part;

"(3) to enter into contracts or other arrangements or modifications thereof, for the carrying on, by organizations or individuals in the United States, including other Government agencies, of such research, development, dissemination or evaluation efforts as the Center deems necessary to carry out the purposes of this part, and also to make grants for such purposes to individuals, universities, colleges, and other public or private nonprofit organizations or institutions;

"(4) to acquire by purchase, lease, loan, or gift and to hold and dispose of by grants, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this part;

"(5) to receive and use funds donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Center set forth in section 551;

"(6) to accept and utilize the services of voluntary and uncompensated personnel and to provide travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"ANNUAL REPORT

"SEC. 554. The Center shall make an annual report to Congress summarizing its activities and accomplishments during the preceding year, reviewing the financial condition of the Center and the grants, contracts, or other arrangements entered into during the preceding year, and making such recommendations as it may deem appropriate. Supplemental or dissenting views and recommendations, if any, shall be included in this report.

"COORDINATION OF RESEARCH

"SEC. 555. (a) Funds available to any department or agency of the Government for the purposes stated in section 551 or the activities stated in section 552(b) shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Center for such use as is consistent with the purposes for which such funds were provided, and the funds so transferred shall be expendable by the Center for the purposes for which the transfer was made.

"(b) The Secretary shall coordinate all child development research, training, and development efforts including those conducted by the Office of Child Development and by other agencies, organizations, and individuals.

"(c) A Child Development Research Council consisting of a representative of the Office of Child Development (who shall serve as chairman), and representatives from the agencies administering the Social Security Act, Elementary and Secondary Education Act of 1965, the National Institute of Mental Health, the National Institute of Child Health and Human Development, and the Office of Economic Opportunity, shall meet annually and from time to time as they may deem necessary in order to assure coordination of activities under their jurisdiction and to carry out the provisions of this part in such a manner as to assure—

"(1) maximum utilization of available resoruces through the prevention of duplication of activities;

"(2) a division of labor, insofar as is compatible with the purposes of each of the agencies or authorities specified in this paragraph, to assure maximum progress toward the purposes of this part;

"(3) a setting of priorities for federally funded research and development activities related to the purposes stated in section 501.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 556. There are authorized to be appropriated $15,000,000 for fiscal year 1972, $20,000,000 for fiscal year 1973, and for each succeeding fiscal year thereafter such sums as may be necessary to carry out the provisions of this part.

"PART E—GENERAL PROVISIONS

"DEFINITIONS

"SEC. 561. As used in this title, the term—

"(1) 'child development programs' means those programs which provide the educational, nutritional, social, medical, and physical services needed for children to attain their full potential;

"(2) 'children' means children who have not attained the age of 15;

"(3) 'Center' means the National Center for Child Development;

"(4) 'economically disadvantaged children' means any children of a family having an annual income below the cost of family consumption of the Lower Living Standard Budget as determined annually by the Bureau of Labor Statistics of the Department of Labor;

"(5) 'handicapped children' means mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services;

"(6) 'program' means any mechanism which provides full- or part-day or night services conducted in child development facilities, in schools, in neighborhood centers, or in homes, or provides child development services for children whose parents are working or receiving education or training, and includes other special arrangements under which child development activities may be provided;

"(7) 'locality' means any city or other municipality (or two or more municipalities acting jointly) or any county or other political subdivision of a State (or two or more acting jointly) having general governmental powers;

"(8) 'parent' means any person who has day-to-day responsibility for a child or children;

"(9) 'single parents' means any person who has sole day-to-day parental responsibility for a child or children;

"(10) 'working mother' means any mother who requires child development services under this title in order to undertake or continue full or part-time work, training, or education outside the home;

"(11) 'minority group' describes any person who is Negro, Spanish-surnamed American, American Indian, Portuguese, or Oriental; and the term 'Spanish-surnamed American' includes any person of Mexican, Puerto Rican, Cuban, or Spanish origin and ancestry;

"(12) 'bilingual' refers to persons who are Spanish-surnamed, American Indian, Oriental, or Portuguese and who have learned during childhood to speak the language of the minority group of which they are members; the term 'bilingual family' means a

family in which one or both parents is bilingual;

"(13) 'local educational agency' means any such agency as defined in section 801(f) of the Elementary and Secondary Education Act of 1965;

"(14) 'institution of higher education' means any such institution as defined in section 1201(a) of the Higher Education Act of 1965;

"(15) 'Secretary' means the Secretary of Health, Education, and Welfare;

"(16) 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"OFFICE OF CHILD DEVELOPMENT

"SEC. 562. The Secretary shall take all necessary action to coordinate child development programs under his jurisdiction and such programs under other Federal departments and agencies. To this end, he shall establish within the Department of Health, Education and Welfare an Office of Child Development which shall be the principal agency of the Department for the administration of this Act and for the coordination of programs and other activities relating to child development. The President shall take appropriate steps to establish, insofar as possible, procedures and practices for coordination at the State and local level of federally assisted programs providing child development services.

"NUTRITIOUS COMMODITIES

"SEC. 563. The Secretary of Agriculture, in consultation with the Secretary of Health, Education and Welfare, shall utilize the full authority granted to him under section 32 of Public Law 320 of the Seventy-fourth Congress, section 416 of the Agricultural Act of 1949, as amended, section 709 of the Food and Agriculture Act of 1965, and all other federally assisted commodity distribution programs to provide children of low-income families participating in child development programs under this Act with well-balanced, nutritionally adequate diets. Notwithstanding any other provision of law, funds available to the Secretary of Agriculture under section 32 of Public Law 320, Seventy-fourth Congress, shall be expended in carrying out the provisions of this section to purchase agricultural and other suitable products without regard to whether such products are in surplus supply. Children and expectant or nursing mothers who are members of low-income families and who are served by any project receiving assistance under this Title shall be deemed eligible for certification to receive food assistance under the supplemental food program for low-income vulnerable groups administered by the Department of Agriculture pursuant to the authorities of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) and Public Law 90-463, 82 Stat. 645, 646, August 8, 1968.

"ADVANCE FUNDING

"SEC. 564. (a) For the purpose of affording adequate notice of funding available under this title such funding for grants, contracts, or other payments under this title is authorized to be included in the Appropriations Act for the fiscal year preceding the fiscal year for which they are available for obligation.

"(b) In order to effect a transition to the advance funding method of timing appropriation action, subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

"WITHHOLDING OF GRANTS

"SEC. 565. Whenever the Secretary, after reasonable notice and opportunity for a hearing to any prime sponsor, finds—

"(1) that there has been a failure to comply substantially with any requirement set forth in the plan of that sponsor approved under section 517; or

"(2) that there has been a failure to comply substantially with any requirement set forth in the application of a project applicant approved pursuant to section 518; or

"(3) that in the operation of any program or project assisted under part A of this title there is a failure to comply substantially with any applicable provision of this Act; the Secretary shall notify such prime sponsor of his findings and that no further payments may be made to such sponsor under this title (or in his discretion that the prime sponsor shall not make further payments under part A of this title to specified project applicants affected by the failure) until he is satisfied that there is no longer any such failure to comply, or the noncompliance will be promptly corrected. The Secretary may authorize the continuance of payments with respect to any program or project assisted under this title which is being carried out pursuant to such plan and which is not involved in the noncompliance.

"PUBLIC INFORMATION

"SEC. 566. Applications for designation as prime sponsors, Comprehensive Child Development Plans, project applications, and all written material pertaining thereto shall be made readily available without charge to the public by the prime sponsor, the applicant, and the Secretary.

"FEDERAL CONTROL NOT AUTHORIZED

"SEC. 567. No department, agency, officer, or employee of the United States shall, under authority of this title, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

"REPEAL, CONSOLIDATION, AND COORDINATION

"SEC. 507. (a) In order to achieve to the greatest degree feasible, the consolidation and coordination of programs providing child development services, while assuring continuity of existing programs during transition to the programs authorized under this title, the following statutes are amended, effective July 1, 1973:

"(1) Section 222(a)(1) of the Economic Opportunity Act of 1964 is repealed.

"(2) Part B of title V of the Economic Opportunity Act of 1964 is repealed.

"(3) Section 162(b) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children' and inserting in lieu thereof 'assistance in securing child development services for children, but not operation of child development programs for children.'

"(4) Section 123(a)(6) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children' and inserting in lieu thereof 'assistance in securing child development services for children', and adding after the word 'employment' the phrase 'but not including the direct operation of child development programs for children.'

"(5) Section 312(b)(1) of the Economic Opportunity Act of 1964 is amended by striking out 'day care for children'.

"(b) The Secretary shall by regulation insure that to the extent consistent with other provisions of law, all federally assisted child development programs and related programs will be administered in a manner consistent with the provisions of this title."

Mr. JAVITS. Mr. President, I am pleased to join with Senator MONDALE, the chairman of the Subcommittee on Children and Youth; Senator NELSON, the chairman of the Subcommittee on Employment, Manpower and Poverty, and Senator SCHWEIKER, the ranking minority member of that subcommittee in this effort to achieve a breakthrough in child development throughout the Nation.

The Comprehensive Child Development Act builds upon previously submitted proposals—including the Headstart Child Development Act introduced in the last Congress by Senator MONDALE, and S. 706, the Comprehensive Community Child Development Act, which I introduced with Senators HARRIS, CASE, HUMPHREY, and SAXBE early this year.

We have combined these efforts both to underscore the high importance which we feel should be attached to the matter of child development and to emphasize that we have reached a bipartisan consensus as to the kind of legislative framework in which that priority may best be honored.

We shall submit this legislation as our response to the goal stated in the call of the White House Conference on Children, held last December—for the establishment of "effective procedures for implementation and administration of child development programs by which all available or committed resources can be identified, coordinated, and harmonized into a national effort having as its goal the enhanced development of the American child through the remaining years of the 20th century."

We propose—as did the Comprehensive Community Child Development Act—that the essential decisions in regard to child development programs be made at the community level with the States, the cities, counties, Indian reservations—and portions thereof—participating in efforts to translate the national commitment into meaningful programs throughout the country.

In that basic framework, this bill emphasizes the comprehensiveness of services—in terms of educational, health, nutritional elements, as well as services to meet the particular needs of children—for example by providing for programs in the functional language of the child. Parental involvement is also stressed as an essential ingredient of the programs contemplated under the act, not only in terms of participation in ongoing programs, but in their initial formulation.

To breathe life into this legislative structure, the bill would authorize $2 billion in its first year of operation, reaching $7 billion in its third, a total authorization of $13 billion over a period of 3 years.

These are large amounts in comparison with our current commitment—which is less than $1 billion per year—but they are scant in terms of the universe of need:

There are 26,129,000 preschool children—that is children under 6 years of age—in the Nation, including more than 3 million preschool children of low-income families. While there are more than 23.6 million preschool and school age children under 13 whose mothers work, there are less than 700,000 licensed child care center slots in the country.

Were all of the funds authorized for the third year applied to preschool programs alone, we would even then be reaching less than one-sixth of the children who could benefit.

The message of the effort which we

propose today is that child development should hereafter be viewed as a universal right of the family which this Nation must begin to honor.

It is time to discard the limited perspectives that view child development only as a means of getting parents off the welfare rolls, solely as compensatory education for the disadvantaged, or solely as a means of permitting the fulfillment of women's rights.

These are important rationales that have brought child development to the threshold of universal expansion: they are important considerations to society and to parents alike; and they should continue, as our priorities—but they must give way to a more comprehensive and far-reaching effort and commitment that focuses on the universal needs of the child.

The child welfare movement has freed children from the factories and mines of the early industrial revolution; it has pinned down our society's affirmative obligation to provide children with a basic general education and it has brought us to the verge of enactment of legislation establishing a basic level of Federal support across the Nation.

I submit that the moment is at hand to assert the affirmative obligation to children for child development. As President Nixon stated in his February 19, 1969 message to the Congress:

> So crucial is the matter of early growth that we must make a national commitment to providing all American children an opportunity for healthful and stimulating development during the first 5 years of life.

I hope that the administration will work with us to architect legislation which will weave a legislative framework and substantial funds into the fabric of existing efforts, to bring about a truly comprehensive system designed for the child and directed from the community level. Its commitment to child care programs in the context of its proposed Family Assistance Act is commendable, but it is a limited effort having as its prime purpose the elimination of welfare dependency in the short term. It runs the risk, therefore, of the child being delivered into a new servitude—like that of the industrial revolution—subordinating the developmental needs of the child once again to the economic needs of parents and society.

I take this occasion to suggest to President Nixon that he make the Federal Government a "model employer" for child development, just as President Johnson instituted efforts to make the Federal Government a "model employer" for equal employment policies. Such an action—which would expand the limited projects now carried on for employees of the Department of Labor and the Office of Education—would not only provide an example of comprehensive care, but evidence further the commitment of the administration to child development programs.

We are in the infancy of child development. I hope that Members of both parties, and the administration itself will join with us and others in the Congress in establishing a framework in which our efforts can mature into a national effort which will enure to the future benefit of our children and therefore to the Nation.

Mr. SCHWEIKER. Mr. President, today, I am pleased to join an important bipartisan effort with Senators JAVITS, MONDALE, and NELSON in introducing, with a number of other Senators, the Comprehensive Child Development Act. This legislation is designed to meet the needs of millions of American children for a full opportunity in preschool education, health care, nutrition and other child development services. Along with the preschool years, which have definite priority in this bill, this legislation would also strive to meet similar needs of older children through age 14 whose mothers are working.

Professional day-time child care is no longer just a luxury for a select few. We must face facts—one-third of the American labor force is composed of women. Who is to care for preschool children of working parents? Relatives, or neighbors, if they are willing and available, might do the job. But our communities, in addition, need child care and child development resources that can offer comprehensive services to the preschool child. The importance of early experience in child development is an established fact and during the past 5 years, research has reinforced the belief that day care cannot and should not be separated from education, health care, and nutrition.

I believe that proper child development should be one of our Nation's social priorities for the 1970's. The time has come for a major thrust, building on the excellent work of Project Headstart and going well beyond it to embrace not only more children of low-income families but more children of the middle class, as well, whose mothers work.

Many private organizations have begun to work for greater efforts in day care. The labor movement, no doubt because of its direct day-to-day connection with the needs of working families, has pioneered in day care, particularly in those industries with large numbers of women workers. In 1969 Congress passed, and President Nixon signed a bill that allowed joint administration of day care center funds by labor and management. I was, incidentally, a cosponsor of this bill. As a direct result of this legislation, the Amalgamated Clothing Workers has opened a $750,000 child care center in Chambersburg, Pa., for the preschool children of clothing workers in that area. This center is the third child care center built under an agreement between the Baltimore regional joint board of the ACWA and the 70 clothing manufacturers falling within its geographical boundaries. A fourth center is near completion in Hanover, Pa., and will open soon. To date, this joint board alone has spent more than $3 million on day care facilities and programs, making it the largest such activity in the country. This is just one example of the potential of private groups to work for better day care. If the Federal Government will assume its share of the responsibility, the job can be done throughout the Nation. The comprehensive child care bill is a step toward just this very thing.

Currently there are 249,000 children in Federal day care programs funded in fiscal year 1970 at $222.1 million. This is a notable increase from just 3 years ago when the Federal Government spent only $73.4 million for child care. The bill we are introducing today sets an authorization of $2 billion for fiscal year 1973 rising to $7 billion in fiscal year 1975. The basic delivery system provided in the bill for child care services will be child development councils set up in local communities or regions, sponsored by governmental units. The comprehensive child care bill would authorize the Secretary of Health, Education, and Welfare to direct all comprehensive child development programs and would designate the Office of Child Development to be the principal agency in HEW to administer this act.

I think it is significant, Mr. President, that a broad coalition of groups has been involved with this legislation thus far. These organizations include church groups such as the National Council of Churches and the U.S. Catholic Conference; labor groups such as the AFL–CIO, the United Auto Workers, the Amalgamated Clothing Workers, and the International Ladies Garment Workers; civil rights groups such as the Leadership Conference on Civil Rights, the Washington Research Project Action Council and the National Education Association, the U.S. Conference of Mayors, the National League of Cities, and Common Cause.

These organizations are pointing the way, by their input on this bill, for a true priority in the 1970's on comprehensive child development. It is now up to us in Congress to move ahead on this vital legislation.

GEORGE WASHINGTON'S BIRTHDAY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. McCLORY. Mr. Speaker, the celebration of George Washington's Birthday for the first time this year on the third Monday in February suggests the importance of recalling that, according to the Julian calendar observed at that time, George Washington was born on February 11, 1731.

The 1970 annual report of the Mount Vernon Ladies' Association of the Union—which owns, maintains, and administers the historic home of George and Martha Washington at Mount Vernon—announces that its annual "Open House" hereafter will be held on the third Monday in February.

In connection with the announcement, the association compiled an historic account of George Washington's birth record and several birthday celebrations which were held during his lifetime. This interesting article is contained in the report and is as follows:

A MOVABLE OCCASION

By act of Congress George Washington's birthday in 1971 and thereafter will be ob-

served as a legal public holiday on the third Monday in February. Literally, the act identifies the third Monday as the birthday—a legal action which contradicts the historical record. As traditionalists we may deplore this arbitrary revision, but we are relieved that the annual observance of the birthday of our principal funding father was not legally obscured by designating the third Monday in February "Presidents' Day," as was proposed.

In considering the rescheduling of the George Washington birthday observance Congress may have been aware that in his own lifetime the British Parliament decreed a calendar change which effected a revision in the date of his birth. According to the family Bible at Mount Vernon, . . . George Washington, son to Augustine Washington, and Mary, his wife, was born ye 11th day of February, 1731, about ten in the morning and was baptized ye 3d of April following. Mr. Beverley Whiting and Captain Christopher Brookes, godfathers, and Mrs. Mildred Gregory, godmother. . . . For the first twenty years of his life his birthday was the eleventh, but in 1752 by act of Parliament, the eleventh of September became the twenty second and all earlier dates were revised by the addition of eleven days to accord with the Gregorian calendar, which had been established by Pope Gregory XIII in 1582 to correct the ancient church calendar. Thus George Washington's birthday became February twenty-second. To the end of the century his neighbors in Alexandria clung to the unrevised date in observing his birthday, but the General himself accepted the revised dating, as did the majority of his contemporaries.

The surviving domestic records contain no mention of family birthday observances at Mount Vernon during the years of felicitous obscurity before the Revolution; they seem to have passed unnoticed. Fame and the high admiration of his fellow citizens inspired observances of General Washington's birthday throughout the new nation, even before its independence had been secured. In February, 1779, the twenty-second was celebrated at the Raleigh Tavern in Williamsburg by the inhabitants of the town and the students of the College of William and Mary. In 1781 the French forces at Newport recognized their allied commander by declaring a cessation of labor on February twelfth (the eleventh was Sunday) and performing military exercises in the manner of the times. From the close of the Revolution, public celebration of Washington's birthday prevailed in the larger American towns. In 1796 a young English traveller, Isaac Weld, observed, . . . Not one town of importance was there in the whole Union where some meeting did not take place in honor of this day. . . .

In Philadelphia by 1796 Washington's birthday had become quite a festive occasion. Members of Congress, state officials, members of the Society of the Cincinnati, clergymen, diplomats, members of the faculty of the University of Pennsylvania and a throng of other well wishers waited on the President to congratulate him on his anniversary. There were artillery salutes; the bells of Christ Church rang out every half hour. At night the City Dancing Assembly held a birthday ball, a brilliant affair, attended by the most respectable inhabitants and honored by the company of the President and his lady.

There were those who looked upon these festivities with deep misgivings. They were too reminiscent of the honors accorded their recently renounced ruler, George III; they constituted, in the words of the anti-Federalist National Gazette, . . . a monarchical farce. . . . They may well have caused pique in some Federalist circles also. In 1798, when President Adams was invited to the Dancing Assembly's birthday ball on February twenty-ty-second, he bluntly declined, sensing a slight to his office. The George Washington birthday balls continued through the years, honoring not the office, but the man who, in his own words, . . . had rather be at Mount Vernon with a friend or two about me, than to be attended at the seat of government by the officers of State and the representatives of every power in Europe. . . .

In 1798 and 1799 the master of Mount Vernon, at last in longed-for retirement, attended celebrations of his birthday (old style) by his Alexandria neighbors. Of the later occasion he noted in his diary, . . . Many Maneuvers were performed by the Uniform Corps, and an elegant Ball and Supper at Night. . . . February twenty-second, 1799, his last birthday, was spent at home. The full diary entry for the day reads: Morning raining Mer at 30. Wind a little more to the Northward. Afterwards very strong from the No. Wt. and turning clear and cold. The Revd. Mr. Davis and Mr. Geo Calvert came to dinner and Miss Custis was married abt. Candle light to Mr. Lawe. Lewis. It is recorded elsewhere that the retired general wore his old Continental buff and blue uniform, no doubt to please the bride. Mrs. Washington's youngest granddaughter, and the groom, his nephew. No doubt he was pleased that the bride elected to be married on his birthday. He may well have found this recogntion of his natal day more congenial than the more splendid observances of recent memory.

STATEMENT OF INCOME

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. HUNGATE. Mr. Speaker, in accord with my regular practice since coming to Congress, I again disclose my income as shown by my most recent income tax return for the year 1970, due and filed in the year 1971.

My joint personal income tax return, form 1040, line 12, shows my congressional salary of $42,500. Lines 14 and 15 list other income of $2,891.82 for a total income on line 16 of $45,391.82. Less line 17, adjustment for allowed congressional living expenses attending Congress in Washington, D.C., $3,000, adjusted gross income, line 18, is $42,-391.82.

Itemized deductions, form 1040, part IV, line 47, are $5,142.38, consisting primarily of State and local taxes, real estate, and personal property taxes of $2,408.16 and interest payments of $1,707.02.

The total income tax and surtax, form 1040, line 21, is $10,329.19, plus a self-employment tax of $153.78 from line 24, form 1040. The total tax, form 1040, line 25, is $10,482.97. The total Federal income tax withheld, line 26, form 1040, is $10,208.51, plus 1970 estimated tax payments, line 27, $400.

Total tax payments are $10,608.51 as indicated on line 29, form 1040. This constitutes an overpayment of $125.54 elected to be credited to my 1971 estimated tax.

The principal sources of income, aside from congressional salary, were interest on savings and loan deposits, U.S. Treasury note, executor commission, and lecturer fees in excess of expenses incurred in connection therewith.

Neither my wife nor I own any stocks or bonds.

Campaign funds raised for me are handled by committees and held in trust so that I have no direct control over such funds.

MARYLAND'S SIXTH DISTRICT QUESTIONNAIRE RESULTS

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BYRON. Mr. Speaker, in February I polled my district on a variety of local and national issues and priorities. I had an excellent response to this questionnaire and feel that the results of the survey would be of general interest since the Sixth District represents a typical cross section of rural and urban America.

Approximately 6,500 citizens responded to the 10-question February survey—from Garrett, 3 percent; Allegany, 12 percent; Washington, 31 percent; Frederick, 18 percent, and Carroll County, 10 percent, and the portions of Howard, 11 percent, and Baltimore County, 15 percent, which comprise the district.

The three top national problems cited by district-wide respondents were "taxes and spending", "state of the economy" and the "war in Vietnam" in that order. County tabulations show that Garrett, Allegany and Washington County respondents reflect this exact same ranking, with opinions differing sharply outside of Western Maryland. Frederick County respondents ranked the "war in Vietnam" first, followed by "state of the economy" and "control of air and water pollution." Carroll County residents named "crime" as the No. 1 problem, "taxes and spending" was second, with "drugs" and "control of air and water pollution" tied for third. Howard County placed "control of air and water pollution" at the top of the list, followed by "state of the economy" and "war in Vietnam." Baltimore County gave the nod to "crime" with the "war in Vietnam" second and "taxes and spending" third.

Question No. 2 asked constituents to write the most pressing problem currently facing the Sixth District, and overall results showed 42 percent of all respondents naming unemployment, 33 percent inflation and 18 percent air and water pollution. Answers again differed markedly among counties, however, with unemployment being ranked the No. 1 district problem by only Washington, 71 percent; Allegany 60 percent; and Frederick County, 37 percent respondents. In contradiction, a scant 10 percent of those from Howard County, 11 percent from Baltimore County, 16 percent from Carroll County and 32 percent from Garrett County cited unemployment as a problem area. Inflation was seen as the most pressing problem by individuals responding from these four latter counties.

Question No. 3 asked for remedies to deal with inflation, and wage and price controls were cited by 49 percent of those

who answered the questionnaire. This specific reply was the overwhelming answer by respondents from all counties, ranging from 59 percent in Allegany County to 45 percent in Frederick County.

Question No. 4 dealt with actions to combat pollution and 63 percent of all respondents named stricter enforcement of laws to deal with all forms of pollution, with respondents from each county in agreement.

Question No. 5 concerned the status of the Selective Service and 42 percent of all respondents preferred universal national service at age 18. Abolishment of the draft and dependence on an all-volunteer military force was chosen by 33 percent and continuation of the present system was cited by 25 percent. This same order was reflected by respondents in all counties with the exception of Frederick Countians who were deadlocked at 39 percent for universal national service and an all-volunteer military force.

The last five questions in the survey required "yes" or "no," answers. In question No. 6, 43 percent of the districtwide respondents favor a guaranteed minimum family income for families on welfare with adults who receive training and accept employment. Forty percent do not favor such a move and 17 percent are undecided. A county-by-county analysis indicates a divergence of opinion with those from Garrett, Washington, and Frederick Counties turning thumbs down to a guaranteed income.

In question No. 7, 52 percent of the 6,500 respondents do not favor Congress allocating additional funds for the Super Sonic Transport (SST). Twenty-eight percent in favor of such a move and 20 percent are undecided. The majority of the respondents from Washington County, however, replied in the affirmative for SST funding.

In question No. 8, 50 percent of all respondents said they are not satisfied with present Vietnam policy, 37 percent are satisfied and 13 percent are undecided. Carroll County citizens differ in reverse though, with 49 percent expressing satisfaction with Vietnam policy and 40 percent dissatisfaction.

Question No. 9 asked constituents whether they thought law and order has broken down in the country, and a whopping 70 percent of all respondents answered in the affirmative. The range was from 78 percent in Garrett County to 56 percent in Howard County.

In the final question, an overwhelming 63 percent of all respondents favored reducing the farm subsidy ceiling below the current amount of $55,000. Approximately 9 percent were not in favor and 28 percent were undecided, with a county by county analysis revealing similar percentages.

Dr. Kenneth Kerle, associate professor of political science at Hagerstown Junior College, and his State and local government class at the Maryland Correctional Training Center in Breathedsville, tabulated the bulk of questionnaires as part of their studies. Without their help the results would have not been known for another month, and that the recording of answers by the students was "an accurate job in all respects."

FEBRUARY 1971 SIXTH DISTRICT QUESTIONNAIRE RESULTS

[Total number of questionnaires received: 6,500]

Respondents by County:	Percent
Garrett	3
Allegany	12
Washington	31
Frederick	18
Carroll	10
Howard	11
Baltimore	15

ALL FIGURES ARE EXPRESSED IN PERCENTAGES

1. WHAT ARE THE 3 TOP PROBLEMS THAT YOU WOULD LIKE TO SEE THE NEW CONGRESS DO SOMETHING ABOUT?

	Total 6th District	By county— Garrett	Allegany	Washington	Frederick	Carroll	Howard	Baltimore
Taxes and spending	46	42	49	54	47	43	42	41
State of the economy	44	38	42	51	49	33	48	40
War in Vietnam	42	31	41	36	55	30	47	43
Control air and water pollution	37	33	37	28	48	34	52	40
Crime	33	30	24	32	32	44	33	44
Welfare reform	33	32	29	33	38	33	38	32
Cut foreign aid	21	21	24	25	29	14	15	14
Drugs	17	17	12	14	21	34	16	17
Increase social security	15	24	27	19	10	12	7	12
Abolish the draft	7	12	6	5	11	8	5	4
Education	6	7	6	5	8	5	8	8
Student unrest	6	9	7	6	5	6	6	7
Housing	5	2	4	5	4	8	3	4
Racial problems	5	2	4	4	6	3	10	9
Farm problems	3	10	3	3	4	8	2	2
Other	4	6	1	3	4	1	11	3

2. WHAT DO YOU THINK IS THE MOST PRESSING PROBLEM CURRENTLY FACING OUR 6TH DISTRICT?

Unemployment	42	32	60	71	37	16	10	11
Inflation	33	49	22	18	37	50	42	53
Air and water pollution	18	18	17	9	19	21	35	27
Other	7	1	1	2	7	13	13	9

3. IN GENERAL, WHAT ACTIONS DO YOU THINK SHOULD BE TAKEN TO DEAL WITH INFLATION?

Establish wage and price controls	49	58	59	51	45	47	46	49
A balanced budget at all costs	17	18	14	16	21	14	17	19
Lower interest rates	10	12	7	12	10	11	9	8
Continue a tight-money, high-interest rate policy	5	4	2	3	5	12	8	5
Don't honestly know	19	8	18	17	19	16	20	19

4. IN GENERAL, WHAT ACTIONS DO YOU THINK SHOULD BE TAKEN TO DEAL WITH POLLUTION?

Stricter enforcement of laws to deal with all forms of pollution	63	52	70	59	57	70	75	62
Tax incentive to encourage industries to police themselves	22	30	19	25	23	19	15	22
Increase Federal funds now available to clean up the environment at the expense of other Government programs	13	16	10	15	13	9	9	14
Increase taxes for use in combating pollution	2	2	1	1	7	2	1	2

5. IN GENERAL, WHAT ACTIONS DO YOU THINK SHOULD BE TAKEN IN REGARDS TO THE SELECTIVE SERVICE?

Universal national service at age 18	42	39	37	42	39	40	45	50
Abolish the draft and depend on an all-volunteer military force	33	36	33	28	39	32	38	29
Continue the present system	25	25	30	30	22	28	17	21

6. DO YOU FAVOR A GUARANTEED MINIMUM FAMILY INCOME FOR FAMILIES ON WELFARE WITH ADULTS WHO RECEIVE TRAINING AND ACCEPT EMPLOYMENT?

Yes	43	36	46	38	40	47	54	51
No	40	50	36	45	44	36	31	36
Undecided	17	14	18	17	16	17	15	13

7. DO YOU FAVOR CONGRESS ALLOCATING ADDITIONAL FUNDS FOR THE SST?

Yes	28	24	23	44	20	21	19	21
No	52	48	53	41	58	54	67	60
Undecided	20	28	24	15	22	25	14	19

8. ARE YOU SATISFIED WITH PRESENT VIETNAM POLICY?

Yes	37	35	31	36	30	49	43	43
No	50	51	55	50	57	40	48	47
Undecided	13	14	14	14	13	11	9	10

9. DO YOU THINK LAW AND ORDER HAS BROKEN DOWN IN THE COUNTRY?

Yes	70	78	70	76	64	74	56	72
No	24	17	24	17	29	22	35	21
Undecided	5	5	6	7	7	4	9	7

10. DO YOU FAVOR REDUCING THE FARM SUBSIDY CEILING BELOW THE CURRENT AMOUNT OF $55,000?

Yes	63	72	62	67	53	61	70	68
No	9	11	8	7	13	10	7	7
Undecided	28	17	30	26	34	29	23	25

Note: Percentages total over 100 percent because of multiple answers.

TOTAL FEDERAL GRANTS TO STATE AND LOCAL GOVERNMENTS AND ESTIMATED TAX BURDEN OF FEDERAL GRANTS

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. SANDMAN. Mr. Speaker, on numerous occasions in my discussion of fiscal issues in remarks here, in letters and various statements, I have cited figures indicating New Jersey's share of the tax burden of Federal programs.

Invariably, Members and their staffs ask the source of these calculations and then what the figures are for their respective States.

I am, therefore, submitting, for the consideration of all Members, a highly valuable table of figures on each State's receipts from the Federal Government in grants-in-aid, each State's relative tax burden, and the tax burden of each State per dollar of aid received from Uncle Sam.

This information, Mr. Chairman, was compiled by the highly respected Tax Foundation, Inc., a private, nonprofit organization founded in 1937 to engage in nonpartisan research and public education on the fiscal and management aspects of government.

The Tax Foundation's work is doubly important since Federal tax collection data published by the Treasury Department do not accurately reflect the tax burden by State. The foundation, therefore, in cooperation with other organizations, had developed a special allocation formula to distribute the Federal tax burden by State.

Detailed explanations of the various formulas and bases used for estimating these tax burdens are available from the Tax Foundation's office at 1725 K Street NW., here in Washington. Suffice it to say that I am satisfied with its fairness.

The table that follows shows the tax cost of all Federal grants in aid to State and local governments, including payments financed through trust funds. These are the very latest figures, based on fiscal year 1970.

Each of the four columns contains valuable information. The columns, from left, first, show the total Federal grants to States in millions, second, the percent of the total tax burden borne by each State, third, the estimated burden for grants to each State in millions, and fourth, the tax burden per dollar of aid received by each State.

It is the latter figure that I have found most useful in explaining the actual average cost to the taxpayers of New Jersey of various existing Federal grant-in-aid programs and proposed new ones.

By these figures, Mr. Chairman, note that the tax burden per dollar of aid received for New Jersey is $1.62. In other words, taxpayers of New Jersey have to pay $1.62 for every $1 the State gets back from Uncle Sam in grants in aid.

Thankfully, the Garden State is no longer last on the list of States in this regard as it was for several years previous to 1970. Now, Connecticut has the dubious distinction of paying the most for Federal programs: $1.70 to be exact. Taxpayers of Connecticut, to put it another way, are paying 170 percent interest on their investment in the Federal Government.

It must be borne in mind that these comparisons of Federal assistance per $1 of its estimated Federal tax burden for aid payments do not actually indicate the entire cost which the States incur for obtaining Federal grants. The comparisons do not, for example, take into account the costs to the States of administering the programs for which the aid is granted, nor the matching funds which the States must make available out of their own revenue in order to qualify as recipients of these grants.

I want to point out another factor, Mr. Chairman. I realize fully that in our Federal Union, some of the wealthier States must kick in more into the Federal Treasury than they could ever hope to get back. Just as a number of other States pay as little as 33 cents for every $1 they get back in Federal grants in aid. This is understandable, necessary for programs of a genuine national concern and I am certainly not complaining about this.

What I am concerned about is that on a Federal program, such as that proposed for the administration's $55 billion general revenue-sharing plan, the distribution of the funds should correspond to a greater degree to what is paid in.

General revenue sharing, as proposed, is little more than a money changing scheme, an unfair redistribution of the wealth of our people. Now I realize, Mr. Chairman, that the distribution system proposed under revenue sharing is slightly different than current distribution of grants in aid to the States. However, this does not change the fact that my State, to mention just one of a dozen, will be seriously shortchanged.

It is my hope and my feeling that this Congress will not enact any revenue sharing plan that does not have a revenue raising aspect to it. To merely say the $55 billion program will be financed by increasing the national debt is ridiculous and shortsighted.

The truth, of course, Mr. Chairman, is that Congress has no magical powers to give away money we do not have. And sooner or later, one way or another, our expenditures at the Federal level must be paid for by taxation.

It is based on this that I ask my colleagues to apply the figures provided below, not only to revenue sharing, but to all other proposals for various grants in aid to States and local governments.

The table follows:

TABLE 2.—TOTAL FEDERAL GRANTS TO STATE AND LOCAL GOVERNMENTS AND ESTIMATED TAX BURDEN OF FEDERAL GRANTS[1]

[Fiscal year 1970]

State	Grants (millions) (1)	Percent of total tax burden (2)	Estimated burden for grants[2] (millions) (3)	Tax burden per dollar of aid received (4)
Total	$23,532.7	100.00	$23,532.7	$1.00
Alabama	519.9	1.11	261.2	.50
Alaska	106.8	.15	35.3	.33
Arizona	235.3	.72	169.4	.72
Arkansas	274.0	.59	138.8	.51
California	2,979.3	11.24	2,645.1	.89
Colorado	278.2	.97	228.3	.82
Connecticut	295.5	2.13	501.2	1.70
Delaware	51.1	.35	82.4	1.61
Florida	509.0	3.04	715.4	1.41
Georgia	553.3	1.76	414.2	.75
Hawaii	123.6	.40	94.1	.76
Idaho	91.0	.26	61.2	.67
Illinois	950.6	6.67	1,569.6	1.65
Indiana	352.2	2.45	576.6	1.64
Iowa	244.1	1.21	284.7	1.17
Kansas	231.3	1.01	237.7	1.03
Kentucky	454.0	1.11	261.2	.58
Louisiana	525.3	1.32	310.6	.59
Maine	112.5	.39	91.8	.82
Maryland	395.0	2.21	520.1	1.32
Massachusetts	715.8	3.17	746.0	1.04
Michigan	768.5	4.74	1,115.4	1.45
Minnesota	407.0	1.70	400.1	.98
Mississippi	411.0	.59	138.8	.34
Missouri	501.3	2.15	506.0	1.01
Montana	$128.0	.26	$61.2	$0.48
Nebraska	129.7	.64	150.6	1.16
Nevada	75.8	.30	70.6	.93
New Hampshire	72.1	.35	82.4	1.14
New Jersey	619.7	4.26	1,002.5	1.62
New Mexico	206.8	.35	82.4	.40
New York	2,365.6	11.51	2,708.6	1.14
North Carolina	506.6	1.83	430.6	.85
North Dakota	87.2	.21	49.4	.57
Ohio	888.4	5.49	1,291.9	1.45
Oklahoma	403.0	.98	230.6	.57
Oregon	235.2	.96	225.9	.96
Pennsylvania	1,342.9	6.01	1,414.3	1.05
Rhode Island	132.7	.49	115.3	.87
South Carolina	277.3	.84	197.7	.71
South Dakota	103.2	.22	51.8	.50
Tennessee	477.6	1.46	343.6	.72
Texas	1,152.6	4.87	1,146.0	.99
Utah	170.3	.39	91.8	.54
Vermont	76.9	.19	44.7	.58
Virginia	465.5	1.99	468.3	1.01
Washington	387.6	1.74	409.5	1.06
West Virginia	303.5	.61	143.5	.47
Wisconsin	368.6	2.00	470.7	1.28
Wyoming	64.8	.14	32.9	.51
District of Columbia	405.2	.47	110.6	.27

[1] Excludes shared revenues; includes highway aids and unemployment compensation and employment service administration aids.

[2] The total tax burden for aid payments is assumed equal to aid payments. The burden of aid payments financed through Federal funds is distributed by State on the basis of an estimated distribution of the burden of general taxes; the burden of highway aid payments is distributed by State on the basis of a Bureau of Public Roads estimate of the State distribution of taxes going to the highway trust fund; the burden of Federal unemployment insurance aids is distributed on the basis of social insurance contributions by State and State unemployment insurance taxes deposited with the Federal Government by State.

Source: Tax Foundation, Inc.

I LOVE AMERICA

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. DANIEL of Virginia. Mr. Speaker, recently I attended a beauty pageant in the Fifth District of Virginia, which I have the honor to represent in the Congress. In the talent division of the contest, the first runnerup offered a reading which gave an insight into her character. Miss Wanda Leigh Epps adapted an article which appeared in the March issue of Reader's Digest into a dramatic reading entitled "I Love America."

Putting herself in the place of an immigrant who had arrived in America penniless, she recounted her experiences in this land of freedom.

Through her excellent delivery, Miss Epps' sense of patriotism became apparent to the audience. Behind the moving story which she told was a true pride in one's country and in the American way of life. The feeling with which she addressed those present revealed love for homeland which had permitted an immigrant girl to "make it" on her own. She truly "swelled" with pride. While listening to Miss Epps, it became obvious that she was absorbed with devotion to America and that she was unashamed to proclaim our Nation's merits to all those who would listen.

Mr. Speaker, Miss Epps is the kind of young person who will keep America great. Although something will be lost without hearing the presentation of this lovely young Virginian, I insert her remarks in the RECORD:

I LOVE AMERICA

A few years ago I came to America with $5 in my pockets, few clothes, some books, old letters, and my Saint Christopher—that was a going away gift from my friends. I was an immigrant girl hoping for a new life in a new country.

I'm not gonna give ya a big success story because there isn't any. When my husband and I met in New York City we shared many of the same problems. We both left the old country looking for a new beginning in a free country. As the saying goes it wasn't easy. We had no career training, our language was different, we had no jobs, no family, and few friends. Man, it was easy to be depressed! But as always things change. There is something about America that gives me a deep feeling of independence and freedom gives strength. There is no one to lead you by the hand or boss you around! Once I set foot on America I was all alone to shape my life, to test *me!* This, I guess, is what being free is all about.

We started at the bottom so there was no place to go but up. Just like other Americans we worked all day and studied all night. Every penny went for rent, food, tuition, and books. We didn't save a cent, but we believed in the future. Thank heaven we weren't disappointed.

Today we work as teachers and my husband is working for his masters. We have a small house and a red car (my own private dream). Every year we travel over the United States. All this, we know, we owe to ourselves and to the most hospitable and beautiful country in the world. Our American friends think it is out of style to love America. After all there is Vietnam, there are drugs, racial conflicts, poverty and pollution. America does face very serious and urgent problems. But what we, the newcomers, see are not only the problems, but also the democratic solutions people are looking for and using. To vote for the first time as a free citizen in a free country makes me realize what it means to participate in a democracy.

I love America because I am accepted for what I am! They don't ask who my parents were, what faith I am, or my political beliefs. I love this country because when I want to move I can, without asking anyone. Because when I want some thread I can go to Woolworth's and buy it. I love it because I don't have to stand in line hours for a piece of tough, fat meat or pay a day's earning for a small chicken. I love America because America trusts me, and one can't live without trust. My mail isn't censored, my phone isn't tapped, and my conversations with friends aren't reported to secret police!

Sometimes when I walk down the streets of New York with my husband we stop, and smile, and kiss. People say we're in love and that's true. But we are also in love with America. And the noise and pollution we suddenly realize what joy it is to live in a free country.

MAJOR TECHNOLOGICAL ADVANCES FROM GYRFALCON, INC.

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. GOODLING. Mr. Speaker, Americans too many times are guilty of taking things for granted, and just recently I received a letter from an industry in my congressional district that demonstrates this point vividly.

The letter was sent to me by Gyrfalcon, Inc., which is located in Camp Hill, Pa. Gyrfalcon is the developer, among other things, of a major advancement in fastener technology called the "Bolt with a Brain," a bolt which, through an optical indicator that changes color, indicates when a bolt is too tight. This letter illustrates how very little American at-

tention was given to some very fine attainments by this American corporation in technological competition abroad. Toward the end of bringing these achievements out into the light they deserve, I introduce the pertinent letter to the CONGRESSIONAL RECORD and commend it to the attention of all:

DEAR SIR: Being one of your constituents from York County and having offices in Cumberland County, I thought it would be only natural to inform you of our corporation's recent success in Brussels, Belgium, at the International Inventors Exposition.

There were 1500 inventions from all over the world, with 16 gold medals awarded. We have won one of these for being the best safety invention; also, we won another gold medal for the best invention from the United States.

So far we haven't had much acclaim from the United States. I guess if it were for a sporting event, we would have been heralded, not just by the press but from the United States Embassy in Brussels.

We have been approached by no less than 60 corporations in Europe who wish to incorporate our invention as a safety feature in automobiles and aerospace. I am enclosing one of our brochures which explains the "Bolt with a Brain" invention. It can be used on any type fastener made. I am sure you will agree its use is virtually limitless, and it is of major technological importance.

Sincerely yours,

ROBERT F. PARISE,
Executive Vice-President and Secretary, Gyrfalcon, Inc.

THE CALLEY DECISION

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ADAMS. Mr. Speaker, the court-martial of Lt. William Calley has brought a great outpouring of emotion from every section of the Nation. My feeling is one of great sadness for about the whole tragic episode which shows the brutalization of the Indochina war. I was impressed by the editorial which appeared in the April 1, 1971, edition of the Washington Evening Star and I am including it in the RECORD at this point:

THE CALLEY DECISION

The sentence of life imprisonment imposed yesterday on First Lieutenant William L. Calley Jr. is nearly as harsh as the crime of which he was convicted by a jury of his peers: The premeditated murder of at least 22 unarmed, unresisting South Vietnamese civilians at the hamlet of My Lai 4 on March 16, 1968. Given the testimony of more than 100 witnesses, officers and enlisted men alike, it is difficult to see how the six members of the Fort Benning jury could have found otherwise.

And it is important to remember who sat on that jury. The six were not peaceniks. They were not civilians. They were not rear-echelon types. They were combat soldiers, each of whom had been decorated for gallantry, and five of whom had served in Vietnam. They, above all men, knew the sort of conditions Calley faced and the sort of response these conditions might reasonably be expected to elicit. These men found him guilty.

We are aware that a large segment of the public will be appalled by the verdict against Calley; that as Undersecretary Thaddeus R. Beal has put it, the court-martial has been "a pretty wrenching experience" for the Army, which sees one of its own sent up for life while draft-dodgers skip off with impunity to Canada or serve short jail sentences (Calley's sentence will be subject to appeal and review; if it stands, he will be eligible for parole after 10 years).

Some liberals will blame society, the Army's system and Calley's personal background, and—as usual—they will be half-right. But those who give the matter some careful thought and study the record (as the jury did during its 80 houres of deliberation), will see that there are rules of war, that there is a line between what is permissible and what is not permissible and that Calley clearly crossed that line when he ordered and participated in the massacre at My Lai 4. In so doing, he violated the entire canon of law embodied in the Hague and Geneva Conventions, in the Nuremberg principles and in the Army's own Uniform Code of Military Justice. And now he has to pay the penalty for his deeds.

There will be those who will say that the jury has placed an indelible stain on the uniform of the United States Army. That is not true; Calley did that. Twenty-four-year-old American boys have been leading platoons into stiuations like My Lai for a goodly portion of the last three decades without giving way to the homicidal rage which apparently gripped the young Floridian. They—and the jury—are the real heroes of this sordid incident.

Some elements in the Army will say that this was (is) a war unlike any other, and—as usual—they will be half-right. The enemy, as witnessed both by his everyday behavior and his callous treatment of American prisoners of war, does not give a damn for the Hague or Geneva Conventions. He does not care about Nuremberg. His own Uniform Code of Military Justice, if he has one, would make the Mafia blush.

But one cannot permit a Gresham's law of ethics to come into play on the battlefield. One cannot treat barbarians with barbarity without descending to their level, without becoming barbaric oneself. As an officer, Calley had an obligation to control his passions and those of his men. In this, he failed. In so doing, he failed himself, his men, the Army and his country.

If others are guilty (25 officers and men were accused of transgressions at My Lai; Calley has been convicted, two have been acquitted, three are awaiting trial and charges against the other 19 have been dropped), they, too, must pay the penalty.

In an editorial on December 7, 1969, we refused to convict Calley in these columns. We said that he was "entitled to a free trial in the broadest sense of the word." We said:

"Justice will be done. Lieutenant Calley can receive—and expect—no more than that."

Justice has been done. But one is left with no sense of elation, only sadness. Sadness for Calley, for his victims, for the men who testified against him and convicted him, for all of us.

LEGISLATION TO PRESERVE THE WILD RIVERS OF CALIFORNIA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. WALDIE. Mr. Speaker, today I am reintroducing legislation to include California's most valuable rivers under the protective provisions of the Wild and Scenic River Act of 1968.

These rivers, the Eel, Trinity, and Klamath, along with their main tributaries, are the last major free-flowing rivers in the State. Their value as scenic, ecological and historic resources to California, the West and the Nation are unchallenged.

Mr. Speaker, what is being challenged is the natural integrity of these river systems themselves. There are more than 20 proposed diversion and dam projects being planned for these river systems. These dams, if completed, would turn a free-flowing river into a series of warm-water lakes and would inundate thousands of acres of prime wilderness and recreational land.

The fishery of these rivers: Salmon, shad, steelhead, and trout, will surely suffer the fate of the fisheries of other impounded rivers—utter ruin. There is no real mitigation of a salmon or steelhead population once a free-flowing river is actually turned into a series of lakes.

This legislation, Mr. Speaker, has been supported by the major conservation groups of the Nation, including the Sierra Club, Friends of Earth, Trout Unlimited, National Wildlife Federation, Izaak Walton League, and the Committee of Two Million, which has organized conservationists and sportsmen into a coalition dedicated to saving these precious natural resources.

One year ago today, Mr. Speaker, I first introduced this bill. I have been gratified at the size of the response from not only northern California, but the entire Western area of the Nation and others from around the country who have enjoyed the scenic delights, hiked the trails or fished the streams of this area—an area which is in great danger of being dammed out of existence.

Mr. Speaker, those who would destroy these resources are the speculators and developers who are trapped within their own concept of "growth."

To them, growth is good and wilderness is either a source of water to make desert lands green in order to sell them at a great profit, or wilderness is an area to be fenced off and sold "as is."

To many Americans, growth is more smog, more traffic, more people, and more pollution of all kinds.

It should be noted, in considering the environmental impact of such projects as those planned for the Trinity, Klamath, and Eel Rivers, that there is impact at the point of receipt of those diverted waters, as well as impact at the point of diversion.

Mr. Speaker, it is my belief that the people of southern California do not want the type growth that land speculators want to force on the overtaxed environment of that beleaguered area.

It is my profound belief that the people of northern California do not want their finest rivers dammed to destruction. We must act to save these rivers and in so doing prevent the despoiling of one area for the ultimate destruction of another.

APPROPRIATION FUND FREEZE HITS RURAL ELECTRIFICATION LOANS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. EVINS of Tennessee. Mr. Speaker, the Office of Management and Budget in freezing funds appropriated by the Congress has even held up loans for REA loans for our farmers and rural citizens.

As a result of this impoundment, many priorities and funding levels set by Congress have been shunted aside and ignored. In the current issue of the magazine, Rural Electrification, an editorial discusses OMB's slowdown policies in this important field. The editorial is entitled "Snubbing Noses at Congress."

Because of the interest of my colleagues and the American people in this most important subject, I include the REA editorial in the RECORD:

SNUBBING NOSES AT CONGRESS

It has been mentioned more than once that the Nixon Administration—specifically, the Office of Management and Budget (OMB) at the White House—has refused to permit REA to lend to rural electric cooperatives the total amount of loan funds appropriated by Congress for fiscal years 1970 and 1971.

For FY 1970, the Administration's budget asked $320-million in new electric loan funds. Congress actually appropriated $340-million, but the additional $20-million was not used during the year for which it was appropriated. Instead, it was "carried over" into the 1971 budget.

In that budget the Administration asked for $322-million in new electric loan funds, but again Congress saw fit to raise that figure, to $337-million. While the fiscal year is not over yet, indications are that, once again, the OMB will refuse to let REA use the additional $15-million, and will "carry it over" to the 1972 budget.

The Administration, in other words, has gotten into the habit of putting off lending, for a year, a portion of the funds Congress actually appropriates.

And it turns out that REA funds are not the only appropriations being treated this way at the White House.

According to George F. Shultz, director of the OMB, the Administration has held up more than $8-billion in funds appropriated by Congress, mostly for domestic programs.

Sen. John J. Sparkman of Alabama has called the practice "a serious breach of faith" with Congress, and Sen. Sam J. Ervin of North Carolina contends that the Administration's intent in doing so is "to avoid or nullify Congressional intent."

"All too frequently," Ervin said, "when Congress votes substantially more funds for a program than the executive branch requests, the President signs the appropriation bill, then directs the Office of Management and Budget not to release the funds to the agencies designated to carry out the program in question."

Rep. Joe Evins of Tennessee argues that the practice amounts to "item veto," a power the President does not have under the Constitution.

Shultz, on the other hand, argues that an appropriation by Congress is not the same as a Congressional command that the money be used, and that furthermore the impounding has been done to control inflation. Much of the money held back, he says, would have been used for construction.

Everybody, of course, is against inflation, including us, and including Congress. Why, then, has Congress appropriated $8-billion which the Administration won't use? One reason is that Congress is also concerned about unemployment, and the Administration has been quite candid that it permitted unemployment to rise above 6 percent to combat inflation.

The inflation, in turn, has its roots in Federal spending for the war in Indochina. So even though the war may appear to be winding down, its effects are still being felt by domestic programs. Provided the withdrawal from Indochina continues, we may begin to see this Administration prosecuting domestic programs with more zeal. It will come not a moment too soon.

A WELL-DESERVED HONOR FOR CHARLES AND MARY WARD

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. EDMONDSON. Mr. Speaker, I would like to call to the attention of this body an outstanding achievement on the part of your own administrative assistant, Charles Ward, and his wonderful wife, Mary.

Charles and Mary have received the 1970 award given by the Organized Bible Class Association for the outstanding Bible class worker. The fact that Charles and Mary received this award from the 12,000-member association together, rather than one of them being singled out, is not a surprise to those of us who have been privileged to know Charles and Mary over the years. The Wards are a devoted couple who work together for single goals.

The Wards received this honor for the work they are carrying on at the Mount Vernon Place United Methodist Church, where they have been active members for years.

Mr. Speaker, I know you share my pride in the Wards. I would like to have the article reporting on this award from the Evening Star of April 3, 1971, appear in the RECORD.

The article follows:

HOUSE SPEAKER'S AIDE, WIFE GIVEN ANNUAL OBCA AWARD

(By Caspar Nannes)

Ever since Blanche W. Taylor of Capitol Hill Methodist Church received the first Outstanding Bible Class Worker award in 1950, it has gone to an individual. This year it was different. A man and wife, working jointly with a couple's class in a downtown church received the Organized Bible Class Association's 1970 award.

Chosen by the 12,000-member organization were Mr. and Mrs. Charles L. Ward of the Rustin Couple's Class at Mount Vernon Place United Methodist Church. Mr. Ward is the administrative assistant of Speaker of the House Carl Albert of Oklahoma.

Mrs. Erma Patterson, chairman of the selections committee, said the letter nominating the couple listed an extensive number of credentials. The couple have been members of the class since 1959 when they came here from Durant, Okla.

Together they serve as curriculum chairmen, a job which included responsibility of planning topics for the year and providing speakers each Sunday. They also serve the social concerns committee of the class, publicize the class activities, carry out an extensive visitation program with those who attend the class, and are very active in bringing new people into the church.

Their pastor, Dr. Edward B. Lewis, former chaplain of the U.S. Senate, was the banquet speaker. Lewis and Mrs. Patterson stressed that the couple also are very active in other phases of the church's program, serving as counselors for young people, serving the church's administrative board, and the ushering, music and worship committees.

When Ward received the bound Bible, which symbolizes the award, he commented; "We are trying to be worthy of being Christian. We hope to walk closely to Jesus to merit this honor." Mary Ward voiced a similar sentiment.

Ward came to Washington out of a career in journalism, where he was editor of the Durant Democrat. When he was 17 he was editor of a newspaper in Heber Springs, Ark. He studied journalism and economics at Arkansas Tech and the University of Oklahoma. He is a member of Phi Beta Kappa.

Mary Ward's interests are in music, placing heavy emphasis on playing in the band, singing in the chorus and participating in dramatics while at Hendrix College, her alma mater.

With OBCA president Harold S. King in charge, the banqueters were introduced to students who are recipients of two annual scholarships. Robert Whittler of Melrose, Mass., is a recipient of the Homer Councillor Scholarship at Wesley Theological Seminary and Melinda Jackson holds the Etchison Scholarship to Western Maryland State College. She is a 1970 graduate of Edison High School.

Former president Jack I. Gauntt told of the organization's efforts to become more appealing to younger people, and outlined several activities in this direction.

The Federal City Four quartet provided musical entertainment.

THE NATIONAL ROTC BAND AND DRUM AND BUGLE CORPS COMPETITION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. DANIELS of New Jersey. Mr. Speaker, I would like to remind my colleagues that on April 30 and May 1 the National ROTC band and drum and bugle corps competition will be held in the New Jersey-New York metropolitan area. This is the 10th annual event, sponsored by the National ROTC Band Association, which was formed in 1959 to bring military music to more people and to instill a fraternal feeling among bandsmen.

I know that there is not one Member of the House who has not felt the tremendous uplift and patriotic feeling when a military band goes by. Somehow those great bands make the colors in the flag seem a little brighter and cement the closeness that Americans feel for their country.

The National ROTC Band Association, which is headquartered at St. Peter's College in Jersey City, N.J., has requested that the week of April 25 to May 1, 1971, be set aside as National ROTC Band Week. The Honorable ROBERT A. ROE, of New Jersey, joins me today in introducing a joint resolution authorizing

and requesting the President to proclaim April 25 to May 1 as "National ROTC Band Week."

I am also inserting into the RECORD an outline history of the Association. The history follows:

MAJOR EVENTS IN THE PAST, PRESENT, AND FUTURE

Official establishment of the NROTCBA, August 1959.

First Army ROTC band to join NROTCBA, St. Peter's College ROTC Band, Jersey City, October 1, 1960.

First Drum and Bugle Corps to join NROTCBA, New York University, Bronx, New York, February 15, 1961.

First Air Force ROTC Band to join NROTCBA, Rutgers University, New Brunswick, N.J., January 12, 1962.

First National Competition, Camp Kilmer, New Jersey, May 19, 1962.

Second National Competition, Camp Kilmer, N.J. and Jersey City, N.J., April 19–20, 1963.

First State Proclamation of ROTC Band Week, Governor Richard Hughes, State of New Jersey, this practice continues to this date. April 15–21, 1963.

Third National Competition, Jersey City, N.J. and Singer Bowl, World's Fair, New York, April 30–May 2, 1964.

Fourth National Competition, Jersey City, N.J. and Singer Bowl, World's Fair, New York, May 7–8, 1965.

Fifth National Competition, Philharmonic Hall, Lincoln Center for the Performing Arts, N.Y.C. N.Y. and Fort Wadsworth, Staten Island, New York, May 6–7, 1966.

Sixth National Competition, Jersey City, N.J. and Union City, N.J., May 5–6, 1967.

National SOP adopted at Sixth Convention, May 1967.

Constitution revised, October 1967.

Honoraray membership to Senator Edward "Ted" Kennedy, October 7, 1967.

Area Reorganization, Junior Division of NROTCBA established, May 1968.

Seventh national competition, Philharmonica Hall, Lincoln Center for the Performing Arts, N.Y.C., N.Y., and Fort Wadsworth, Staten Island, New York, May 10–11, 1968.

Honorary membership to Leonard Bernstein, February 1969.

Table of organization and equipment published, revised SOP published, February 1970.

Eighth national competition proposed for Jersey City, N.J. and Fort Wadsworth, Staten Island, New York, April 24–25, 1970.

Future competition sites proposed for the United States Military Academy, West Point, New York and the United States Air Force Academy, Colorado.

Proposed honorary membership to the adjutant general, MG Kenneth G. Wickham, U.S. Army, and "Doc" Severinson of NBC studios.

NEW CITIES—THE IMPACT OF TELECOMMUNICATIONS ON THE CREATION OF NEW RESIDENTIAL AND WORK AREAS

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. COTTER. Mr. Speaker, the problems of establishing new communities are often talked about but all too often there is very little positive action.

The President's Advisory Group on Telecommunications and the National Academy of Engineering are working together to investigate the potentiality of new cities. These efforts in telecommunication in the formation of new towns have been combined with the Connecticut Research Commission activities devoted to the same project, and the result is the NEA–CRC Joint Committee of the "Cities of the Future."

Just recently, Dr. Peter C. Goldmark, president and director of research of CBS Laboratories, delivered an informative paper outlining the factors in this project. I would like to have my colleagues informed of these developments, and I am including this speech at this point in the RECORD:

NATIONAL ASSOCIATION OF BROADCASTERS, 1971 CONFERENCE, CHICAGO, ILL.

INTRODUCTION

As members of the same fraternity and under the aegis of the NAB, you would probably expect me to discuss the future of broadcast engineering.

Instead, I would like you to join me in exploring how we could make use of communications technology on a much broader scale, to ensure that in the year 2000 this country will be a wonderful place in which to live and to work, whether one chooses the city or prefers the country.

Before we discuss solutions, let us look at the problem:

Ten thousand years ago, there were no more people on earth than in Greater New York City today, about 10 million.

The first slide shows how world population suddenly increased in the last few hundred years. By the year 2000, we will be six billion.

In Figure 2, we see that life expectancy only two centuries ago, was 30 years, and that it is almost two and a half times higher today.

The third graph illustrates the frightening growth of explosive power we have created.

In Figure 4, we can see that from earliest history until 150 years ago, man travelled on earth no faster than 25 miles per hour, namely on horseback or behind horses. Today, this figure is 25,000 miles per hour—in space.

We could show similar curves for many other statistics, but let us now look at the most interesting graph: (Figure 5.). Here we see the cumulative number of books (titles) which have been published since the invention of the printing press. During the last 200 years, this number climbed from barely one million to 50 million. A cause and effect relationship exists between the previous curves and this one: namely the most significant invention in communications, printing, made it possible for scientists to learn about the ideas and discoveries of others without having to explore ground already covered. Also, teaching and learning were greatly accelerated by the use of text books. The result is that technologies developed at an ever increasing rate. This is illustrated in Figure 6.

Recalling Figure 1, one of the disturbing effects of the rapidly increasing population is that the majority of people in most western countries have been compelled to live under conditions of extreme density, within the confines of cities and their suburbs. Today, nine-tenths of the United States population lives on less than ten percent of the land.

If this trend continues, two hundred of the three hundred million Americans in the year 2000 will be crowded into twelve urban centers on less than 10 percent of our total land area (Map 7). Over half of the population, or 150 million people, will be in the three largest urban concentrations, namely: Boston-Washington, Chicago, Pittsburgh, San-Francisco-San Diego.

Man is physiologically and psychologically unprepared for the stresses and strains which result from such living conditions. Available statistics show that it is in the high-density living areas that the problems of crime, pollution, poverty, traffic, education, etc. are the greatest.

Figure 8 shows clearly the rapid increase in the rate of crime per 100,000 citizens as a function of city size. Pollution, defined in this case as sulphur-dioxide concentration in the air over the East Central U.S. (Figure 9.), also increases with city size.

Experience has shown that, whereas smaller towns have the same type of problems, they are manageable and will remain so, if limits and standards are carefully planned for the development of these towns.

Today, in addition to the urban problems, we also have a rural problem. There exists a large migration of people from rural areas towards urban centers. This is shown in Figure 10 which is almost a photographic negative of the urban concentration map shown before (reproduced here as Figure 10a).

We now have roughly outlined the problem. Let us see what might be a solution. Hundred million Americans, which is the increase predicted by the year 2000, should be able to choose whether to live and work either in improved urban or in a new rural environment. Thus, a new rural society must be created. In this task communications technology plays a key role.

In 1968, the President's Advisory Group on Telecommunications requested the National Academy of Engineering to establish a committee on telecommunications. As an outgrowth of this, the NAE created a panel for applying communications technology first to alleviate existing urban problems and also to make possible new living patterns based on fuller use of the nation's land resources. The latter activity has been combined with the Connecticut Research Commission's project devoted to the same objective, thus forming the NAE–CRC Joint Committee on "Cities of the Future", which I chair. The NAE panel is supported by a joint group consisting of the Departments of Housing and Urban Development, Justice, Commerce, Transportation, Health Education and Welfare, and also the U.S. Postal Service, and the FCC. It is our belief that with all necessary inventions already made, broadband communications systems can now be imaginatively applied to the needs of business, government, education, health care, and cultural pursuits to stimulate the development of the new rural society. The task is a gigantic one, but one which will present an urgent challenge to our youth and one to which we all must direct at least part of our efforts. I believe the magnitude of this task will make going to the Moon seem like a ferryboat ride.

To illustrate the dimensions of the overall task, the tabulation in Figure 11 shows one of the ways in which 100 million people could be distributed over the next 30 years among existing communities of different sizes. For reasons mentioned before, communities with less than 100,000 people should be primarily considered. The average yearly growth rate is given in percentages as well as the average number of new jobs that would have to be created each year over the 30 years. Of course, the creation of new towns will make the task easier.

The approach to the new rural society does not mean the deurbanization of America. In our opinion, the main objective is to provide options for 100 million more people, options which today do not exist. Conceivably half of the next 100 million Americans may prefer to live in an urban environment, whereas 50 million people already in the cities, may wish to be part of the new rural society. This in itself may relieve the pressure on the cities, making it feasible to deal with their most urgent problems and to start them on a new life cycle.

We must recognize that to change the entire nation's living pattern is not dependent

only on communications technology. Nor is it true that the only way to improve the quality of life in America at the turn of the century will come about exclusively through the increased use of our land resources. Before nationwide planning is undertaken, an exploratory program on a small scale is proposed in the attractive rural north-eastern section of Connecticut where the population density is low and the need for planned economic development is high.

The first phase of the NAE-CRC study will be completed by June of this year and we are now in the process of writing the program for the next phase. Perhaps I could give you an idea of the method of attack and magnitude of the task by describing portions of our proposal.

We have summed up the major objectives in the following manner:

In order to halt the migration of people from rural areas to the cities and to reverse the continuing trend of urban deterioration, we propose a four part experimental program:

1. Study with business, industry and government operations the specific nature of office procedures, practices and communications which usually result in meetings, memos, letters, presentations, etc., and how these can be transposed into broadband and other communications media. The results would indicate how components of business or government could function effectively in rural communities.

2a. Explore closely with a number of towns within a region how to establish standards and limits which will ensure the optimum rate and pattern of growth for the highest quality of life.

b. Coordinate the above efforts with relevant State agencies to assure that the development program is in the best overall interests of the State. In turn, establish the needs for the necessary supporting resources, i.e. utilities, surface and air transportation, etc., based on given growth goals.

3. Experiment over broadband and other communication links with a variety of terminal equipment which would provide the services necessary for the companies and the government and for all other phases of life of the developing community.

4. Create an intergovernmental body of federal and state officials which would cooperate with the Joint Committee and be responsible for initiating a coordinated, national effort based on the experiences gained by the study project.

The new rural society

Clearly, we are trying to intercept the majority of the U.S. population headed toward large urban concentrations and offer them the opportunity to work and live in small out attractive rural communities. They will become then "The New Rural Society".

The obvious question is, why doesn't this already exist?

In general, people do not want to move into rural areas, no matter how attractive, unless they have jobs, adequate educational and health services, opportunities for cultural pursuits, entertainment, social contacts, and so on.

The British have explored for a long time a solution to their own high-density population problems. Their plans are similar to ours, but they are way ahead of us in the creation of new towns and enlarged towns. In 1944, the Abercrombie Plan for Greater London provided for the establishment of a whole series of new towns around London, past the so called Green Belt.

The purpose of the plan was to relieve the concentration in Inner-London; to provide a better working and living environment; and to reduce the length of commuting trips. While 31 new towns were built, which were successful in attracting business and industry, the office employment in London still continues to expand. Clearly, the rate of generating new towns is not fast enough.

Also, the British government concluded that using no more than the existing and overtaxed communications facilities, the largest cost factor and deterrent in decentralizing is likely to be the reduction in operating efficiency due to the stretching of communication links.

Another British study, by a group called Joint Unit For Planning Research, which has engaged in one of the most thorough and controlled experiments applied to communications between widely separated operations, concluded that:

1. The ordinary telephone is highly effective for one-to-one communications, particularly where familiarity between participants is high, conflict is low, and subject matter is well defined.

2. The greatest value of a wideband network suitable for television or picture-phone, will lie in its ability to handle a wide range of auxiliary services such as graphics display, rapid facsimile, computer and data access, conferencing, etc.

3. There will be large scale decentralization of employment from large metropolitan centers as the various person-to-person telecommunications systems improve.

4. The effect on the volume of business travel is likely to be negligible.

5. Most importantly, the chief effect of such telecommunication developments will be to increase the choices: The employee will be able to select the environment in which to live; the company or government operation will have a choice of areas in which to locate.

It may be interesting to observe that in further pursuit of their ruralization plans the British are currently designing broadband services on four fronts:

1. a national data network.

2. conference television.

3. dedicated cable educational television for the London area.

4. household wired television.

Let us examine what functions new applications of communications technology can provide to a new rural community. We know that most cities today are social networks of communications and if we superimposed on these electronic networks of communications without forethought, this may increase the congestion and complexity of operation. Thus, cities to be built or to be enlarged must be well planned so that the growth is based on a planned network of communications, of transportation, and of utilities.

New communication networks could be divided into internal and external systems. The internal system, which is strictly within the bounds of towns will consist of five basic networks:

The first is the primary network which only exists now in the form of the telephone. In these plans it would be expanded into a full two-way random access network able to accommodate voice, data, and two-way video-phone. This would be the most basic urban "nerve system" which will be as vital as streets, water, or power. The most basic purpose of this system would be to put anyone in contact with anyone else within the city, no matter how dark the streets are, how heavy the traffic. Through the network's access to data processing, the same system will provide random access between man and machine, or between machines. This network can also be looked upon as providing a pipe into every home, office or library through which one can not only converse, but also transmit and receive written materials, pictures, data, etc. Its most important contribution is its ability of interconnecting any one terminal with any other.

The second network would be in the form of AM–FM radio and television broadcasting, the extent depending on the channels available for the particular community. This could consist of one or more local stations preferably with network affiliations and educational television broadcasting.

The third internal network would be in the form of broadband cables carrying a multitude of television channels into individual homes. This network would include limited address narrow band call-back for purposes of polling or making requests. Such two-way cable television systems are now already under test. The cable network could also carry, if desired, off the air programs, originating either from local broadcast stations or from satellites. This cable network should be so designed that it has sub-centers at the local neighborhood which, in terms of program material, could cater to its own local audience. As part of this network general informational services would be made available to individual homes. One important example would be the ability to dial up important municipal events, such as meetings of the various town boards, i.e. Education, Finance, Zoning, Board of Representatives, etc. Through the two-way polling ability public opinion could almost be instantly registered on any issue under discussion. Through a system of "frame freezing" vast amount of information concerning travel, weather, pollution, shopping, traffic, various municipal and other public services, listing of cultural and entertainment events, etc. could be selected and seen on the home television screen.

The fourth information network superimposed on the town, would be again a broadband cable system, carrying approximately 30 two-way television channels which would interconnect the major public institutions of the city, such as city hall (center and neighborhood halls); hospitals and nursing homes; schools and colleges; libraries; police and fire stations; bus, railroad stations and airports; all other town services.

The purpose of this would be to provide informational services amongst the vital institutions and key officials of the town for its smooth operation.

Superimposed on these four networks would be a town emergency service. This would include the "911" police and fire emergency system augmented by automatic identification of callers' location and by a system to identify the location of vehicles operated by police, fire, sanitation, ambulance, utilities, and other large fleet operations.

Here we have described the internal communication network systems. The external systems would be the following:

1. Incoming broadband cable or microwave circuits which connect the town's businesses, industry and government offices with their operations in other cities or countries. These are essentially dedicated point-to-point links.

2. Long-distance broadband circuits interconnecting the town's switched telephone and video-phone services with the corresponding switched services in other cities.

3. Common carrier broadband and narrow band services such as U.S. Postal Service, Western Union, and others.

All these communication systems, properly integrated on a national basis will go a long way toward realizing the New Rural Society.

I apologize that in this limited time we could only sample certain aspects of this very ambitious but essential plan. As you heard, a beginning has been made, but for the ideas to become reality, scientists and engineers of this and the next generation must help. Very simply, this is an opportunity for science and technology to make one of its greatest contributions to man and his environment.

(Figures 1 through 10 not included.)

POPULATION GROWTH MODEL FOR SMALL CITIES

City size by population	Number of cities in 1960	Total population in 1960	Additional population growth required over 30 yrs.		Uniform yearly growth rate (percent)	Yearly population growth averaged over 30 yrs.	Average yearly additional jobs needed per family (4 members)
			Percent	People			
50,000 to 100,000	201	14,000,000	50	7,000,000	1.5	1,100	275
25,000 to 50,000	432	15,000,000	200	30,000,000	3.75	2,310	577
10,000 to 25,000	1,134	17,500,000	200	35,000,000	3.75	1,030	260
5,000 to 10,000	1,394	9,780,000	290	28,000,000	4.75	670	168
Total population accommodated over next 30 years				100,000,000			

PORNOGRAPHY, OBSCENITY, AND THE CASE FOR CENSORSHIP

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. GALIFIANAKIS. Mr. Speaker, among the many controversial public issues which deeply concern all Americans, the problems of pornography, obscenity, and censorship are receiving increasing attention. One of the most thoughtful and perceptive statements in this difficult area may be seen in the New York Times magazine of March 28, 1971. I refer to Prof. Irving Kristol's article, "Pornography, Obscenity, and the Case for Censorship."

Irving Kristol is an able and respected scholar and journalist, whose views on this complex matter deserve the widest circulation and consideration. "Authentic concern for the quality of life in our democracy" serves as the ground and motivation of Professor Kristol's reflections.

In this respect, he has raised the level of the whole debate over pornography, and has provided a new perspective for our examination of censorship in a free society. Too often it is assumed by some liberal spokesmen that critics of "smut" are guided by simplistic and repressive notions. Here, however, is a carefully considered analysis of all pertinent concerns by a man liberal-minded in his views and rigorously honest in confronting realities. His argument is intelligent and contemporary, and bears the mark throughout of that reasoned commonsense seldom evident in those whose insights are clouded by prejudice or passion. In distinguishing freedom from anarchy, he does significant service to our thinking in the realm of moral responsibility and the common good. I heartily commend his article, which is reprinted below, to my colleagues and to all men and women of good will. I hope that these views may help shape our decisions in this House as we consider the challenging problems with which he deals:

PORNOGRAPHY, OBSCENITY, AND THE CASE FOR CENSORSHIP

(By Irving Kristol)

Being frustrated is disagreeable, but the real disasters in life begin when you get what you want. For almost a century now, a great many intelligent, well-meaning and articulate people—of a kind generally called liberal or intellectual, or both—have argued eloquently against any kind of censorship of art and/or entertainment. And within the past 10 years, the courts and the legislatures of most Western nations have found these arguments persuasive—so persuasive that hardly a man is now alive who clearly remembers what the answers to the arguments were. Today, in the United States and other democracies, censorship has to all intents and purposes ceased to exist.

Is there a sense of triumphant exhilaration in the land? Hardly. There is, on the contrary, a rapidly growing unease and disquiet. Somehow, things have not worked out as they were supposed to, and many notable civil libertarians have gone on record as saying this was not what they meant at all. They wanted a world in which "Desire Under the Elms" could be produced, or "Ulysses" published, without interference by philistine busybodies holding public office. They have got that, of course; but they have also got a world in which homosexual rape takes place on the stage, in which the public flocks during lunch hours to witness varieties of professional fornication, in which Times Square has become little more than a hideous market for the sale and distribution of printed filth and panders to all known (and some fanciful) sexual perversions.

But disagreeable as this may be, does it really matter? Might not our unease and disquiet be merely a cultural hangover—a "hangup," as they say? What reason is there to think that anyone was ever corrupted by a book?

This last question, oddly enough, is asked by the very same people who seem convinced that advertisements in magazines or displays of violence on television do indeed have the power to corrupt. It is also asked, incredibly enough and in all sincerity, by people—e.g., university professors and school teachers—whose very lives provide all the answers one could want. After all, if you believe that no one was ever corrupted by a book, you have also to believe that no one was ever improved by a book (or a play or a movie). You have to believe, in other words, that all art is morally trivial and that, consequently, all education is morally irrelevant. No one, not even a university professor, really believes that.

To be sure, it is extremely difficult, as social scientists tell us, to trace the effects of any single book (or play or movie) on an individual reader or any class of readers. But we all know, and social scientists know it too, that the ways in which we use our minds and imaginations do shape our characters and help define us as persons. That those who certainly know this are nevertheless moved to deny it merely indicates how a dogmatic resistance to the idea of censorship can—like most dogmatism—result in a mindless insistence on the absurd.

I have used these harsh terms—"dogmatism" and "mindless"—advisedly. I might also have added "hypocritical." For the plain fact is that none of us is a complete civil libertarian. We all believe that there is some point at which the public authorities ought to step in to limit the "self expression" of an individual or a group, even where this might be seriously intended as a form of artistic expression, and even where the artistic transaction is between consenting adults. A playwright or theatrical director might, in this crazy world of ours, find someone willing to commit suicide on the stage, as called for by the script. We would not allow that—any more than we would permit scenes of real physical torture on the stage, even if the victim were a willing masochist. And I know of no one, no matter how free in spirit, who argues that we ought to permit gladiatorial contests in Yankee Stadium, similar to those once performed in the Colosseum at Rome—even if only consenting adults were involved.

The basic point that emerges is one that Prof. Walter Berns has powerfully argued: no society can be utterly indifferent to the ways its citizens publicly entertain themselves. This is as good a place as any to express my profound indebtedness to Walter Berns's superb essay, "Pornography vs. Democracy," in the winter, 1971, issue of The Public Interest.) Bearbaiting and cockfighting are prohibited only in part out of compassion for the suffering animals; the main reason they were abolished was because it was felt that they debased and brutalized the citizenry who flocked to witness such spectacles. And the question we face with regard to pornography and obscenity is whether, now that they have such strong legal protection from the Supreme Court, they can or will brutalize and debase our citizenry. We are, after all, not dealing with one passing incident—one book, or one play, or one movie. We are dealing with a general tendency that is suffusing our entire culture.

I say pornography and obscenity because, though they have different dictionary definitions and are frequently distinguishable as "artistic" genres, they are nevertheless in the end identical in effect. Pornography is not objectionable simply because it arouses sexual desire or lust or prurience in the mind of the reader or spectator; this is a silly Victorian notion. A great many nonpornographic works—including some parts of the Bible—excite sexual desire very successfully. What is distinctive about pornography is that, in the words of D. H. Lawrence, it attempts "to do dirt on [sex] ... [It is an] insult to a vital human relationship."

In other words, pornography differs from erotic art in that its whole purpose is to treat human beings obscenely, to deprive human beings of their specifically human dimension. That is what obscenity is all about. It is light years removed from any kind of carefree sensuality—there is no continuum between Fielding's "Tom Jones" and the Marquis de Sade's "Justine." These works have quite opposite intentions. To quote Susan Sontag: "What pornographic literature does is precisely to drive a wedge between one's existence as a full human being and one's existence as a sexual being—while in ordinary life a healthy person is one who prevents such a gap from opening up." This definition occurs in an essay *defending* pornography—Miss Sontag is a candid as well as gifted critic—so the definition, which I accept, is neither tendentious nor censorious.

Along these same lines, one can point out—as C. S. Lewis pointed out some years back—that it is no accident that in the history of all literatures obscene words—the so-called "four-letter words"—have always

been the vocabulary of farce or vituperation. The reason is clear; they reduce men and women to some of their mere bodily functions—they reduce man to his animal component, and such a reduction is an essential purpose of farce or vituperation.

Similarly, Lewis also suggested that it is not an accident that we have no offhand, colloquial, neutral terms—not in any Western European language at any rate—for our most private parts. The words we do use are either (a) nursery terms, (b) archaisms, (c) scientific terms or (d) a term from the gutter (i.e., a demeaning term). Here I think the genius of language is telling us something important about man. It is telling us that man is an animal with a difference: he has a unique sense of privacy, and a unique capacity for shame when this privacy is violated. Our "private parts" are indeed private, and not merely because convention prescribes it. This particular convention is indigenous to the human race. In practically all primitive tribes, men and women cover their private parts; and in practically all primitive tribes, men and women do not copulate in public.

It may well be that Western society, in the latter half of the 20th century, is experiencing a drastic change in sexual mores and sexual relationships. We have had many such "sexual revolutions" in the past—and the bourgeois family and bourgeois ideas of sexual propriety were themselves established in the course of a revolution against 18th century "licentiousness"—and we shall doubtless have others in the future. It is, however, highly improbable (to put it mildly) that what we are witnessing is the Final Revolution which will make sexual relations utterly unproblematic, permit us to dispense with any kind of ordered relationships between the sexes, and allow us freely to redefine the human condition. And as long as humanity has not reached that utopia, obscenity will remain a problem.

One of the reasons it will remain a problem is that obscenity is not merely about sex, any more than science fiction is about science. Science fiction, as every student of the genre knows, is a peculiar vision of power: what it is really about is politics. And obscenity is a peculiar vision of humanity: what it is really about is ethics and metaphysics.

Imagine a man—a well-known man, much in the public eye—in a hospital ward, dying an agonizing death. He is not in control of his bodily functions, so that his bladder and his bowels empty themselves of their own accord. His consciousness is overwhelmed and extinguished by pain, so that he cannot communicate with us, nor we with him. Now, it would be, technically, the easiest thing in the world to put a television camera in his hospital room and let the whole world witness this spectacle. We don't do it—at least we don't do it as yet—because we regard this as an *obscene* invasion of privacy. And what would make the spectacle obscene is that we would be witnessing the extinguishing of humanity in a human animal.

Incidentally, in the past our humanitarian crusaders against capital punishment understood this point very well. The abolitionist literature goes into great physical detail about what happens to a man when he is hanged or electrocuted or gassed. And their argument was—and is—that what happens is shockingly obscene, and no civilized society should be responsible for perpetrating such obscenities, particularly since in the nature of the case there must be spectators to ascertain that this horror was indeed being perpetrated in fulfillment of the law.

Sex—like death—is an activity that is both animal and human. There are human sentiments and human ideals involved in this animal activity. But when sex is public, the viewer does not see—cannot see—the sentiments and the ideals. He can only see the animal coupling. And that is why, when men and women make love, as we say, they prefer to be alone—because it is only when you are alone that you can make love, as distinct from merely copulating in an animal and casual way. And that, too, is why those who are voyeurs, if they are not irredeemably sick, also feel ashamed at what they are witnessing. When sex is a public spectacle, a human relationship has been debased into a mere animal connection.

It is also worth noting that this making of sex into an obscenity is not a mutual and equal transaction, but is rather an act of exploitation by one of the partners—the male partner. I do not wish to get into the complicated question as to what, if any, are the essential differences—as distinct from conventional and cultural differences—between male and female. I do not claim to know the answer to that. But I do know—and I take it as a sign which has meaning—that pornography is, and always has been, a man's work; that women rarely write pornography; and that women tend to be indifferent consumers of pornography. (There are, of course, a few exceptions—but of a kind that prove the rule. "L'Histoire d'O," for instance, written by a woman, is unquestionably the most *melancholy* work of pornography ever written. And its theme is precisely the dehumanization accomplished by obscenity.) My own guess, by way of explanation, is that a woman's sexual experience is ordinarily more suffused with human emotion than is man's, that men are more easily satisfied with autoerotic activities, and that men can therefore more easily take a more "technocratic" view of sex and its pleasures. Perhaps this is not correct. But whatever the explanation, there can be no question that pornography is a form of "sexism," as the Women's Liberation Movement calls it, and that the instinct of Women's Lib has been unerring in perceiving that, when pornography is perpetrated, it is perpetrated against them, as part of a conspiracy to deprive them of their full humanity.

But even if all this is granted, it might be said—and doubtless will be said—that I really ought not to be unduly concerned. Free competition in the cultural marketplace—it is argued by people who have never otherwise had a kind word to say for laissezfaire—will automatically dispose of the problem. The present fad for pornography and obscenity, it will be asserted, is just that, a fad. It will spend itself in the course of time; people will get bored with it, will be able to take it or leave it alone in a casual way, in a "mature way," and, in sum, I am being unnecessarily distressed about the whole business. The New York Times, in an editorial, concludes hopefully in this vein.

"In the end . . . the insensate pursuit of the urge to shock, carried from one excess to a more abysmal one, is bound to achieve its own antidote in total boredom. When there is no lower depth to descend in, ennui will erase the problem."

I would like to be able to go along with this line of reasoning, but I cannot. I think it is false, and for two reasons, the first psychological, the second political.

The basic psychological fact about pornography and obscenity is that it appeals to and provokes a kind of sexual regression. The sexual pleasure one gets from pornography and obscenity is autoerotic and infantile; put bluntly, it is a masturbatory exercise of the imagination, when it is not masturbation pure and simple. Now, people who masturbate do not get bored with masturbation, just as sadists don't get bored with sadism, and voyeurs don't get bored with voyeurism.

In other words, infantile sexuality is not only a permanent temptation for the adolescent or even the adult—it can quite easily become a permanent, self-reinforcing neurosis. It is because of an awareness of this possibility of regression toward the infantile condition, a regression which is always open to us, that all the codes of sexual conduct ever devised by the human race take such a dim view of autoerotic activities and try to discourage autoerotic fantasies. Masturbation is indeed a perfectly natural autoerotic activity, as so many sexologists blandly assure us today. And it is precisely because it is so perfectly natural that it can be so dangerous to the mature or maturing person, if it is not controlled or sublimated in some way. That is the true meaning of Portnoy's complaint. Portnoy, you will recall, grows up to be a man who is incapable of having an adult sexual relationship with a woman; his sexuality remains fixed in an infantile mode, the prison of this autoerotic fantasies. Inevitably, Portnoy comes to think, in a perfectly *infantile* way, that it was all his mother's fault.

It is true that, in our time, some quite brilliant minds have come to the conclusion that a reversion to infantile sexuality is the ultimate mission and secret destiny of the human race. I am thinking in particular of Norman O. Brown, for whose writings I have the deepest respect. One of the reasons I respect them so deeply is that Mr. Brown is a serious thinker who is unafraid to face up to the radical consequences of his radical theories. Thus, Mr. Brown knows and says that for his kind of salvation to be achieved, humanity must annul the civilization it has created—not merely the civilization we have today, but all civilization—so as to be able to make the long descent backwards into animal innocence.

What is at stake is civilization and humanity, nothing less. The idea that "everything is permitted," as Nietzsche put it, rests on the premise of nihilism and has nihilistic implications. I will not pretend that the case against nihilism and for civilization is an easy one to make. We are here confronting the most fundamental of philosophical questions, on the deepest levels. But that is precisely my point—that the matter of pornography and obscenity is not a trivial one, and that only superficial minds can take a bland and untroubled view of it.

In this connection, I might also point out those who are primarily against censorship on liberal grounds tell us not to take pornography or obscenity seriously, while those who are for pornography and obscenity, on radical grounds, take it very seriously indeed. I believe the radicals—writers like Susan Sontag, Herbert Marcuse, Norman O. Brown, and even Jerry Rubin—are right, and the liberals are wrong. I also believe that those young radicals at Berkeley, some five years ago, who provoked a major confrontation over the public use of obscene words, showed a brilliant political instinct. Once the faculty and administration had capitulated on this issue—saying: "Oh, for God's sake, let's be adult: what difference does it make anyway?"—once they said that, they were bound to lose on every other issue. And once Mark Rudd could publicly ascribe to the president of Columbia a notoriously obscene relationship to his mother, without provoking any kind of reaction, the S.D.S. had already won the day. The occupation of Columbia's buildings merely ratified their victory. Men who show themselves unwilling to defend civilization against nihilism are not going to be either resolute or effective in defending the university against anything.

I am already touching upon a political aspect of pornography when I suggest that it is inherently and purposefully subversive of civilization and its institutions. But there is another and more specifically political aspect, which has to do with the relationship of pornography and/or obscenity to democracy, and especially to the quality of public life on which democratic government ultimately rests.

Though the phrase, "the quality of life," trips easily from so many lips these days,

it tends to be one of those cliches with many trivial meanings and no large, serious one. Sometimes it merely refers to such externals as the enjoyment of cleaner air, cleaner water, cleaner streets. At other times it refers to the merely private enjoyment of music, painting or literature. Rarely does it have anything to do with the way the citizen in a democracy views himself—his obligations, his intentions, his ultimate self-definition.

Instead, what I would call the "managerial" conception of democracy is the predominant opinion among political scientists, sociologists and economists, and has, through the untiring efforts of these scholars, become the conventional journalistic opinion as well. The root idea behind this "managerial" conception is that democracy is a "political system" (as they say) which can be adequately defined in terms of—can be fully reduced to—its mechanical arrangements. Democracy is then seen as a set of rules and procedures, and *nothing but* a set a rules and procedures, whereby majority rule and minority rights are reconciled into a state of equilibrium. If everyone follows these rules and procedures, then a democracy is in working order. I think this is a fair description of the democratic idea that currently prevails in academia. One can also fairly say that it is now the liberal idea of democracy par excellence.

I cannot help but feel that there is something ridiculous about being this kind of a democrat, and I must further confess to having a sneaking sympathy for those of our young radicals who also find it ridiculous. The absurdity is the absurdity of idolatry—of taking the symbolic for the real, the means for the end. The purpose of democracy cannot possibly be the endless functioning of its own political machinery. The purpose of any political regime is to achieve some version of the good life and the good society. It is not at all difficult to imagine a perfectly functioning democracy which answers all questions except one—namely, why should anyone of intelligence and spirit care a fig for it?

There is, however, an older idea of democracy—one which was fairly common until about the beginning of this century—for which the conception of the quality of public life is absolutely crucial. This idea starts from the proposition that democracy is a form of self-government, and that if you want it to be a meritorious polity, you have to care about what kind of people govern it. Indeed, it puts the matter more strongly and declares that, if you are only entitled to it if that "self" is worthy of governing. There is no inherent right to self-government if it means that such government is vicious, mean, squalid and debased. Only a dogmatist and a fanatic, an idolator of democratic machinery, could approve of self-government under such conditions.

And because the desirability of self-government depends on the character of the people who govern, the older idea of democracy was very solicitous of the condition of this character. It was solicitous of the individual self, and felt an obligation to educate it into what used to be called "republican virtue." And it was solicitous of that collective self which we call public opinion and which, in a democracy, governs us collectively. Perhaps in some respects it was nervously oversolicitous—that would not be surprising. But the main thing is that it cared, cared not merely about the machinery of democracy but about the quality of life that this machinery might generate.

And because it cared, this older idea of democracy had no problem in principle with pornography and/or obscenity. I censored them—and it did so with a perfect clarity of mind and a perfectly clear conscience. It was not about to permit people capriciously to corrupt themselves. Or, to put it more precisely: in this version of democracy, the people took some care not to let themselves be governed by the more infantile and irrational arts of themselves.

I have, it may be noticed, uttered that dreadful word, "censorship." And I am not about to back away from it. If you think pornography and/or obscenity is a serious problem, you have to go even further and say that if you want to prevent pornography and/or obscenity from becoming a problem, you have to be for censorship. And lest there be any misunderstanding as to what I am saying, I'll put it as bluntly as possible: if you care for the quality of life in our American democracy, then you have to be for censorship.

But can a liberal be for censorship? Unless one assumes that being a liberal *must* mean being indifferent to the quality of American life, then the answer has to be: yes, a liberal can be for censorship—but he ought to favor a liberal form of censorship.

Is that a contradiction in terms? I don't think so. We have no problem in contrasting repressive laws governing alcohol and drugs and tobacco with laws regulating (i.e., discouraging the sale of) alcohol and drugs and tobacco. Laws encouraging temperance are not the same thing as laws that have as their goal prohibition or abolition. We have not made the smoking of cigarettes a criminal offense. We have, however, and with good liberal conscience, prohibited cigarette advertising on television, and may yet, again with good liberal conscience, prohibit it in newspapers and magazines. The idea of restricting individual freedom, in a liberal way, is not at all unfamiliar to us.

I therefore see no reason why we should not be able to distinguish repressive censorship from liberal censorship of the written and spoken word. In Britain, until a few years ago, you could perform almost any play you wished—but certain plays, judged to be obscene, had to be performed in private theatrical clubs which were deemed to have a "serious" interest in theater. In the U.S., all of us who grew up using public libraries are familiar with the circumstances under which certain books could be circulated only to adults, while still other books had to be read in the library reading room, under the librarian's skeptical eye. In both cases, a small minority that was willing to make a serious effort to see an obscene play or read an obscene book could do so. But the impact of obscenity was circumscribed and the quality of public life was only marginally affected. It is fairly predictable that some one is going to object that this point of view is "elitist"—that, under a system of liberal censorship, the rich will have privileged access to pornography and obscenity. Yes, of course they will—just as, at present, the rich have privileged access to heroin if they want it. But one would have to be an egalitarian maniac to object to this state of affairs on the grounds of equality.

I am not saying it is easy in practice to sustain a distinction between liberal and repressive censorship, especially in the public realm of a democracy, where popular opinion is so vulnerable to demagoguery. Moreover, an acceptable system of liberal censorship is likely to be exceedingly difficult to devise in the United States today, because our educated classes, upon whose judgment a liberal censorship must rest, are so convinced that there is no such thing as a problem of obscenity, or even that there is no such thing as obscenity at all. But, to counterbalance this, there is the further, fortunate truth that the tolerable margin for error is quite large, and single mistakes or single injustices are not all that important.

This possibility, of course, occasions much distress among artists and academics. It is a fact, one that cannot and should not be denied, that any system of censorship is bound, upon occasion, to treat unjustly a particular work of art—to find pornography where there is only gentle eroticism, to find obscenity where none really exists, or to find both where its existence ought to be tolerated because it serves a larger moral purpose. Though most works of art are not obscene, and though most obscenity has nothing to do with art, there are some few works of art that are, at least in part, pornographic and/or obscene. There are also some few works of art that are in the special category of the comic-ironic "bawdy" (Boccaccio, Rabelais). It is such works of art that are likely to suffer at the hands of the censor. That is the price one has to be prepared to pay for censorship—even liberal censorship.

But just how high is this price? If you believe, as so many artists seem to believe today, that art is the only sacrosanct activity in our profane and vulgar world—that any man who designates himself an artist thereby acquires a sacred office—then obviously censorship is an intolerable form of sacrilege. But for those of us who do not subscribe to this religion of art, the costs of censorship do not seem so high at all.

If you look at the history of American or English literature, there is precious little damage you can point to as a consequence of the censorship that prevailed throughout most of that history. Very few works of literature—of real literary merit, I mean—ever were suppressed; and those that were, were not suppressed for long. Nor have I noticed, now that censorship of the written word has to all intents and purposes ceased in this country, that hitherto suppressed or repressed masterpieces are flooding the market. Yes, we can now read "Fanny Hill" and the Marquis de Sade. Or, to be more exact, we can now openly purchase them, since many people were able to read them even though they were publicly banned, which is as it should be under a liberal censorship. So how much have literature and the arts gained from the fact that we can all now buy them over the counter, that, indeed, we are all now encouraged to buy them over the counter? They have not gained much that I can see.

And one might also ask a question that is almost never raised: how much has literature lost from the fact that everything is now permitted? It has lost quite a bit, I should say. In a free market, Gresham's Law can work for books or theater as efficiently as it does for coinage—driving out the good, establishing the debased. The cultural market in the United States today is being preempted by dirty books, dirty movies, dirty theater. A pornographic novel has a far better chance of being published today than a non-pornographic one, and quite a few pretty good novels are not being published at all simply because they are not pornographic, and are therefore less likely to sell. Our cultural condition has not improved as a result of the new freedom. American cultural life wasn't much to brag about 20 years ago; today one feels ashamed for it.

Just one last point which I dare not leave untouched. If we start censoring pornographic or obscenity, shall we not inevitably end up censoring political opinion? A lot of people seem to think this would be the case—which only shows the power of doctrinaire thinking over reality. We had censorship of pornography and obscenity for 150 years, until almost yesterday, and I am not aware that freedom of opinion in this country was in any way diminished as a consequence of this fact. Fortunately for those of us who are liberal, freedom is not indivisible. If it were, the case for liberalism would be indistinguishable from the case for anarchy; and they are two very different things.

But I must repeat and emphasize: what kind of laws we pass governing pornography and obscenity, what kind of censorship—or since we are still a Federal nation—what kinds of censorship we institute in our vari-

ous localities may indeed be difficult matters to cope with; nevertheless the real issue is one of principle. I myself subscribe to a liberal view of the enforcement problem: I think that pornography should be illegal and available to anyone who wants it so badly as to make a pretty strenuous effort to get it. We have lived with under-the-counter pornography for centuries now, in a fairly comfortable way. But the issue of principle, of whether it should be over or under the counter, has to be settled before we can reflect on the advantages or disadvantages of alternative modes of censorship. I think the settlement we are living under now, in which obscenity and democracy are regarded as equals is wrong; I believe it is inherently unstable; I think it will, in the long run, be incompatible with any authentic concern for the quality of life in our democracy.

TORRANCE WOMAN'S CLUB CHALKS UP HALF A CENTURY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ANDERSON of California. Mr. Speaker, last month, the Torrance Woman's Club celebrated its 50th anniversary as a service organization dedicated to improving their community with the advancement of general culture, civic betterment, and social welfare.

Throughout its 50-year history, the Woman's Club has brought great pride to the city of Torrance for its numerous achievements and for its activities in behalf of those who were in need. All of us in the South Bay area admire the deeds which this organization has accomplished and I would like to share with my colleagues the following article from the Torrance Press-Herald, written by Edna Cloyd, which recounts the efforts of the Torrance Woman's Club over the years:

TORRANCE WOMAN'S CLUB CHALKS UP HALF A CENTURY

There's nothing new under the sun. The Torrance Woman's Club attests to the truth in this old adage.

The hoopla of today's Women's Liberation Movement only brings smiles to the faces of these clubwomen. They've been liberated for years.

It was 50 years ago this month that their club was formed—a determined group of women dedicated to improving their community with the advancement of general culture, civic betterment and social welfare—all within the system.

Their scope of interest was not limited to "their own backyard". They saw need around the world. Yellowed pages of minutes show their first international project was "near East Relief." This was in 1922.

In 1932, records show, the clubwomen took a stand on the conditions of the women's quarters at the San Quentin prison. They adopted a resolution which was sent to the governor requesting the women prisoners be sent to the Industrial Farm at Sonoma and that the farm be properly safeguarded and developed. They also urged the appointment of a woman to the State Prison Board.

Torrance Woman's Club emerged from the Vista Highlands Neighborhood Club organized March 19, 1921 by a group of women living in Vista Highlands, the area bounded by Torrance Blvd. on the south and extending west from Cedar St. (Crenshaw Blvd.). The sewing club met at the home of Mrs. W. H. Gilbert and elected Mrs. C. W. Stock as its first president.

They also opened their first bank account at the First National Bank depositing $4.95.

Shortly after this membership was opened to all interested women and from Torrance proper came many new members. The club's name was changed to Torrance Woman's Club and the group affiliated with the Federation of Woman's Clubs. By the end of the first year there were 100 members.

Organized a year before Torrance was incorporated as a municipality, the club added the woman's touch to the incorporation. The tattered flag furnished by the county was discarded and a new American Flag to be flown over their city was bought for $10.50 by the new club.

Meeting in church halls, school auditoriums or any place available, the members at their meeting Nov. 20, 1922 decided to establish a building fund for a clubhouse. Into the fund went $150 of their $171 bank account and years of money raising events began.

During the presidency of Mrs. John Young, 1923–24 their building site, a 58x140 ft. lot on Engracia Ave. was bought for $2,515.

The 194 members, directed by Mrs. J. M. Fitzhugh 1924-25 decided to finance the building by incorporating and selling stock at $10 a share. Stockholders elected J. W. Post, president, George Neill, vice president and W. Harold Kingsley, secretary-treasurer. Directors were Isabel T. Henderson and Mrs. Hurum Reeve. Business men of Torrance donated $2400 Oct. 10, 1924. A campaign began to raise $10,000 with a series of entertainments at the high school auditorium and fashion shows by Von Andles Specialty Shop and Sam Levy Dept. Store.

Groundbreaking for the new $17,500 clubhouse took place June 15, 1925 with Mrs. Fitzhugh turning the first shovel.

The club obtained a mortgage for $7,500 at 7 percent after Brian K. Welch disposed of $5,000 in stock among his friends and the family of Jared Sidney Torrance.

Torrance firms furnishing materials for the building were Columbia Steel, Ebys Dry Goods, Haynes Lumber, Huddlesston Furniture, Rappaports, Reeve Hardware, Rossman Lumber Co., Smith and Kesler Tile Roofing, Torrance Brick, Torrance Electric, Torrance Plumbing, Torrance Machine Co. and Torrance Wallpaper and Paint Co.

The club, totaling 225 members held its first meeting in the new clubhouse Oct. 8, 1925 with Mrs. F. L. Parks presiding.

With a mortgage to pay off, the ways and means chairmanship was of vital importance. Mrs. Dorothy Jamieson assumed this spot under the presidencies of Mrs. J. S. Lancaster and Mrs. J. A. Stone, 1926–27.

There were minstrel shows, plays, bazaars, dances and lectures. One speaker's topic was "Why the Radio Is a Real Service."

In February 1932 when Mrs. Caroline Collins was president, Torrance Woman's Club was hostess to 800 women of the President's Council of California Federation of Los Angeles District. This was the largest gathering ever held in Torrance. Business sessions were held in the Torrance High auditorium and the guests were divided into groups for luncheons served at the Woman's Club, Methodist Church, Legion hall and other spaces around town.

Working with the Veteran Relief Agency and supporting a Mothers Education Center were the main projects during 1932–34, Mrs. W. J. Neelands, president.

It was during this year that Mrs. C. T. Rippy, club treasurer, announced "Despite the depression we have met our mortgage payments and we have also gained 25 new members."

During the presidencies of Mrs. A. W. Johnson 1935–36, Mrs. M. J. Beale 1936–37 and Mrs. H. C. Barrington 1937–39, the club continued to raise money staging a Costume Ball at the Hollywood Riviera clubhouse, a musical comedy at the Civic auditorium and sponsored authors and speakers on current issues. A radio commntator told his audience that he was "loathe to believe television would ever be so popular as to replace motion pictures."

In 1939, when Mrs. H. C. Barrington was president, Torrance was again spotlighted when the Club was hostess to 1,000 delegates attending the district convention.

Directed by Mrs. A. H. Silligo in 1939–40 the club too action to get bus routes in Torrance by notifying the City Council of its approval of the Asbury Rapid Transit System application.

Social meetings with husbands as guests was approved for the first time during the presidency of Mrs. E. A. Miles, 1939–40.

During the club years 1941 to 1943, when Mrs. C. B. Mitchell was president, night meetings were necessitated as many members were involved in war work.

The Junior Woman's Club came into being in 1941. Mrs. Dean Sears headed the committee to organize Torrance young women between 18 and 35 years.

The Club also contributed to the Kiwanis Club's fund for an ambulance.

In the World War II years of 1943–44, Torrance Woman's Club members sold $3,058 war bonds. They also rented their clubhouse to the USO which assumed all financial and upkeep responsibilities.

Humanitarian issues filled the club years 1944–46 under the leadership of Mrs. R. R. Smith. A seeing eye dog was purchased for the blind and juvenile delinquency and proper nutrition came under study.

In 1946, the Torrance Woman's Club's long standing mortgage was paid off and there was a mortgage burning ceremony.

Out from under its financial burden, the club turned its attention to other needs in the area. Money raised from its participation in the city's Fourth of July Jubilee in 1946 when Mrs. Margaret Jones was president, went to purchase an incubator for Torrance Memorial Hospital.

From 1947 to 1949, Mrs. W. I. Laughon served as president. During these years the club supported Juvenile Hall, purchased an audiometer for Torrance schools and contributed to the National Polio Foundation Fund.

The club bought vitamins for children at Torrance Elementary school during the 1949–50 years, Mrs. S. V. Raus and Mrs. Dean Sears, presidents. Club members also served as chaperone for the Teenager dances held once a week.

A donation of $100 to the Dr. W. I. Laughon Memorial Fund to be used to purchase hospital equipment was made by the club during the presidency of Mrs. B. T. Whitney 1949–50. The club also continued its sponsorship of Leonard Sen, Indian child through Save the Children Foundation.

Mrs. B. W. Roberts, president 1951–52, presented a check for $768 from the club to the YWCA for furnishings for the new building. Supporting legislation for the enforcement of severe penalties for selling narcotics to children was the highlight of the presidency of Mrs. A. F. R. Ewalt 1952–53.

The club received Silver Candle award for $500 donation to Sister Kenny Foundation 1953–54, Mrs. Grover Van Deventer president.

Mrs. Richard Rogers served as club president 1954–55 when permission was granted for the clubhouse to be used for an Adult Education Class. During the term of Mrs. H. L. Mitchell 1955–56 the club supported the establishment of a Municipal Court in Torrance and donated $50 to the Torrance Dental Health Association.

Torrance Woman's Club endorsed the city for the All American City Award during the presidency of Mrs. Lee McCoy, 1956–57. Mrs. McCoy was named "Outstanding Woman of

the Year" by the Torrance Chamber of Commerce.

Community achievement Award, given by Sears, was won by the club in 1957–58, Mrs. R. E. Moffitt president. A donation of $50 to the Torrance float for the Tournament of Roses was also made.

City beautification highlighted the 1958–59 year, Mrs. Don Wolf president. The club donated 79 oleander trees to be planted along Torrance Blvd. west of Crenshaw. That year the club assisted the Chamber of Commerce at the mobile x-ray unit and donated toward the purchase of a heart machine for Harbor General Hospital.

During the term of Mrs. John Thuss 1959–60, Mrs. Victor Benstead won first place for the club in the Marina District Garden Show. Mrs. Mark Wright, another club member, was honored by the National PTA with a life membership. Mrs. Wright helped create the Torrance School system in 1947 and served as president of the Board of Education.

A Diabetes Detection Drive was sponsored by the Woman's Club during the presidency of Mrs. Roy Apsey 1960–61 and the group supported the Chamber of Commerce in its Powder Puff Derby promotion.

A Braille typewriter was donated to the Junior Blind Foundation while Mrs. Leondrus Stamps was president and during Mrs. Joseph Bay's term 1961–62 members participated in a talent show to raise money for a recreation building in Victor Park.

Fireplace equipment to Torrance Scout Center, $500 to YMCA building fund, $100 to American Field Service and a wheel chair for a young girl were contributions during 1963–64, Mrs. J. G. Louvier president.

Retarded children received the club's attention in 1964–65. Mrs. Andrew Acamporta president. A Friendship party was given for the Southwest Association for Retarded Children as well as a $100 donation.

Scholarships for high school students as well as nursing scholarships were goals during the terms of Mrs. H. F. Heinlein 1965–66 and Mrs. Ted Olson 1966–67.

When Mrs. R. E. Moffitt assumed the presidency for the second time 1968–69, full attention was focused on Southwest Association for Retarded Children. The club, joined by the Juniors, compiled a cookbook. Sales from the project $1,000 went to the Retarded Children.

Club members joined the Junior Club in staffing the California Youth Employment Service during 1968–69, Mrs. Robert Winship president. The two clubs also donated telephone service for the CATHY organization and served as volunteers to the group seeking homes for youngsters.

Financial aid to the Pueblo area of Torrance was a goal during the presidency of Mrs. Richard Dorothy 1968–69. During her term the clubhouse was also remodeled.

Today at its clubhouse, this 50 years old organization, led by Mrs. Richard Rankin, will take time out from its work to better the community to celebrate its birthday at a potluck luncheon.

Past presidents will be honored and many long time residents and former club members have been invited. Special guests will be Mrs. C. W. Stock of Long Beach, the club's first president, and Mrs. C. T. Rippy, charter member.

The Drama Section, directed by Mrs. Douglas Hedde, will present a skit on the history of the club.

It will be a day of reminiscing as these women look back with pride to years of achievement, enjoy long standing friendships and welcome newer residents.

For they have set the pattern for women interested in a better world by "putting into action our better impulses, straight-forward and unafraid."

CAPITULATION: A PREPOSTEROUS VIETNAM SOLUTION

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BOLLING. Mr. Speaker, the following article by Crosby S. Noyes which appeared in the Washington Star of March 25, is particularly timely in view of the action on the Vietnam resolution in the Democratic caucus on March 31.

CAPITULATION: A PREPOSTEROUS VIETNAM SOLUTION

(By Crosby S. Noyes)

Perhaps I overstated the case. President Nixon is not doing everything that his critics want him to do in withdrawing from Vietnam. He still is refusing to comply with the rest of the critics' demands and negotiate a surrender at the Paris peace talks.

From the outset of the Paris talks, the Communists have pursued two objectives with great persistence. They have demanded the unconditional withdrawal of all American and other allied forces from South Vietnam. They also have demanded that the Americans, before leaving, should engineer a replacement of the regime in Saigon by another, "broadly based" coalition in which their interests would be strongly represented.

Nixon, it seems, is now committed to complying with the first of these conditions. The probability is that, barring some kind of unforeseen reversal, American forces will be substantially withdrawn from South Vietnam by the middle of next year. It is to be expected that Korean, Thai and Australian contingents will leave at a proportional rate.

But the assumptions on which this withdrawal is being made are quite different from those of the Communists in Paris. Their thesis all along has been that the resistance to their plans for a takeover in South Vietnam has been very largely an American affair.

Never mind that from the departure of the French in 1954 to the arrival of American fighting units in 1965, resistance to a Communist takeover was very largely up to the South Vietnamese themselves. The essential Communist dogma is that, without American support, South Vietnam would quickly fall into their hands.

The calculation of the Nixon administration is exactly the contrary. It holds that the essential objectives of the intervention in Vietnam have, in fact, been accomplished. Not only has the military prognosis been reversed in South Vietnam; the military and political tide has turned in all of Indochina.

Today, from Indonesia to Thailand, the Communists have been routed or thrown on the defensive. Cambodia and Laos will remain precarious for a long time to come. But South Vietnam—the essential objective of the leaders in Hanoi and Peking—can more than hold its own against any military pressures that the North can bring to bear against it.

It can, that is, unless President Nixon were to be foolish enough to comply with the second of the demands of the Communists in Paris and destroy the government in Saigon. And curiously enough, that is exactly what Nixon's liberal critics are now insisting that he should do.

Knocking the government in Saigon is, of course, one of the favorite pastimes of the anti-war contingent. It goes back to the days of Ngo Dinh Diem, when the Kennedy administration involved itself in a brutal effort at government reform with disastrous results.

Today the critics delight in cataloguing all of the fairly obvious shortcomings of the Thieu-Ky regime, citing everything from its failure to curb the black market in Saigon to the suppression of the civil rights of its political enemies. Though Thieu is the constitutionally elected president of the country and rules with the concurrence of a national assembly which is anything but a shadow legislature, the standard argument is that his is a repressive military dictatorship, representative of nothing except American interests.

All this, to be sure, is quite beside the point. The critics, in calling for the departure of Thieu, do not suggest that the men who should replace him will be more democratic or representative of the people of South Vietnam. The essential qualification is that they should be less determined to resist a Communist takeover of the country. If a group of men could be found to take power who were acceptable to the leaders in Hanoi, the American liberals would begin to see the light at the end of the tunnel.

This, as they see it, is the essential precondition to a negotiated settlement of the war and the release of American prisoners held by Hanoi. The alternative, they argue, is an indefinite prolongation of the conflict, with a continued, though much reduced, American involvement.

And here, of course, they are right. Unless there is a complete capitulation to the Communists' demands, it is quite likely that fighting will go on in Indochina for a long time to come. It is also true that negotiating the release of the American war prisoners remains the single most difficult problem that confronts the administration.

But capitulation is a preposterous solution to the problem. It would destroy everything that has been accomplished in 17 years of cruel effort by the South Vietnamese, untold billions of dollars and 45,000 American lives. And that is a price which this administration most certainly is unwilling to pay.

TV CREDIBILITY GAP

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BROWN of Michigan. Mr. Speaker, I call the attention of my colleagues to a recent editorial in the Detroit News critical of network television entitled "TV's Credibility Gap." The newspaper commented that Vice President AGNEW was "restrained, indeed charitable, when he charged CBS with distorting the facts and making propaganda in its recent so-called documentary on the Pentagon."

Commented the News:

TV constantly criticizes the "credibility gap" in government but obviously suffers a credibility gap of its own.

The full text of the editorial follows:

WHAT AGNEW SEES ON CBS: TV'S CREDIBILITY GAP

Although CBS cries "foul" in a voice edged with pain, the truth is that Vice-President Agnew was restrained, indeed charitable, last week when he charged CBS with distorting facts and making propaganda in its recent so-called documentary on the Pentagon.

In "The Selling of the Pentagon," CBS pictured the Defense Department as a secretive, runaway, unethical bureaucracy. As it turns out, the pot was calling the kettle black.

The vice-president confined himself to making a general charge. Had he wanted to give CBS genuine cause for pain, he might have mentioned the factual errors and dis-

tortions detected by Dan Henkin, a Pentagon assistant secretary for public affairs.

Henkin in a recent letter to the House Armed Services Committee noted that the CBS "documentary" had taken out of context a film sequence which seemed to show a military officer making a foreign policy statement. In truth, the officer was reading a quotation from the prime minister of Laos.

Another segment of film showed Jerry Friedheim, a Pentagon spokesman, answering "No comment" three times to questions by reporters. Hinting dark things, CBS observed that Friedheim does not tell all he knows and "wouldn't have his job long if he did."

CBS failed to tell its viewers that in the briefing from which the film was taken, Friedheim had made nine announcements and given answers to about 35 questions. The questions he left unanswered could not have been answered without violating federal law and disclosing information connected with national security.

TV constantly criticizes the "credibility gap" in government but obviously suffers a credibility gap of its own.

Perhaps there should be a CBS TV documentary on deceptive devices that have been used on TV—shaving cream in the whipped cream commercials, marbles that give body to the ingredients in the soup commercials, distorted and out-of-context film segments offered as "proof" of evil in the Pentagon.

It would make a most interesting show. But who could be trusted to produce it?

GUN CONTROL LAW

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BROOMFIELD. Mr. Speaker, for too long gun control legislation has waited for the resolution of the conflict between the legitimate right of the citizens to bear arms and the need of society to prevent crime. Most of the attention in this area—indeed, a mountain of inconclusive debate—has been directed toward regulating the ownership of firearms, a measure of still uncertain value.

Meanwhile, I fear we have ignored another, less controversial area, but still one of primary concern to the fight against crime; specifically, action that would penalize those who abuse their right to bear arms. For this reason, I am introducing today a bill that would make the use of firearms to commit a felony a Federal crime. This measure deserves our immediate consideration.

My proposal would add a second penalty to that prescribed for the felony, as long as the use of the firearm in the crime was a violation of State law. This extra sentence would run from 1 to 10 years, while a second conviction under the law would bring another 25 years imprisonment. Further, under the terms of my bill, the second offender would be denied any chance for a suspended or probationary sentence.

It is long past time that the Congress made clear its abhorrence of the misuse of deadly weapons. If we can just deter a few criminals from using firearms, we may find the incidence of useless killings vastly decreased. Too many deaths occur every year, Mr. Speaker, only because a weapon was handy.

WOMEN AND POLITICAL PARTIES: THE LEGAL DIMENSION OF DISCRIMINATION

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mrs. GRIFFITHS. Mr. Speaker, sex discrimination pervades the institutions of our society, and political parties have not escaped its curse. At this time I would like to insert in the RECORD an excellent analysis of present discrimination against women in American political parties, written by Phyllis N. Segal of the Georgetown University Law Center:

WOMEN AND POLITICAL PARTIES: THE LEGAL DIMENSION OF DISCRIMINATION

(By Phyllis N. Segal)

INTRODUCTION

When women won the vote in 1920, Carrie Chapman Catt advised that "the only way to get things done is to get them done on the inside of a political party. . . . You won't be welcome, but there is the place to go."[1] Women were not welcome in the political parties then, and the 19th Amendment notwithstanding, they are not welcome as equals today.

The underlying thesis of this paper is that Catt's analysis was right: the passage of the 19th Amendment was not sufficient in itself to insure women a proper voice in public policy; the right to vote is hollow without the right to meaningful participation in the decision making process of the political parties.

Since their inception in the early years of the 19th century, political parties have served as the vehicles through which candidates are presented to the public for evaluation and decision. This virtual monopoly in the translation of ideas into public policy makes influence in the political parties one of the most important ways to implement the spirit of the 19th Amendment.

If women are to be successful in changing this society into one which more closely resembles their ideals, it is crucial to explore ways to open up the political parties for their participation. Through an analysis of the structure of major party organizations as they exist today, ways to democratize that structure can hopefully be found. Such is the purpose of this paper.

One caveat is necessary at the outset. This paper does not deal with that whole subtle—and not so subtle—pattern of discrimination against women in political parties which exists independent from, or as the result of, the legal system.

In the preparation of the paper several ideas came to mind about this matter. The role of women in political parties is certainly affected by the fact that there are only 12 U.S. Congressmen, 1 U.S. Senator and 163 out of 4,445 Democratic state legislators[2] who are female. The absence of female role models in government will make a woman's perspective on what she can get out of political parties different from ambitious men who frequently see parties as vehicles in their personal quest for public office. Furthermore, the extreme underrepresentation of women in public office must depress the sense of political efficacy of all female citizens.

Regardless of whether the underrepresentation of women in public office is the cause or the result of discrimination in political parties, the fact remains that the traditional party role of women is confined to dealing with other women and to physical work. Rep. Shirley Chisholm, who spent 10 years in New York City ward politics before attaining public office, has described her experience: "Starting as a cigar box decorator, I had compiled voter lists, carried petitions, rung doorbells, manned the telephone, stuffed envelopes and helped other people get elected."[3]

Among the party elite subtle practices serve to reinforce the second-class citizenship. The Democratic National Committee provides a chauffered limousine for its Chairman and Treasurer—invariably males—while the female Vice-Chairman apparently must walk to work. In New York City, the female district leader is almost without exception considered the "co-leader", while the male is called the "leader", even though state law and party rule make no such sexual classification.[4] An intensive analysis of the Republican and Democratic delegations to the 1964 National Conventions found that men made the speeches, managed the campaigns, and ran for public office themselves, while the women were contacting the voters and distributing the literature.[5]

Any women active in political parties can add her own stories of discrimination. This paper will not be an accounting of the humiliations women suffer in their day-to-day political dealings. Nevertheless, the human dimension should not be forgotten as one evaluates the legal context of inequality.

I. THE RECORD OF INEQUALITY

It is not difficult to document the domination of men in the political process.[6] A look at the leadership ranks of the two major parties[7] shows a virtual absence of women: out of 108 state and territorial Democratic and Republican parties,[8] only two are chaired by females.[9] Neither the Democratic nor Republican National Committees has ever had a female national chairman, treasurer, or legal counsel. And there has never been a temporary or permanent chair-woman in the history of either party's national conventions. It was not until 1944 that a woman even served as Secretary of a national convention; in that year Democrats selected women as their Secretary and as their Assistant Chairman.

Delegate positions at the national conventions are also among the political offices that remain beyond the reach of women. In 1968, only 13% of the Democratic delegates in Chicago were women; and women conprised only 17% of the delegates at the G.O.P. National Convention. Only one of the 108 delegations was chaired by a woman: Rep. Edith Green leading the Democratic delegation from Oregon.

A closer look at the individual delegations in 1968 reveals no Republican women at all representing New Hampshire, West Virginia or the Virgin Islands. Four Democratic delegations included only one female delegate within their ranks—the National Committeewoman, who by convention rule was an automatic delegate.[10] In Alabama, of the 48 delegates at the Democratic National Convention (excluding the Committeewoman and Committeeman), only 1 was a female. In Illinois, only 8 of the 118 Democratic delegates were women; in Indiana, only 4 of 68.

Only 2 states approached a representative proportion of women on their Democratic delegations in 1968: Florida with 44%, and the Canal Zone with 50% (of a delegation of 8). In Florida, equal division of delegate positions between men and women is required by state statute, FLA. LAWS ANN. 103.111 (1960), infra.

Even those few women who made it to their party's last national nominating convention were not guaranteed full participation in the process. First, there was the

Footnotes at end of article.

under-representation of women on the Standing Committees of the Convention—Platform, Rules, Credentials and Permanent Organization. Despite the fact that regulations of both parties require the participation of one woman from each delegation on each of the 4 committees,[11] 22 Republican delegations and 13 Democratic delegations, did not include the four women necessary to represent them. The rules do not allow one woman to serve on more than one committee.[12]

Second, there was a widespread policy of compensating for the underrepresentation of women delegates by assigning a larger number of women to alternate (non-voting) status. These positions are not included in the delegate counts previously cited. In the Maryland delegation at the 1968 Democratic National Convention, for example, there were 2 women delegates and 8 women alternates. In the Pennsylvania Democratic delegation, women comprised only 9% of the delegates, but 20% of the alternates. The Wisconsin Republican Party sent a delegation to Miami composed of 4 women delegates (13%) and 12 women alternates (40%).

Third, at the Democratic Convention, a rule which authorizes fractional votes[13] was used in several cases to dilute the strength of even those women who had voting status. In Ohio, for example, of the 7 women delegates sent to the convention (representing 6% of the delegates), 5 were accorded half-votes. In Louisiana, of the 4 women delegates (representing 8% of the delegation), 3 had only half-votes.

The domination of men in the political process is even perpetuated by those groups which claim to be making the process more representative. The Democrats' Commission on Party Structure and Delegate Selection (the McGovern Commission), mandated by the 1968 Democratic National Convention to "assure broader citizen participation in the delegate selection process,"[14] has only 3 women members, out of a total of 28 (or 11%, an even smaller proportion than at the Convention). The companion Democratic Rules Commission, formed to democratize the convention procedures, has only 5 women, representing 18% of the membership. Louisiana's Democratic Party Reform Commission has disregarded women entirely—not one of the 8 members is a female.

And this just touches the surface; an analysis of women in county and district party organizations and conventions would reveal a similar pattern of underrepresentation in decision making positions. On all levels of the political process, women play subordinate roles if they are represented at all. Consequently, women are not exerting proportional influence in determining who will run for office, and what policies the political parties will bring to government.

Is it mere chance that so few women are counted among the leadership ranks of the political parties? Could the figures possibly be accurate reflections of merit and capability? Of course not. Neither chance nor measure of talent could create such a *consistent* picture of male domination.

II. A THEORETICAL EQUALITY

The record of male domination in the two major political parties is inconsistent with the theoretical equality between men and women that has been written into many state laws and party rules governing the political process.

At the national level, the governing bodies of the Republican and Democratic parties—the National Committees—are composed of one man and one woman from each jurisdiction entitled to representation.[15] The Democratic National Committee's (DNC) Executive Committee is further required to include an equal number of male and female members (in addition to the National Chairman, who without exception has been a man).[16]

Similarly, in many states, party rules and/or state laws provide for the equal representation of men and women at each level of party organization. In at least one state, this is constitutionally recognized: the New York State Constitution provides that any political party may by rule require equal representaiton of the sexes on any committee of the party. N.Y. CONST. art. 13, § 1.

In most states, the basic unit of political party organization—e.g. the precinct, ward, town or voting district—is required to elect an equal number of committee*men* and committee*women* to operate the organization and represent it at the county level. In Colorado, for example, state law requires the selection of one committeeman and one committeewoman from each election precinct; such representatives from all precincts within a county then constitute the membership of the County Central Committee. COLO. REV. STAT. 49.5.8. (1953).[17] This is required by Democratic Party Rule in North Carolina.[18]

In addition to having equal representation on the county committees (because of the equal number of male and female precinct officers), some states have built into law or party rule an equal opportunity for men and women to be chosen for leadership positions. In Oregon, state law requires the County Committee to elect a Chairman and Vice-Chairman, "one of whom shall be a woman". ORE. REV. STAT. 248.035 (1961).[19] In Oklahoma, Democratic Party Rules require that the County Chairman and Co-Chairman be of opposite sexes.[20]

Where such a system of equal representation and/or equal opportunity for leadership positions is provided for in one unit of organization, it is often carried through to all levels. Thus the legislative, congressional, senatorial and judicial district committees in Missouri will have a membersihp divided equally between male and female representatives. MO. STAT. ANNO. 120.810.[21]

The state party's parent organization—variously called the State Central Committee, State Executive Committee or State Committee—may also be required to have an equal number of male and female representatives from each district. The Republican Party of Washington instructs that "[t]he State Committee*man* and the State Committee*woman* elected by each Republican County Central Committee in the State shall constitute the membership of the Republican State Central Committee." (emphasis added).[22] This may also be required by statute as, for example, in Oregon. OREG. REV. STAT. 248.075 (1961).[23]

In some states, the officers of the State Committee are required by rule or statute to be divided equally between men and women. In Washington, for example, the State Committees are required by statute to choose a Chairman and Vice-Chairman "who must be of opposite sexes." WASH. STAT. 29.42.020 (1965).[24] In Colorado, state law provides that the chairman and vice chairman "may be" of opposite sexes. COLO. REV. STAT. 49.5.8.2(c) (1953). The by-laws of the state party may similarly require that the chairman and vice-(or co-) chairman of the State Committee must include one woman, as in the New York Democratic party Rules.[25]

In addition to the state laws and party rules regulating party structure, there are statutes and rules that require equal representation of men and women in the delegate selection process. In Florida, a unique state law requires that an equal number of male and female delegates to the national convention be chosen by each party:[26]

> Each political party . . . shall elect . . . the delegates of said party to the National Convention, one man and one woman from each congressional district and the remaining delegates . . . from the state-at-large, one-half men and one-half women. FLA. STAT. ANNO. 103.101 (1960).

A similar regulation has been proposed by the Democratic Reform Commission of Oklahoma as a new Democratic party rule.[27]

The regulations governing the national conventions of both parties include a system of assigning an equal number of male and female delegates to serve on each of the standing committees—Platform, Credentials, Rules and Permanent Organization. A male delegate may not serve in lieu of a woman, and in the Republican Party a woman may not serve on more than one committee.[28]

Statutes and rules such as these have created a theoretical equality between men and women as members of party committees, and equal opportunity for them to become party officers. Political parties that are not regulated in this way may be governed by laws and rules which make no reference at all to sex, providing for committees and officers without regard to who fills the positions.[29] This could be interpreted as implying a presumption of equality, and it is possible to describe such parties as theoretically "sex-blind."

In these ways, the political process is being regulated to promote equality between men and women. Whether sex-blind provisions, required equal representation on party committees, or equal opportunities for political office make a party more open to meaningful participation by women in fact is of course a different question.

III. DISCRIMINATORY RULES

Inequality between men and women in the political parties is perpetuated in several ways—both with and without the assistance of the legal system of party rules. In this section, the ways in which party rules contribute to discrimination against women will be discussed.

A. Party rules inconsistent with the theoretical equality promoted in statutes and other rules

In Missouri, where state law requires the election of committeemen and committeewomen by the ward and township political organizations,[30] the major function at the ward and township level is the caucus. Such meetings are the first step in the party's delegate selection process and in the conduct of all party business. A rule about to be adopted by the Missouri Democratic Party provides that the committeeman shall act as temporary chairman of the ward and township caucus, and the committeewoman shall serve as temporary secretary.[31] Accordingly, while the committeeman gavels the meeting to order, determines the temporary rules of the caucus, sometimes chooses the nominating committee and otherwise exercises his influence over the deliberations, the committeewoman is doing whatever secretaries are supposed to do. This rule—recommended by the party's Reform Commission—translates an implied equality between two representatives elected in the same way and with the same title-prefix, into the subordination of one into a secretarial role, while the other becomes the decision maker. The rule requires that the subordinated committee-representative must always be the committeewoman.

Again in Missouri, where state law instructs that the Chairman and Vice-Chairman of both the County and State Central Committees must be of opposite sexes,[32] the proposed Democratic Party Rules go on to imply that the second post should always be filled by a woman, with the Chairmanship, therefore, then going to a man. The Rules define the duties of Vice-Chairman on both the county and state level as primarily involving supervision of the organizations of Democratic Women Voters.[33] While it is of course conceivable that a male vice-chairman

Footnotes at end of article.

could be in charge of the woman's organization, such an intention is far from likely, and such practice is never found.

The Oklahoma Democratic Party, which requires that the co-chairman be a woman only if the chairman is a man,[34] includes in the duties of the co-chairman the proviso that "in the event that the state co-chairman is a woman, she shall have full control over all women's organizations." [35] While this suggests a more open opportunity structure, there is no provision in the rules for a leader of the women's organizations in the event that the co-chairman is a man! Once again, therefore, this represents an implicit assignment of the second post to the woman, despite a theoretical equal opportunity for leadership positions.[36]

In Colorado, where the state law recognizes that the chairman and vice-chairman of the State Committee "may be" of opposite sexes,[37] and the Democratic Party rules require this,[38] the rules go on to undermine the notion of equal opportunity. The Democrats have defined the work of the state vice-chairman as including the coordination of the county vice-chairwomen and precinct committeewomen.[39] And, more explicitly, the rules consistently refer to the vice-chairman with the pronoun "she". Clearly, the vice-chairman is supposed to be a woman; the chairman, by elimination, is required to be a man.

Two of the states studied do not, on the face of their rules, distort the equality mandated by state law.[40] The Democratic Parties of Oregon and Florida do not define the functions of their chairman and vice-chairmen so as to implicitly assign the offices to a specific sex. Both men and women therefore have an equal opportunity to be chosen for either leadership position. It is interesting to note that Oregon's Democratic Party is currently the only one headed by a female chairman; Florida's Democratic State Chairman for most of last year (under succession rules) was also a woman.

B. Mandate for inequality: Party rules

In jurisdictions where statutes and/or party rules do not require equal representation or equal leadership opportunities in levels of party organization, there may be a mandate for male domination within the party rules. In Pennsylvania, for example, instead of calling for the officers of the State Committee to be of opposite sexes, the Republican Party rules require that "the Chairman and Treasurer of the Republican State Committee shall be men, the Vice-Chairman and Assistant Secretary . . . shall be women. . . ." [41]

In other states, the officers of the county and/or state committees include a Vice-Chairwoman, either as the only second officer,[42] or among other vice-chairmen [43] thus reducing the status of the one "female" office even further. The Democratic National Committee includes a Vice-Chairman who is a woman,[43] and the Republicans have a national Assistant Chairman who is a woman.[44]

While rules such as these may guarantee women one party office, they also serve to confine women to positions that have no policy making power, but do include a myriad of housekeeping responsibilities.[45] Calling for a change in such rules, the Deputy Vice-Chairman at the DNC, Mrs. Harriet Cipriani, described the "inherent implication that the Chairman must always be a man and that the office of Chairman is specifically closed to women, I believe", she continued, "the implication of this wording in the Rules could have a serious, unfortunate, negative effect on many hard-working Democratic women, and possibly on women voters generally, if they are forced to assume that the office of Chairman can never be occupied by a woman, solely because of her sex." [46]

The DNC Rules do not include in the responsibilities of the Vice-Chairwoman any reference to the normal "Vice" function of assuming the duties of the Chairman in the event of vacancy in that office.[47] Instead, the member of the Executive Committee with seniority of service on the National Committee becomes the acting chairman.[48] The Vice-Chairwoman is not even an automatic member of this Executive Committee.[49] These rules suggest quite clearly that the Vice-Chairwoman is not considered part of the Democratic National Committee's power structure.

Isolation of women from party politics on the decision making level is often further formalized and extended through provision for a separate Women's Division within the party structure. The G.O.P. has a network of Women's Divisions in every state and territorial party, coordinated by the National Assistant Chairman (as Director of Women's Activities); they also have a formalized auxiliary structure of women's groups as an "educational arm of the party": the National Federation of Republican Women. These women's organizations are devoted to "the building and strengthening of the Republican Party through the utilization of womanpower across the nation." [50]

Unfortunately, the development of "womanpower" itself has been neglected by such separate divisions, as demonstrated by the litany of underrepresentation summarized in the first section. Geri Joseph, former Democratic National Vice-Chairwoman, has described the separate women's groups and the vice-chairwoman role both as devices "designed to keep women working, but in their place." [51] The Executive Director of New York's New Democratic Coalition, Bonnie Lobel, considers such divisions "an insult to anyone who wants to influence the positions of the party". [52] The National Organization of Women (NOW) has pledged itself to the goal of eliminating all separate women's divisions in political parties.[53]

The Democratic National Committee announced with much flourish last year that their formal Women's Division was being abolished. The offices of the Vice-Chairwoman were moved to be adjacent to the National Chairman, as a symbol of integration and to facilitate the substantive change. The exact status of this attempt to bring women into the party as equals remains, however, somewhat ambiguous. According to the present Vice-Chairwoman, Mary Lou Burg, her office has been expanded to include other responsibilities *in addition to* representing the women's groups, which she feels should continue to exist as part of the organization.[54]

Among the arguments advanced by Miss Burg and others who believe that a formal structure of women's organizations should be maintained, is that they increase female involvement in politics on the local level. By muting the dilemma of sex appropriateness of political activity, women's groups encourage women to join others of their sex to work for the party. Without such groups, the argument goes, many women could not be easily recruited, and the parties would consequently lose much-needed "womanpower".

Women are important to political parties because of the physical work that they contribute—e.g. canvassing, telephoning, leafleting, secretarial work. Shirley Chisholm has called discrimination against women in politics particularly unjust "because no political organization I have seen could function without women".[55] Mrs. Chisholm is referring to the unstimulating, but necessary, tasks that become the responsibility of women. Isn't such utilization of women one of the very things that keeps them in their place?

Most politicians would probably agree that women should be able to form political groups of their own within the party. But there are important distinctions between informal opportunities to do this, and formalized structures which, under the pretense of providing an avenue for involvement, become a trap of powerlessness.

Women should indeed be able to unite, especially to work for specific political goals. This is being done throughout the country as women's caucuses form to promote specific legislation, campaign for selected candidates, and push for party reform.[56] Such activities are not encouraged within the Women's Division Structures, where women are organized to help others—who are mostly men—rather than themselves

IV. REMEDIES

The pervasive assignment of women to secondary or separate positions within the political parties does not lend itself to easy solution. Several approaches to changing the reality of male domination in the political process have occurred to me in writing this paper. In broad brush strokes, they are as follows:

(1) State laws requiring equal representation or equal leadership opportunities in the parties could be enacted. A delegate law, such as that in effect in Florida [57] requiring an equal number of male and female delegates, would be the quickest way to insure equal representation of women at the national conventions.

A law prohibiting parties from adopting rules which provide that all officers, or particular officers be of one sex, by title or function, could be enacted. A companion law could require or permit state parties to choose officers of opposite sex.[58] The first law would remove all legal barriers to a woman seeking any office in the party structure, particularly that of chairman, and would not confine her to an office that coordinates women's activities. The second would insure that a woman will hold one of the top two leadership positions in the party.

(2) In those states where statutes already require equal representation on political committees and/or equal leadership opportunities, party rules that undermine the spirit of the laws, or directly contravene them, could be challenged in court. In *McSweeney* v. *Republican County Committee of Bronx County*, for example, party rules excluding female Associate District Leaders from the Executive Committee, and limiting their functions to "such as county committee or county chairman shall promulgate" was held inconsistent with Election Law § 15(3). That statute makes leaders and associate leaders automatic members of the county committee or any subcommittee thereof, with the right to participate and vote. 307 N.Y.S. 2d 88 (1970).

In the *McSweeney* case, the statute involved was explicit about the equal functions of both leaders. It is more common for the state law to merely name the two positions, e.g. committeeman and committeewoman, without going into their duties. It could be argued, however, by statutory construction that the same titles imply similar functions, or at least a random distribution of jobs. Accordingly, an automatic assignment of secretarial functions to one officer and chairman duties to another, as in the proposed Missouri Democratic Rules,[59] may be inconsistent with the legislative intent. Court cases should be framed to challenge party rules such as this, and determine the legislative intent of equal representation and equal opportunity statutes.

(3) In the absence of state laws requiring equal representation or equal leadership opportunities, it could be argued in court that discriminatory party rules are unconstitutional in light of the 14th and 19th Amendments.

The first barrier to such an action is the reluctance of courts to take jurisdiction over political parties. Under the traditional legal

Footnotes at end of article.

interpretation, parties are private voluntary associations, and therefore not subject to judicial scrutiny.[60] However, courts are gradually moving towards viewing the party as an arm of the state election machinery, because of the essential part parties play in choosing candidates for public office. In *U.S.* v. *Classic,* 313 U.S. 299 (1941) and *Smith* v. *Allwright,* 321 U.S. 649 (1944), the party primary was held to be an integral part of the electoral process, and therefore subject to court review. In *Maxey et al.* v. *Washington State Democratic Committee,* opinion No. 7838 Oct. 26, 1970, the Federal District Court speaking through Judge Alfred R. Goodwin took jurisdiction over party apportionment of delegates to a State Convention which would select delegates to the National Convention, for the same reason.

But courts are still reluctant to interfere in issues of party structure that are more removed from the candidate selection process, such as the organization of precinct and district committees.[61] In 1966, however, the Supreme Court of Pennsylvania discussed ways that a political organization can have a "direct and substantial relationship to the selection of public officials by the electoral process" besides direct candidate selection. *Bentman* v. *7th Ward Democratic Executive Committee,* 218 A2d 261 at 269. For example, a party committee may be required by statute to select a candidate by its own rules if a vacancy occurs (by reason of death or incapacity) after the primary or nominating convention is over. Similarly, if offices are created too late to be included in the primary, as was the case in *Bentman* with judgeships, candidates may be chosen according to party rules by the District Committee. Where state laws impose such duties on the party, it may be transformed into a state agency. *Bentman* at 269.[62]

The key to establishing jurisdiction therefore appears to be showing a relationship with the candidate selection process in some way.

The second issue to establish in such a court action is the applicability of the 14th and 19th Amendments. It could be argued that the rules of political parties denying women the opportunity to become specific officers of political organizations, and separating them into powerless divisions, represent an unreasonable classification in violation of the 14th Amendment. In *Maxey,* cited above, the underlying rationale of the case was that voters in urban districts were being underrepresented, and rural areas overrepresented in the party's apportionment formula; this was held to be an unreasonable classification violating the equal protection clause of the 14th Amendment. If the Constitution forbids geographical discrimination in political parties, it may be prepared to forbid sex discrimination—especially since the consequences of the latter are so pervasive. Admittedly, however, precedent does not support an automatic application of the 14th Amendment to classification by sex.

A 19th Amendment case could be framed by arguing that the underrepresentation of women in the political parties, and especially in the nominating process, abridges their right to vote. The problem here would be connecting a specific party rule with the low participation of women as delegates. But perhaps by arguing that party committees do perform nominating functions (see *Bentman* above), rules barring women from attaining certain party offices can be seen as a similar "abridgement" of the right to vote.

(4) Changes in party rules could be developed, requiring no judicial involvement. For example, equal representation of men and women as delegates could be required, as Florida has done by statute, or some minimum quota set, as the Oklahoma Democratic Reform Commission has recommended.[63]

The Democratic Party's Commission of Party Structure and Delegate Selection has adopted guidelines which include a requirement that "State Parties . . . eliminate all vestiges of discrimination on . . . grounds of sex . . ." Furthermore, the Commission requires State Parties to "overcome the effects of past discrimination by affirmative steps to encourage representation on the national convention delegation of . . . women in *reasonable relationship* to their presence in the population of the State" (emphasis added).[64] A potential problem with this guideline is that it talks about "delegations" rather than delegate votes. The term "delegation" can refer to the entire number of people sent to the convention—including alternates and those with fractional votes.[65] At least one State Democratic Party is reportedly exploring the possibility of handling the fair representation requirement in this way.

As a means of implementing reasonable or equal representation on delegations, it is useful to consider a provision in New York State Law that requires designating petitions and ballots to list party positions separately by sex once party rule requires officers of opposite sex. McKinneys Consol Law N.Y. 2 § 11 (1964). This would mean that women would be competing against women for their delegate seats, and the votes received by male candidates for delegates would not affect the selection of women. See *Levine* v. *Millspaugh* 180 N.Y.S. 2d 470 (1958).

As a short-term affirmative step, a state party could reserve a portion of their delegate seats for women, and have the competition for these seats be among women. While this is not desirable as a permanent solution—because meaningful equality requires men and women competing against each other as equals—drastic measures may be necessary to overcome centuries of male domination.

CONCLUSION

It is impossible to determine the casual relationship between discriminatory rules and discriminatory practices. We can begin, however, to determine where the real problems lie by creating a legal climate in which inequality is no longer sanctioned. Then and only then can we determine if women will ever be able to play a meaningful role in our major political parties.

If the rules and laws are changed but discrimination against women continues, then the call of some women's organizations for new party and extra-party activities may be the only answer.

FOOTNOTES

[1] As quoted in Richard Childs, *Inside 100 State Parties,* National Municipal League, New York, N.Y. 1969, p. 19.

[2] *History of Democratic Women,* Democratic National Committee Fact Sheet, 1971: 143 Democratic female State legislators.

[3] Shirley Chisholm, *Unbought and Unbossed,* Houghton Mifflin Company, Boston, Mass., 1970. p. 76.

[4] Interview with Arlene Hershman, District "Co-Leader" Murry Hill District, New York City, December 28, 1969, by telephone.

[5] M. Kent Jennings and Norman Thoman, "Men and Women in Party Elites: Social Roles and Political Resources", *Midwest Journal of Political Science,* Vol. XII, No. 4, Nov. 1968.

[6] No such comprehensive documentation has, however, been prepared. Sources used for the statistics in this section include *The Presidential Nominating Conventions* 1968, Congressional Quarterly Service, Sept. 1968; *CBS News Campaign, '68,* CBS Inc., 1968; *Mandate for Reform,* Commission on Party Structure and Delegate Selection, Democratic National Committee, Washington, D.C., April 1970.

[7] I have focused on the two major political parties because their candidates for public office are almost invariably elected. This decision does not reflect any bias against minor parties. In fact, if the two major parties do not prove responsive to demands for democracy then the only course for women may be to organize in new political parties.

[8] In addition to the 50 states, the Democratic Party includes the District of Columbia, Guam, Canal Zone, Puerto Rico and the Virgin Islands; the G.O.P. includes the District of Columbia, Puerto Rico and the Virgin Islands.

[9] Oregon Democratic Party chaired by Caroline Wilkens; Nebraska Republican Party chaired by Lorraine Orr.

[10] Alaska, Hawaii, Guam, Virgin Islands.

[11] *Democratic Manual For The Democratic National Convention of 1968; Woman Power,* Republican National Committee.

[12] *Women Power,* R.N.C., p. 7; contra *Democratic Manual . . . 1968.*

[13] *Democratic Manual . . . 1968.*

[14] 1968 *Proceedings of the Democratic National Convention* p. 248.

[15] Rules of the Democratic National Committee, Art. II; Rules of the Republican National Committee, Rule 20.

[16] Rules, DNC, Art. X.

[17] See also Mo. Stat. Anno. 120.780–781 (1960); Fla. Stat. Anno. 103.111 (1960); Oreg. Rev. Stat. 248.015 (1961); N.Y. Consol. Law Art. 2 § 15 (McKinney 1964); *Contra* Minn. Stat. Anno. 202.20 et seq. (1962).

[18] North Carolina Demo. Party Rules, Art 1 § 1 (1968).

[19] See also Mo. Stat. Anno. 120,800 (1960); Wash. Stat. 29.42.030 (1965).

[20] Oklahoma Democratic Party Rules 2.3 (1966).

[21] See also Oklahoma Dem. Party Rules 2.4, 2.8 (1969). *Contra.,* there is no consistency in the Michigan statute, Mich. Comp. Laws. Anno. 168.597–599, 168.603 (1965).

[22] Rules, Republican State Central Committee of Washington. § 11 (1969).

[23] See also Mo. Stat. Anno 120,770–820 (1960); Mich. Comp. Laws. Anno. 168.597 (1965); Constitution of the Republican Party of Iowa, Rule IV (1954).

[24] See also Mo. Stat. Anno. 120.830 (1960); Oreg. Rev. Stat. 248.085 (1961).

[25] By-Laws of Democratic State Central Committee, Oregon, Art. 2(B) (1966); Rules of the Democratic Party of the State of New York, Art. 2 § 1 (1969)

[26] In 1968, 50% of the Florida delegates to the Republican National Convention were women, while 44% of the delegates to the Democratic National Convention were women.

[27] Oklahoma Reform Commission, proposals presented to State Central Committee meeting, March 14, 1970, no action taken as yet. This regulation would suggest that no more than 50% of the delegation to the Democratic National Convention be of any one sex, and require that no more than 60% be of any one sex.

[28] See chapter I, fn 7

[29] For example, North Dakota, Virginia. See *History of Democratic Women,* Democratic National Committee, Washington, D.C., (1960) p. 42.

[30] Mo. Stat. Anno. 120. 780 (1960).

[31] Report of the Commission on Democratic Party Constitution, By-Laws and Party Structure to the Missouri Democratic State Committee, Chapter VI, § 6 (1969). Action will be taken on this Report in Feb. 1971. This Report is the first effort to codify party practices into rules, and therefore the provision cited does not necessarily represent a new or unusual requirement.

[32] Mo. Stat. Anno 120.830 (1960).

[33] Report, Chapter I § 3, Chapter IV § 5.

[34] Oklahoma Democratic Party Rules, 2.5 (1968).

[35] Oklahoma Dem. Rules, 6.1(c); also 6.2(c) for District Committee Co-Chairmen, 6.3(c) for County Committee Co-Chairmen.

[36] See also Washington Democratic Party Rules, Art II (D) (1969).

[37] Colo, Rev. Stat. 49.5.8 2(c) (1963).

[38] Plan of Organization and Rules of the Democratic Party of the State of Colorado, Art. 3, § 3-3(a) (1969).

[39] Plan, Art. 3 § 3-7.

[40] Oreg. rev. stat. 248.085 (1961); Standing rules of the Florida State Democratic Executive Committee, Rule 3 (1966).

[41] Rules of the Republican Party of the State of Pennsylvania, Rule 1 § 4 (1968).

[42] Arkansas Dem. Party Rules 6.23 (1964).

[43] By-laws of the Mississippi Republican Party Art. VII § 3 (1968); Delaware Democratic Party Rules 6.3 (1966). North Carolina Democratic Party recently adopted a rule providing for 3 Vice-Chairman: one representing women, one youth, and one minority groups; this was hailed by Democratic reformers at the McGovern Commission as a great victory.

[44] Rules, DNC, Art. IX (1968); Rules, RNC. Rule 25(1968); The Republican Party also provides for four vice-chairmen, two of whom shall be women, Rule 25.

[45] See testimony of Bonnie Lobel before the Democratic Commission on Party Structure and Delegate Selection, July 29, 1970, p. 3.

[46] See testimony of Mrs. Harriet Cipriani to the Democratic Commission on Rules, Sept. 19, 1969, p. 1.

[47] Contrast, Standing Rules of Florida State Democratic Executive Committee, Rule 4 (1966)

[48] Rules, DNC, Art. IX

[49] Rules, DNC, Art. X. Contrast, the Chairman of the DNC is an ex-officer member of the executive committee and serves as chairman thereof, Art. X 1(a). As a matter of tradition, the Chairman does appoint the Vice Chairman to the Executive Committee.

[50] *Women Power*, RNC, p. 26.

[51] See testimony of Geri Joseph before McGovern Commission, Minneapolis, Minn., May 5, 1929.

[52] Testimony of Bonnie Lobel, p. 4.

[53] NOW pamphlet, undated

[54] Interview with Mary Lou Burg, Washington, D.C., January 7, 1971.

[55] Shirley Chisholm, *Unbought and Unbossed*, p. 76.

[56] A Women's Opportunity Organization has been formed by women from the Democratic-Farmer-Labor Party in Minnesota. Among the goals of the group, according to Arvonne Fraser (interviewed in Washington D.C., January 8, 1971), are the reform of party rules and encouraging candidacies of women.

In New York several Women's Caucuses have been formed in the past few years. One is presently planning to hold a workshop session at the Issues Conference of the New Democratic Coalition scheduled for February 6, 1971.

In Michigan, a Democratic Women's Commission pressed unsuccessfully for a quota of 33% on the National Convention delegation at their Constitutional Convention, January 1970.

[57] For text, see p. 11.

[58] See p. 10.

[59] See p. 13.

[60] Eli Segal, "Delegate Selection Standards: The Democratic Party's Experience," *George Washington Law Review* Vol. 38, July 1970, pp. 890-891.

[61] In *Dahl* v. *Republican State Committee of Washington*, decided the same day as the Maxey case, Judge Goodwin held that the apportionment of delegates on the State *Committee* is not a matter for judicial scrutiny. Opinion no. 7557, October 26, 1970.

[62] Contrast *Lynch* v. *Torquato*, 343 F2d 370 (3rd Cir. 1965).

[63] See p. 11 and Chap. 2 fn. 13.

[64] *Mandate for Reform*, Commission on Party Structure and Delegate Selection, Democratic National Committee, April 1970 p. 40. The Commission, however, added the caveat that "this is not to be accomplished by the mandatory imposition of quotas" p. 40.

[65] See p. 6. The McGovern Commission's staff advises that such interpretation would be inconsistent with the spirit of the Guidelines.

HELP FOR SMALL BUSINESSMEN

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. WHITEHURST. Mr. Speaker, one of the historic traits of our Nation is the ability and willingness to commitment in reacting to an emergency. We see this in our reaction to such problems as Southeast Asia, civil rights, education, foreign trade, natural disasters, pollution, and consumer affairs, to name just a few.

When an emergency arises we react strongly and totally, and in some instances we are lucky that our cures do not kill the patient.

We have come a long way in recent years. In varying degrees, we are making progress in all areas, and we can begin to see ourselves catching up with our recent technological advancements. However, what we must be aware of are the side effects of what we are doing in our effort to make these long-overdue corrections, particularly as affects our daily lives.

This situation became quite evident in the early days of our urban renewal programs. As is our nature, we recognized the deplorable conditions that were developing in our urban centers, and we reacted strongly. We passed strong and innovative laws in an attempt to stem the growing problems of our cities that were beginning to develop in the forties.

When a neighborhood was declared an urban renewal area, older people who had finally paid for their homes, and many poor young families, were forced to shoulder the financial burden of relocating in more expensive homes elsewhere. Today when this situation arises, the Federal Government provides financial assistance by paying allowances to make up the difference between the cost of the previously owned home and the equivalent newer, more expensive one.

Gradually this same theory was applied to another important social and economic component of the neighborhood, the small business, and as a result of legislation passed in the 91st Congress this principle now applies to all Federal programs involving land acquisition.

The rate of failure of small businesses is historically high. To add a further burden, one not of their own making and one usually affecting an established small proprietorship, was not fair. Today when a small business is forced to relocate because of displacement by a Federal program, financial assistance in the form of long-term, low-interest loans can be arranged.

Step by step, the Government recognized that land acquisition is land acquisition, and a homeowner or a businessman must relocate regardless of what Government program takes his property. It is this principle of assisting the innocent bystander that I advocate in the legislation I am introducing today.

When we pass a new law that requires plant facility changes or the purchase of new equipment, we are in fact passing a law that establishes retroactive guilt and are charging a fine for that guilt. A new Federal law or regulation that requires major alterations in real property, capital equipment, or services rendered is no different and has the same effect as a displacement by a Federal program.

As an example, the Wholesome Meat Act cost the private sector of our economy millions of dollars, because with a stroke of the pen businesses were, for all practical purposes, found guilty of a crime they had never committed. This is an immense burden to put on any business, but it is particularly hard on a small business that does not have the equity or collateral to finance such sweeping changes. Nor do many small businesses have the ability to carry high-interest loans because of their already high debt-to-income ratio.

My bill will correct this inequitable situation by permitting a small business, forced to undertake substantial expansion or alteration as a result of a new Federal law, to receive low-interest, long-term loans from the Small Business Administration.

Mr. Speaker, this is the identical bill I introduced in the 91st Congress, and its principles were included in the occupational health and safety bill. This bill also contributed to my receiving an award from the National Small Business Association, an award of which I am extremely proud.

This principle has been one of the major goals of the NSBA over the years, and as I mentioned earlier, was included in the occupational health and safety bill. However, in order for the situation to be corrected, there must be universal application of this principle, not the patchwork that has been all too common in the past.

I would like to include in my remarks the contents of a letter that I recently received from Mr. Carl Beck, chairman of the legislative policy committee of the NSBA:

DEAR CONGRESSMAN WHITEHURST: In meetings and in communications with President Nixon and Dr. McCracken, Chairman of the Council of Economic Advisors, the National Small Business Association stressed the need for encompassing the principle put forth by the legislation you are about to introduce.

This legislation will enable the SBA to make preferential low-interest loans to small business firms required to make alterations and other changes due to the promulgation of new Federal laws or regulations.

May we congratulate you again on taking leadership in this area and other legislative areas that will be extremely beneficial to the small business community.

Sincerely,

CARL BECK.

Mr. Speaker, this bill, while broad in scope, will solve only one of the ills that have developed over the years, and, as indicated in Mr. Beck's letter, is only the first of five bills which I will be introducing over the next 3 weeks.

At this point, I think it should be made clear exactly what we mean when we use the term "small business."

I am sure that most of us visualize a local grocery store, dry cleaner, or delicatessen, but the Federal definition of small business includes everything from a dental practice where there are only two people, all the way up to American Motors. The prime factors in making such a determination are the number of

employees and the amount of sales of one company compared to other firms doing the same business. Therefore, what we are in fact talking about is a vast American social and economic institution that currently comprises approximately 98 percent of American business. The more than 10 million small firms in this country employ almost two-thirds of the labor force.

When one stops to analyze the situation, the next few statistics will show that big business could not survive without the small private enterprises:

Boeing Aircraft required 16,500 small suppliers to build the 747;

General Motors Corp. has 38,000 small suppliers;

General Electric is supplied by 45,000 small firms;

Sears Roebuck & Co. has 20,000 small suppliers each year, and 14,000 of them are regulars.

The inventions of the past few years have come from the men and companies who have been regarded as independent or small. Such wonderful items as the rocket, Polaroid cameras, helicopters, the jet engine, Xerox, insulin, FM radios, vacuum tubes, and a large number of other devices and processes have been the products of independent inventors or small firms.

So it is obvious that small business is a great deal more than a local grocery store or delicatessen. We must face up to the fact that small business is a major economic force in our country and that it needs our assistance.

The Federal Government made a major effort to express its understanding and intention to help small business when in 1953 it created the Small Business Administration by combining the Defense Plants Act and the Reconstruction Finance Corporation.

The primary concern of the SBA was to work with the Nation's banks to see to it that small firms could get long-term loans. It was also given authority to make fully-collateralized loans to firms that could not get financing from conventional sources. Since that beginning, many new programs have added to the potential of the Federal Government's ability to deliver technical, managerial, and financial aid to the small business community. Some of these programs include the SBIC's set-asides, 8(a), economic opportunity loans, 502, participating loans, guaranteed loans, 406 grants, SCORE, ACE, lease guarantee, procurement assistance, and percentage credit when bidding on Government contracts. However, as important and beneficial as these tools have been, they do not fill the needs created by the complex economy we live in today.

In the 1970 "Report of the President's Task Force on Improving Small Business," the following tables were published: They clearly indicate what small businesses need the greatest help, as well as the dangerous trends that appear to be developing.

RATES OF FAILURE, 1950–69

[Percent of total failures]

1950	4.5
1960	11.6
1968	18.7
1969 (9 months)	20.3

MANUFACTURING INDUSTRIES RANKED BY FAILURE RATE

12 months ended Dec. 31, 1968

[Failure rate per 10,000 operating concerns]

Line of industry:	
Furniture	117
Transportation equipment	90
Textile	75
Leather and shoes	70
Electrical machinery	51
Apparel	50
Machinery	48
Paper	47
Metals, primary and fabricated	45
Chemicals and drugs	44
Printing and publishing	36
Food	32
Stone, clay, and glass	30
Lumber	20

FAILURE RATES IN SPECIFIC MANUFACTURING AND RETAIL LINES, 1968

12 months ended Dec. 31, 1968

[Failure rate per 10,000 [1] operating concerns]

Line of business:	
Cameras and photographic supplies	67
Books and stationery	58
Women's ready-to-wear	58
Appliances, radio and television	54
Furniture and furnishings	52
Men's wear	50
Gifts	50
Infants' and children's wear	49
Toys and hobby crafts	49
Sporting goods	47
Lumber and building materials	40
Bakeries	35
Women's accessories	30
Auto parts and accessories	29
Drugs	28
Eating and drinking places	27
Dry goods and general merchandise	24
Shoes	22
Hardware	21
Automobiles	21
Farm implements	19
Groceries, meats, and produce	16
Jewelry	16

[1] Sources: Industry Studies Dept., Dun & Bradstreet, Inc., Department of Commerce (Bureau of the Census).

Mr. Speaker, during the hearings on Small Business legislation held in the 91st Congress, many Members, myself included, testified on behalf of expansion of SBA's current programs. While SBA is not the only tool the Government has to aid small business, it is the symbol of the Government's intent and does contain the vast majority of direct aid programs.

Of particular interest in those hearings was the direct loan program. It is my contention that the direct loan program is particularly needed today because of high interest rates and a shortage of secondary market money. The Small Business Administration should be becoming more active in the direct loan field instead of less involved as has been the trend over the past few years.

When former Congressman Thomas Kleppe appeared before the other body to testify on his confirmation as the newly appointed Administrator of the Small Business Administration, the subject of direct loans was brought up. Mr. Kleppe stated that while in order to meet the tremendous demands for financial aid the SBA must tune in private capital via the guarantee route, there is indeed a place for direct loans in SBA, and that this was in fact why the agency was created.

Mr. Speaker. I am sure that many of my colleagues join me in wishing our former colleague the best of luck in his new role as administrator of SBA. It is indeed a challenging venture, and one which holds great promise. The Federal Government is lucky to have Mr. Kleppe in this position, and the small business community will benefit from his success as a businessman, as well as his experience as a former Member of the House of Representatives.

Mr. Speaker, as potent a tool as the Small Business Administration is, it not only cannot do the job without the full backing of Congress and the Administration, it is not the only tool available.

Solutions to the problems of small business, as well as big business, cannot and should not rely solely upon direct Government financial assistance. As a matter of fact, many of the more pressing problems are not centered around financial aid, problems such as labor relations; marketing and distribution; national health insurance; patents, trademarks, copyrights, and taxes; and general economic policy; and their solutions are crucial to a healthy atmosphere for business, both management and labor.

We must come up with answers to the following questions:

First, what is the effect on the small business, as well as the community in which it is located, when a major strike prevents the small firm from obtaining a product vital to its operation? In many cases, irreparable damage is done. Of course the right to strike should not be abridged, but we do not want to see the economy detrimentally affected, nor do we want to see a worker deprived of his ability to earn a living.

Second, many firms are being forced to relocate because of the necessity of conforming with modern methods of management and technical processes, or facing bankruptcy. Many firms face bankruptcy even though they relocate, because of the financial burden. What can we do to assist them?

These are but a few of the problems faced by business today, and as is usually the case, small business must carry the greatest burden. We must find solutions to these problems.

Mr. Speaker, the legislation I will be introducing over the next few weeks will attempt to deal with some of the problems small business must face. I hope that my bills are received favorably, and that they will receive rapid consideration.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 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?

"PATRIOTISM: TO BE OR NOT TO BE"

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. SCHMITZ. Mr. Speaker, one of the finest statements of the true meaning of American patriotism it has ever been my privilege to read, was written by Mrs. Judy Anne Headlee, a high school teacher of English at Mission Viejo, California, and published in The Freeman for July 1970. Entitled "Patriotism: To Be Or Not To Be," it is highly inspirational and provides a convincing answer to those among Mrs. Headlee's teaching colleagues and among our younger generation who have been persuaded to believe that there is something wrong with being patriotic. I recommend it unreservedly to the attention of my colleagues.

The article follows:

PATRIOTISM: TO BE OR NOT TO BE

(By Judy Anne Headlee)

"The flag is dead!" exult moratorium demonstrators, and teachers and school administrators shake their heads knowingly.

"We must blame American traditions and morality," conclude the educators, "for goading the youth into resistance. In an age of international peace-seeking and social liberality, patriotism is obsolete."

Oddly enough, the more the academicians denounce prayer and pledges of allegiance, the more they compound the problem of student violence. Like sage Socrates, who was excessively wise yet could not, in his wisdom, control Xanthippe, they fail to approach their own problems directly. They fail to realize that unrest among students has not been caused by unreasonable authoritarian demands for loyalty, but by the gradual removal, over the past two or three decades, of demands for loyalty from the curriculum.

The roots of the problem reach back to the time in American history when the emancipation of women and urban mobility, among other things, caused the home to relinquish much of its control over the morals and ideals of youngsters. The unhappy recipients of this misplaced moral responsibility were, of course, the schools. Zealously trying to be objective and academic in the spiritual as well as the factual realms of knowledge, many teachers demonstrated a haughty distaste for their roles as guardians of American morals. They began to stress the basic irrationality of teaching respect for family, self, country, and God. From there they proceeded to the assertion that the latter values are contrary to the principles of universal peace and interracial understanding—principles basic to the assumption that love of self and country must be replaced by an all-consuming love for one's fellow men at large.

A typical expression of this educational "humanism" can be found in the writings of Urban Whitaker, a coordinator of education at San Francisco State College and a one-time trustee of the San Bruno Elementary School District. Whitaker speaks of the need to "seek to de-emphasize the narrower emotions of nationalism in favor of a more humanistic world view." In discussing the "narrower emotions of nationalism" he continues,

Perhaps the leading example on the emotional side today is the pledge of allegiance. Allegiance to the United States of America—one country among more than 130 in the world—is not taught as a reasonable thing. Nor is it taught in a reasonable way. But it is taught in every class, every day, of every child's public school training. We are *indoctrinating* our children to believe, emotionally rather than rationally, that it is good, right, and patriotic to place the interests of Americans, who are only six per cent of the world's peoples and already fantastically better off in material welfare than all the others, above the interests of humankind in general. Such a proposition is . . . downright dangerous.[1]

FAITH ESSENTIAL TO STABILITY

At this point we will ask Mr. Whitaker and his fellow administrators exactly what is so dangerously irrational about nationalistic self-interest, and, to whom is it dangerous? Nowhere has it been proven that patriotic devotion to the interests of one country generates denial of "the interests of humankind in general." To suggest that such a denial is inevitable is as absurd as to suggest that the love of a man for a particular woman is inimical to his ability to love his fellow man. And, romantic love is not more basic to human nature than religious love or patriotic love.

In fact, patriotism is much akin to religious faith. Like religious faith it can be logically discounted, yet is totally necessary to man's sense of direction, integrity, and belief that he is a significant integer in a larger scheme of spiritual good. We can say that godliness and loyalty, and an apprehension of right and wrong, are not only abstract, but also entirely relative to the time and place in which one lives. We cannot say, however, that right and loyalty do not, therefore, exist as definable qualities—definable, that is, in terms of the nonabstract human organism. In other words, "right" can be defined as that which preserves the social stability of the organism, and "wrong" is that which destroys such stability. Any organism must develop those attributes needed to defend and preserve itself. The human organism, being gregarious, must, to preserve itself and its integrity, also preserve the society of which it is a part. In these terms, loyalty to society, and to one's nation, are "right," while immorality, treachery, and athesim are "wrong."

PSYCHOLOGICAL MOORINGS

If we still doubt that national allegiance is rational, we can turn to psychology for reassurance. Erich Fromm, noted psychologist and philosopher, in his book, *Man for Himself*, suggests not only that man needs faith, but also that he cannot live without it. "Devotion to an aim [such as success or prestige], an idea, or a power transcending man such as God," asserts Fromm, "is an expression of [man's] need for completeness in the process of living." That is, the healthy, mentally stable person is the person who loves himself enough to want to preserve himself, and, in preserving himself, relates to his immediate environment with love, responsibility, and loyalty. Because that person can know and love himself, he can also know what is good for him. Because that person can know and love himself, he can also know what is good and moral for others. Because he needs to be loyal to himself in order to gain a sense of identity, he also needs to be loyal to others in order to develop that sense of identity. In other words, patriotism gives each individual the pride of self-identification which is vitally necessary if his mind is to be healthy and productive.

Of course, a certain sense of identity can also be gained through the development of universal understanding. There is no reason to doubt that the liberal ideal of world unity and universal love is reasonable. Man must link himself to his fellows with interest and compassion, knowing that life is essentially not a drama of the hunter and the hunted, but a complex of interpersonal relationships. Even so, world unity cannot come by discounting national unity. National unity is the first step toward world unity, just as a child's first step toward love of others is love of his mother. The child's ability to love grows outward from himself, its spiral including more and more people and objects that he encounters in his environment. If this spiraling growth is arrested or interrupted, he becomes prone to crippling doubt and mental disruption.

Many American youths who, doubting the integrity of the United States, stage violent demonstrations, are suffering from a disruption in the growth of their ability to love. Un-American and atheistic societal elements have persuaded them that they can and must eliminate the milestones of loyalty to God and country which lead to universal love. Missing these milestones, they suddenly feel as if they have no country, or that their country has done them some grave injustice. Brazenly rocketing toward the desirable ideal of world unity, yet out of the path which goes toward that objective, they are, essential, lost in space.

SUDDEN CHANGES AND BREAKDOWN

The fact that so many youths are irretrievably lost, and the fact that patriotism is at such a low ebb in this country, is indicative of the sickness that besets civilization when it changes too rapidly, or embraces change for the sake of change. Our civilized mentors, our teachers, tend to feel that nationalistic observances are "cultural lags" which harken back to a primitive, inferior way of living. Yet, the realization that the new lack of nationalism has not improved our ways of living should suggest to them that they have tried to overthrow a lifestyle that really enhances, rather than retards, our collective well-being.

Certainly the need has not passed for formal observances, however much like primitive tribal ceremonies, to discipline the youth to fight bravely and proudly. Loyalty is as much a discipline as it is a subjective bond. The instilling of a belief in national unity as a possible and positive good is a necessary exercise for the channeling of youthful inquiry into fruitful fields of endeavor. Through such discipline, the loyalties of young people will become increasingly complex, spiraling outward from neighborhood to state, state to nation, nation to the world, and becoming true, solidly-based, and mature bonds of unification.

Yet, even if patriotic discipline were unnecessary to develop world loyalty, patriotism would be the only cause championed by a particular group of people which could successfully transcend the barriers of race, religion, and political party in this country. For these barriers are immediate and, it is widely asserted, peculiar to this nation, and can only be prevented from becoming extreme by the presence of another cause which is also peculiar to the nation and ultimately responsive to the needs of the people. Love of men in general cannot meet local needs or tear down local barriers, because loyalty and love are, at best, abstractly and vaguely understood when conceived of in general terms, or on a large scale. In order to become meaningful and to inspire positive action, motivation, and interest, abstract emotions must be particularized. They must be directed toward a symbol or body, that is, a person, a flag, or a coat of arms.

Indeed, human nature has always found it necessary to particularize and symbolize its highest ideals with idols, monuments, medals, and other material objects—objects which man can fashion and improve with his intellect and his artistry to rival all other objects in his environment. Perhaps this need to translate the abstract into the concrete accounts for man's inability to face death with confidence. For even a man who

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[1] Urban Whitaker, "War/Peace: The Magic Formula," *California Elementary Administrator*, 31, May-June, 1968, p. 21.

believes in a heavenly afterlife can be afraid of dying. Why? Because life in a realm of universal beneficence and beauty is not totally attractive to the human spirit. Man, with his competitive nature, is only attracted where his realm can be thought to be better than another's, or where he can work to make it better. The person who does not feel that his surroundings can be improved through his own efforts is rootless indeed, and probably suffers from frustration and suicidal impulses.

And all too many people in this country do suffer from frustration and despair, having been deprived of the knowledge that patriotism is rational, logical, and psychologically necessary. But if satisfaction of basic human needs is not desirable enough to engage the dissatisfied American, there is much more to be gained from patriotism. National loyalty is, in a sense, an invaluable "social security" system, which, in return for active interest and allegiance, provides positive benefits to the investor. That is, a nation, with the support of its people, can furnish the benefits of public education and of equal protection of the law. Such advantages cannot be provided unless they are based upon the common interest, and belief in the common good, of the people. Without the confident support of the people, public education becomes private indoctrination, and the protection of the law becomes autocratic control.

EMOTIONAL REWARDS

But patriotism's good points are not all couched in direct benefits and mental gratuities. The real advantage of national observances lies in their emotional rewards. Of course, the detractors, the Urban Whitakers, insist that it is the subjective, emotional quality of allegiance that is its weakness. A brief study of the history of civilization, however, might suggest to them that the most enduring aspects of civilized life have been, in essence, subjective. The legal and political records of Ancient Greece are historically interesting, but hardly memorable. Yet we do recall the poetic triumphs of the Greek poets, including Sophocles' ode to mankind:

Many are the wonders of the world,
And none so wonderful as Man.
Over the waters wan
His storm-vext bark he steers,
While the fierce billows break
Round his path, and o'er his head:
So soaring far past hope,
The wise inventiveness of man
Finds diverse, good and ill:
If from their course he wrests
The firm foundations of the state,
Laws, and the justce he is sworn to keep,
High in the city, citiless I deem him,
Dealing with basenes: overbold,
May he my hearth avoid,
Nor let my thoughts with his, who does such deeds, agree![2]

Like poetic sentiment, patriotism is feeling—feeling that is both controlled and directed. It is a complex love of men, landscapes, ideals, and ways of living that does not limit the mind, but directs it toward making faith a reality. In other words, the patriot loves his way of life enough that, wherever faults exist in it, he has reason to want to correct those faults.

When nationalism, thus, becomes a sentiment that expands the intellect and ennobles the soul, it also contributes to the cultural progress of civilization. Many of the world's greatest acts of heroism and works of skill have been accomplished for nationalistic reasons. The Greek Classical Age and the Elizabethan Age were two of the most patriotic periods in history. These ages, during which there was tremendous concern with idealism, honor, and what was "right," were also the most vibrant, the most creative, and the most culturally productive ages in the history of mankind. Shakespeare, the greatest poetic genius of the English language, and the bright start of the Elizabethan Age, spoke of his nation in reverent terms:

This royal throne of kings, this scepter'd isle,
This earth of majesty, this seat of Mars,
This other Eden, demi-paradise,
This fortress built by Nature for herself
Against infection and the hand of war,
This happy breed of men, this little world,
This precious stone set in the silver sea,
Which serves it in the office of a wall
Or as a moat defensive to a house,
Against the envy of less happier lands,
This blessed plot, this earth, this realm, this England,
This nurse, this teeming womb of royal kings,
Fear'd by their breed and famous by their birth,
Renowned for their deeds as far from home,
For Christian service and true chivalry,
As is the sepulchre in stubborn Jewry
Of the world's ransom, blessed Mary's Son,
This land of such dear souls, this dear dear land,
Dear for her reputation through the world,
Is now leased out. . . .[3]

Thus, historically, when men like Shakespeare have partaken of national pride, they have also believed in their own worth as human beings and have been able to put that belief to good use artistically, intellectually, and scientifically.

Ultimately, it must be concluded that only those who do not wish a nation to prosper culturally, or to defend its integrity against an enemy, will not wish the people of that nation to be patriotic. Love of country and love of liberty are inseparable aspects of the same basic human approach to civilized life. Mature love is an extension of self that must be freely given, and cannot be adequately developed in an atmosphere of repression. Those who would take away a man's freedom are well aware that they must first take away that man's belief in the integrity and worth of those in his cultural and social complex who protect him from oppression.

We would hope that our public educators will not continue to advocate overthrow of American liberty by suppressing patriotic and moral attitudes in the schools. The study of Shakespearean literature would more surely benefit students than the consideration of the doctrine of universal love. Shakespeare pondered the "to be or not to be" question, and decided that the struggle to save his country from ruin was more desirable than a quiet death. If educators were to approach patriotism as Shakespeare did, they would know that "to be," or, to live, means to be free, and to learn to love one's country freely.

[2] From the *Antigone* by Sophocles, translated by Charles Robinson, Jr., *An Anthology of Greek Drama*, 1962, p. 112.

[3] William Shakespeare, *Richard the Second*, II, i, 40–59.

TRIBUTE TO WHITNEY YOUNG, JR.

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. McCOLLISTER. Mr. Speaker, the death of Whitney Young, Jr., nearly 3 weeks ago continues to remain a shock to the thousands of us who followed his career with admiration and respect. In the time since, he's been eulogized by hundreds of people, including some of the Nation's greatest leaders. My purpose is not so much to eulogize him as to reverberate my sorrow at the passing of one of the most effective civil rights workers.

We from Nebraska take special pride in being associated with Young during some of his beginning years with the Urban League. Young was executive director of the Omaha Urban League from 1950 to 1954, and impressed many of the city's civic leaders then with his ability to get things done. Young was a terrific persuader, they say, and chose to do battle where it did the most good—at the conference table.

Whitney Young served with quiet dignity. Despite the intolerances and injustices he saw in the American system, he never once lost faith in his country. He worked diligently to right these wrongs. Through his extraordinary efforts and positive leadership, he accomplished much for the Blacks of America and in doing that, accomplished much for America.

He opened needed lines of communication between citizens. He mastered the art of getting things done. Young came at a time in history when the Nation greatly needed tolerance, understanding, and responsible leadership.

He will be greatly missed.

TO CONFER AUTOMATIC U.S. CITIZENSHIP UPON CERTAIN ALIEN, FOREIGN-BORN CHILDREN OF PARENTS WHO DIE DURING HONORABLE SERVICE IN U.S. ARMED FORCES

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MIKVA. Mr. Speaker, last session I introduced a bill to provide automatic citizenship to foreign-born children whose parent or parents have died while serving in our Armed Forces. I rise today to reintroduce the bill, which has in the interim been studied by the Departments of State, Justice, and Navy. All have indicated that they favor adoption of this remedial legislation.

Under the present provisions of the Immigration and Nationality Act, certain children whose parent or parents die while serving honorably in the Armed Forces of the United States are denied citizenship merely because they or their parents have not resided for a sufficiently long period in the United States itself. Thus, these children may be denied the benefits and privileges of citizenship of the country which their parent was honorably serving on military duty at the time of his death.

The inequity of this situation is immediately apparent in cases where the child's parent is killed in combat. But even where the parent dies of natural causes while on honorable active duty with the Armed Forces, the hardship which may be worked on alien, foreign-born children who do not qualify for automatic citizenship under present law may be very great. To alleviate this

hardship, I am introducing a bill which will close the loopholes in existing law and insure that whenever the parent of an alien, foreign-born child dies during a period of that parent's honorable service in our Armed Forces, the child automatically become a citizen of our country.

A few words of explanation about existing law and its effects on certain children of members of the U.S. Armed Forces will be helpful in demonstrating the need for this bill.

The children involved fall within two classes—those born before the deceased serviceman became a U.S. citizen, and those born after such acquisition. Under existing law, birth abroad of a U.S. citizen parent does not, of itself, automatically vest the child with U.S. citizenship. To have that effect, the parent must have been resident or physically present in the United States for periods not less than 10 years prior to the birth of the child, 5 years of which are after age 14 years—honorable service in U.S. forces is computable.

Where the parent acquired U.S. citizenship after the birth of the child, citizenship descends to the child under existing law only if statutory conditions as to the child's immigration status, the citizenship of the other parent, and the marital status of the parents, are met—section 320 of the Immigration and Nationality Act.

The following amendments are intended to confer citizenship upon the foreign-born children of U.S. citizen servicemen who would not meet the conditions for automatic acquisition of citizenship through the parent under existing law. The benefits are limited to those children whose parents died while serving honorably in the Armed Forces of the United States.

With respect to a child whose parent was a citizen at the time of birth of the child, the following new section should be added to section 301(a):

(8) A person born outside the United States, whether before or after the effective date of this paragraph of a United States parent who dies during a period of honorable service in an active-duty status in the Armed Forces of the United States under any other provision of law.

This amendment would apply only to a child who had not already become a citizen, for example, through naturalization, or through derivation by naturalization of the alien parent, Consequently, where the citizen parent dies in service, but the child had therefore acquired U.S. citizenship at birth under section 301(a)(7), the child could not take under proposed paragraph (8) and would be required to comply with the retention provisions of section 301(b). Where paragraph (8) does apply, the effect thereof would be to waive the residence or physical presence requirements otherwise required under sections 301(a) (3), (4), (5), and (7), as well as the retention requirements of section 301(b). The amendment would be applicable also to a case in which citizenship is conferred upon the serviceman, as of the date of death, by private legislation.

With respect to a child whose serviceman parent became a citizen after the birth of the child, but who could not meet existing statutory condition for derivation of citizenship through the naturalization of such parent, the following amendment would confer citizenship upon the child, as of a date subsequent to birth, provided the child had not theretofore become a citizen under another law.

A child born outside the United States of alien parents or of an alien parent and a citizen parent shall, if one of the alien parents becomes naturalized and the child is not a citizen of the United States under any other law, become a citizen of the United States, upon the death of the naturalized parent during a period of honorable service in an active-duty status in the Armed Forces of the United States.

This amendment would, by reason of the definition of the term "child" in section 101(c)(1), be applicable only to unmarried children under 21 years of age, It would confer citizenship on the child, without regard to existing requirements of section 320 and section 321, as of the date of death of the parent, even though the child may never have been in the United States. It would operate also in favor of children whose parent was granted citizenship as of the date of death by private legislation, such grant constituting a naturalization within the meaning of the amendment.

Mr. Speaker, citizenship is one of the most precious gifts which a country can bestow. If anyone deserves to receive this gift, it is the children of men and women who die while honorably serving this country in its Armed Forces.

REORGANIZATION PROPOSALS ARE WELL-RESEARCHED AND LOGICALLY PLANNED

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. KEMP. Mr. Speaker, now that the administration's reorganization proposals have been submitted, I find them well-researched and logically planned. It may well be that dividing the activities of seven present Federal departments into four new departments called Human Resources, Community Development, Economic Affairs, and Natural Resources will pull together similar projects and programs.

But, what really interests me, is whether this Government system can be sufficiently streamlined to reduce the redtape. I am talking now, not simply of the redtape encountered here in Washington, but the tremendous Federal entanglements which snarl the local citizens who seek Federal help, be it a school, a highway, or a sewer plan. To cite an example, the Model Cities program requires local officials seeking assistance to complete an application usually 400 pages long. When the city of Chicago applied for assistance, the grant application papers measured eight and a half inches. Ridiculous—we all agree. Reorganization should reduce this redtape paperweight by letting local officials make more decisions with fewer referrals to Washington for approval.

At present local communities and regional groups must hire specialists who understand the Federal jargon to complete their applications for them. What could be a more divisive block between Government and the people? Is this what we design to call service? Is such redtape really essential to the smooth operation of the Federal Government? Of course not.

I am convinced we can do better. And I commend the President for submitting such comprehensive proposals for us to use as the basis of legislation to streamline Government procedures.

TWO EDITORIALS ON NIXON'S GOVERNMENT REORGANIZATION PLAN

HON. JOHN H. TERRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. TERRY. Mr. Speaker, I want to insert in the RECORD two thoughtful discussions of President Nixon's Government reorganization plan. They are contained in two basically favorable editorials, one in the New York Times, the other in the Wall Street Journal.

The Times conclusion is that:

Even if it did not achieve the broader philosophical objectives which he envisages, President Nixon's reorganization plan would produce tangible gains in efficiency and improved delivery of services to the ordinary citizen.

The text of both follows:

[From the New York Times, Mar. 29, 1971]

TO REORGANIZE THE GOVERNMENT

It is not necessary to accept President Nixon's sweeping indictment of the failure of the Federal Government in order to agree with him that any big organization can occasionally benefit from a thorough overhaul. His plan, spelled out in complex legislation submitted to Congress last week, would reorganize and consolidate seven of the Cabinet-level departments into four new departments. It is the most ambitious reform of the Federal Government attempted since the unification of the armed services and the creation of the Defense Department in 1947.

The departments affected employ nearly a half million people, spend approximately $50 billion a year and administer hundreds of grant-in-aid programs. The dominant theme of the reorganization is that existing departments which serve specific constituencies—such as Agriculture and the farmers, Labor and the unionized workers—should instead be regrouped in terms of broad missions. These missions are self-evident in the names of the four proposed new departments—Natural Resources, Human Resources, Community Development and Economic Affairs.

The Department of Natural Resources, on which we have previously commented in detail, involves the least change because it is essentially a strengthening of the existing Interior Department. It would gain the Forest Service from Agriculture and policy control of the water programs of the Army Corps of Engineers. Both changes are highly desirable and have long been advocated by experts in natural resources management.

The Department of Human Resources is the Department of Health, Education and Welfare with a still broader mandate. It would acquire manpower training programs as well as the Women's Bureau from the Labor Department. This rearrangement makes excellent sense. Manpower training logically relates to the vocational adult, and technical education programs now in H.E.W., while women's programs belong with the other social services provided by that department.

Labor and Commerce have long been the two weak sisters among the Cabinet departments. Labor's responsibilities have not been broad enough, while those of Commerce have been incoherent. President Johnson urged a merger of the two, but his recommendations foundered on the opposition of the trades unions. In the proposed reorganization, Mr. Nixon assigns most of their functions as well as many from Agriculture and Transportation to the new Department of Economic Affairs. To attempt to sweep these agencies off the bureaucratic checkerboard is easily President Nixon's boldest stroke. The resistance in Congress and the special-interest lobbies is sure to be strong, but the reasons for reform are compelling.

The new Department of Community Development would be created around the nucleus of the existing Department of Housing and Urban Development. In short, whatever contributed to the strengthening of an old community or the development of a new community, whether rural or urban, would be sheltered under a single departmental roof.

Unquestionably, the committees of Congress and interested public groups will argue the merits of specific changes. In any reorganization of this magnitude, there are gray areas where the choices are hard and the decision could easily have gone the other way. Nevertheless, the President's plan moves in the right direction and the detailed reasoning behind most specific changes is persuasive. Even if it did not achieve the broader philosophical objectives which he envisages, President Nixon's reorganization plan would produce tangible gains in efficiency and in improved delivery of services to the ordinary citizen.

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

ONCE MORE UNTO THE BREACH

"Sometimes it is easier to win a big war than a small war," one of the architects of President Nixon's sweeping governmental reorganization program said the other day.

We hope he is right, because getting such a major overhaul through Congress will involve a major war. Other Presidents have failed at far less ambitious attempts. As Mr. Schorr noted on this page on Friday, Senator Stennis and other powerful Congressmen already are aiming their howitzers at the program. Their reasons aren't impressive, being mainly based, we suspect, on fears that their personal power is threatened.

They would serve their country better if they adopted a more receptive attitude. There is evidence on all sides that a more rational management of the government bureaucracy is becoming a national imperative. The government has evolved—through political interplay, not design—into a myraid of functional units, under separate commands, often duplicating each other and warring over who gets what piece of what action. To cite one horrible example, 17 different units spread across government involve themselves in international economic affairs.

Too often recently, with no single department having either sufficient authority to do a job or accountability for failure, expensive programs have failed for lack of proper implementation. The gap between what the government promises and what it delivers increasingly strains its credibility. The President and Cabinet officers waste countless hours refereeing intramural disputes.

The President's proposals, in four bills sent to Congress last week would wipe out seven existing departments and five executive agencies and divide their functions among four new departments, Natural Resources, Human Resources, Economic Affairs and Community Development.

Cynics might think that the proposed reorganization, like many, would merely apply new department names to the same people doing the same things. In fact, the program is revolutionary, which is why it will be so difficult to get through Congress. The regrouping of functions to avoid duplication and rivalries is only part of the idea.

Present departments too frequently serve as the voice in government of certain well-organized constituencies, such as organized labor or farmers, whose interests might be counter to the national interest. The reorganization would attempt to substitute departments that would be stronger and more independent from narrow pressures and thus better able to undertake missions truly in the national interest.

For example, a good case can be made that manpower retraining programs serve important national social and economic goals. They do not, however, necessarily benefit organized labor, a minority group in the work force, because they create new job competition. It probably is no accident that they have not been a notable success.

In some of the existing departments, the ability of the Cabinet secretary to manage has been deliberately weakened by Congress to enhance Congressional power. The Secretary of Health, Education and Welfare does not have even full budget control over his department. The reorganization would attempt to restore management control and accountability.

Congressmen might worry that the reorganization would weaken Congress and strengthen the executive to the point of destroying traditional balance. But we doubt that the concern is justified. Congress still would have control over appropriations. And many Congressmen themselves complain about their inability to establish accountability in the Executive Branch.

No one would argue that the reorganization proposal is perfect; yet the public has heard a lot of complaints in recent years about the untoward power of military contractors, labor leaders, farm organizations, health organizations and other lobbies in Washington. Whatever the attempts at obfuscation, voters would do well to closely observe how their own congressmen perform on a reorganization that could reduce such influences. The issue may well be a test of whether the country has the will and power to return to more representative government.

But it indeed will be a big war, and we can only hope that the country wins it.

VOLUNTEER ARMED FORCES SHOULD BE OUR GOAL

HON. DAVID W. DENNIS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. DENNIS. Mr. Speaker, I have said that I favor a volunteer force, and that I support this bill as a step toward that goal. This is true. The volunteer force accords with the American tradition; and the voluntary soldier who serves willingly makes the best of soldiers and expects and intends to do all the duties of a soldier. The average citizen then expects to be called to duty only in time of true national emergency.

This is a goal and an ideal which I hope we can achieve and which I believe we ought to try to attain. A word of caution is, however, necessary. Times change. In the old days of our volunteer army, America did not have the many and worldwide obligations and commitments which she has today. Even if we decide to and are able to reduce these commitments in some degree—and this is by no means a certainty—it will still remain to be seen whether enough men will volunteer to enable these commitments to be discharged. These are important questions, and they are imponderables which we cannot resolve this afternoon.

To me, however, with a war in progress, with a great transition in the method of raising our Armed Forces to be, if possible, accomplished, and with these imponderables looming for consideration and decision in the future, it seems only reasonable and prudent to support the 2-year draft extension, as provided in the committee bill, in our decision here today.

Meantime, we must work toward the future—with the goal of a volunteer force, if it can prudently be done, when this legislation next expires in 1973.

ENVIRONMENTAL ENIGMA

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. DELLENBACK. Mr. Speaker, with our country's concern about environment we need to stop once in a while and carefully take stock of some of the constructive things we have been doing on the land for a long time. We must not overlook, ignore, or forget that throughout this century a relatively small group of professionals in forestry have been protecting and growing forests for our future on a third of our whole country.

One of these men, a resident of my State, is W. D. Hagenstein, executive vice president, Industrial Forestry Association of Portland. He was the Nation's top professional forester from 1966 to 1969 when he served as the first two-term president of the Society of American Foresters in a quarter century. A logger before he was a forester, Hagenstein has worked for an organization for 30 years which founded the nationwide tree farm movement, which is also in its 30th year. His responsibilities have included the management of two large forest tree nurseries which have grown 231 million trees for reforestation in Oregon and Washington and are continuing to do so at the rate of 20 million trees per year. During World War II he was chief engineer of our military lumber production in the South Pacific. His professional accomplishments include coauthorship of a college textbook, "Harvesting Timber Crops," which is used throughout the world. He served as an associate editor of the Journal of Forestry for 7 years and has authored more than 180 articles on

forestry and natural resources. Recently he briefly outlined the progress which the forestry profession has made in this country on the land in a talk entitled "Environmental Enigma" and which was published in the Journal of Forestry this month. I insert it in the RECORD and I commend it to all my colleagues, because of its vital historic account of where forestry has come in the United States in its first 70 years:

ENVIRONMENTAL ENIGMA

(By W. D. Hagenstein)

From its beginnings in Saxony in the latter half of the 14th century, forestry has always been an environmental undertaking. Its main thrust has always been to tame the wild forest for man's use and enjoyment by managing the ecology instead of letting it run rampant.

The first attempts to manage the forest environment came about as a combination of economics and ecology. The economic basis was the transportation distance which could be reached by a man and his sons leaving the security of their walled town at daybreak, traveling with horse and wagon to the wood, felling and gathering their harvest, and returning within the walls by dark. The ecology was perpetuation of the tree species useful to man by coppice, natural seedfall, and, later, by transplanting wild seedlings to places needing them. Man was adapting himself to his environment and he quickly realized that he had no choice but to grow trees within his economic reach or he would go without their service for shelter, warmth, furniture, and tools. In time, this basic response to adaption to, and management of, the forest environment spread to every part of the world.

U.S. FORESTRY: EARLY YEARS

Nowhere did forestry take hold more slowly than in the United States, until only a quarter century ago. This was principally because no other country was blessed with such abundance of trees of such great variability in utility nor was so well able to direct the flow of settlement. The vast area of the United States could only have been settled as quickly as it was because of the abundance of forests through its length and breadth, with the notable exception of the Great Plains and the western deserts. It is significant that these were the regions of the country to be settled most slowly and today support the smallest populations.

Once a balance was reached in timber demand and supply in the United States, only a short 25 to 30 years ago, forestry really got started in earnest. During the last quarter century forestry in America has advanced as far as it did in two centuries in Europe prior to 1900.

Even in these early years American forestry benefited from the fact that men had been trained in the science and art of forestry for more than four decades. Much of the basic research necessary to reproducing desirable species and using their harvest wisely had already been done. Men had also learned how to harvest and process wood more efficiently than in most other parts of the world, so that cities could be furnished with homebuilding materials, paper, conveniences, communications, and many other essentials for civilization.

While it hasn't been so thought of previously, forestry is an environmental science. It is concerned with biology, engineering, and economics: biology, for growing and protecting an inventory of healthy trees; engineering, for their harvest, protection, processing, and use; and economics, for supplying people with their needs at competitive prices. Growing, protecting, harvesting, manufacturing, and marketing trees, and then repeating the process, crop after crop, to serve generation after generation of people, is the primary environmental aim of forestry.

MILESTONES: 1905–40

From the time that Gifford Pinchot and five other pioneer foresters started the Society of American Foresters 70 years ago, forestry accomplishment has been growing by leaps and bounds. The first big milestone was the establishment of the National Forest System in the U.S. Department of Agriculture in 1905. The second was the beginning of cooperative protection against fire with the federal government, the states, and the private owners under the aegis of the Weeks Law of 1911. The third was the cementing of that protection partnership by the Clarke-McNary Act of 1924 whose principal architects were W. B. Greeley and E. T. Allen. Clarke-McNary, besides solidifying the previous advances in cooperative protection against fire, started the cooperative federal-state nursery program for supplying trees to farmers for their woodlots and set the stage for more massive educational efforts to prevent man-caused forest fires and to intensify interest in planting trees.

The fourth was the McSweeney-McNary Act of 1928 which authorized the unparalleled system of federal forest experiment stations, the Forest Survey, and Forest Taxation Inquiry. The experiment stations and the federal forest products laboratory at Madison, Wisconsin have led the way in basic research on every aspect of trees in relation to our environment—developing better tree-planting-techniques, better trees through genetics, and better nailing patterns for housing components. The Forest Survey found out how much timber the nation had, how much was being consumed through harvest, how much was being lost to insects, disease, fire, and old age, and how much was being replaced through growth. The Survey gave us our first real timber balance sheet, and through periodic updating, has indicated the trends to allow some reliable measure for assessing public policies which will determine whether we will be able to satisfy the nation's needs for all the products and services which can only come from the renewability of our forest environment. The Forest Taxation Inquiry, first conducted by Fred Rogers Fairchild, concluded that the customary property tax didn't fit the economics of tree growing, and in fact, discouraged, limited, or prohibited it, and, therefore recommended a modification. Some states have tried to develop such modifications, but in most states property taxes which neither recognize the long-term nature of the timber crop nor adequately allow for the largely uninsurable risks inherent in timber growing are the rule.

PROGRESS: 1940–69

The fifth milestone was the beginning in the state of Washington in 1940 of the "keep green" idea. Designed to educate the public to reduce man-caused forest fires, it soon spread to most states through industry-state cooperation, and was later augmented by Smokey Bear. This movement, a prime environmental protection activity, has probably reached more Americans than any other forestry program in our history. It confuses no one; people really understand the part they play when they are asked to "keep their state green."

The sixth milestone was the establishment of the Clemons Tree Farm by Weyerhaeuser Co., also in the state of Washington, in 1941. Expanding the idea into a nationwide vehicle for encouraging private forest owners to grasp their forestry opportunities was a joint contribution of the West Coast Lumbermen's and Pacific Northwest Loggers Associations, succeeded eight years later by the Industrial Forestry Association. Today there are more than 34,000 certified tree farms, located in every state, except Alaska and Hawaii, and their holdings comprise 75 million acres. On some of these lands you'll find the most intensive forestry practiced anywhere on earth.

The seventh milestone was the Federal Forest Pest Control Act of 1947, largely the creation of the Western Forestry and Conservation Association, which set the stage for the same kind of cooperative protection of forests against insects and disease, as the Weeks and Clarke-McNary Acts did for fire long before. Under this cooperative umbrella, trees were saved for man on millions of acres where, had the environment been unprotected, defoliators, bark beetles, and other pests would have cleaned the forests out for generations—much more completely than the worst forest fire.

The eighth milestone was the Cooperative Forest Management Act of 1950, which significantly increased the joint federal-state effort in the education of the some 3 million individual non-industrial forest owners in the United States as to their forestry opportunities. Coupled with the tree farm movement, these educational efforts have stimulated much interest in and application of forestry, when and wherever local economics supplied the motivation.

The ninth milestone was the Multiple Use-Sustained Yield Act of 1960, which declared a policy for management of the national forests for timber, water, wildlife, and forage for domestic livestock and recreation. It also declared wilderness as one of the multiple uses. This marked the beginning of significant and continuing controversies over which areas of national forest were to be managed for either limited or broad service to the public.

The Multiple-Use Act was soon followed by other "environmental" legislation—the Wilderness Act in 1964; the Land and Water Conservation Fund Act, also in 1964; the Wild and Scenic Rivers Act in 1968; and the National Environmental Policy Act in 1969. These all contain purpose statements which seem to deify environment as a sacred cow. They are popular acts because they reflect what most city dwellers think they want in the rural areas of the nation—a pretty playground to which they can escape from their own daily environment, which they have been propagandized into believing is really unfit for humans. So they escape to a different environment when the practice of forestry could improve theirs by better housing, more conveniences, better watersheds, better wildlife management, and prettier countryside as a backdrop for every kind of outdoor play from picnicking to skiing.

FIVE DISTINCT ERAS

From the beginning of applied forestry in the United States to the present posture of environmental concern and widespread lack of appreciation for forestry, the development of public policies has significantly influenced the practice of forestry on all ownerships in the United States. Evident in this development are five distinct eras in American forestry: *crusade, protection, researcher, application,* and *environment*—one major step at a time, based upon need, knowledge, and favorable economic and political climates.

The crusade was shrill, its propaganda exaggerative, but its purpose was pure—to keep America supplied with trees.

The protection era was born in the flames of the 1910 blowup in the Bitterroots. No one knows how many million acres of America's forests were burned over annually before World War I, but as late as 1939 it was nearly 30.5 million acres. In 1940, at the beginning of the keep green movement, it was 26 million acres; less than 18 million in 1945; dropping to 15.5 million in 1950, 8 million in 1955, 4.5 million in 1960, 2.5 million in 1965; and back up to more than 4 million in 1968. But the trend is down, thanks to a responsive public and a scientifically trained

and experienced cooperative fire prevention and control force numbering almost 100,000 men. The record of forest fire prevention and control has chalked up an enviable environmental plus for the nation.

The research era brought much of the biological, engineering, and economic know-how essential to keeping America's forest lands fully productive. It is still continuing, but the blush is off. The basic breakthroughs which taught us how to handle most of our tree species, how to use their wood, and how to reap the bonuses of multiple benefits from forests managed for all or most of their multiple-use potential, are in the tool-kit now. The new horizon in research is now the discovery of newer techniques to solve some of the biological mysteries of insects and disease and the fulfillment of the bright promise of genetics in tree and wood improvement.

The application era, in progress for only a quarter-century, has seen American foresters substantially increase reforestation to "green up" the environment everywhere. Starting with the old burns and other deforested areas up through 1925 there had been only 1,600,000 acres planted in the whole country by all owners. Now that much is planted annually. Through 1968, there was a total of 30,000,000 acres artificially reforested by planting and seeding. In Washington and Oregon alone there have been one billion trees planted in the last 30 years. This era has seen the first commercial application of genetics to improve America's forests and the widespread use of thinning. Thinning not only improves the productivity of forests through more ideal spacing, but is now yielding substantial quantities of raw material for every kind of product from fence posts to plywood. Better protection of forests against pests has also been an environmental contribution of this era. Removal of beetle-susceptible trees before they are attacked and the salvage of infested trees while the broods are still in them to safeguard living trees, are now standard practices. Fertilizer too is being applied to speed up tree growth.

Another great contribution of America's forests to her total environment in the application era has been the building of more homes since 1945 than in the previous three centuries. More than 40 million homes have been built in the last quarter-century, 80 percent of them from wood—the only renewable building material. Another environmental contribution of forests applies directly to the economy. The growing, protecting, harvesting, manufacturing, and marketing of timber crops is the fourth largest business in the nation. This gigantic enterprise, operating on over 500 million acres in every state and in almost every community of 200 people or more, employs 1.5 million persons, furnishes an annual payroll of $7.5 billion and contributes more than $30 billion annually to our gross national product. It also provides the transportation network with 10 percent of its freight. With about 50 percent of our annual timber harvest going directly into home building—the best single barometer of the health of the nation's economy—trees could easily be called America's most supportant environmental asset.

THE ENVIRONMENT ERA

We are now in the environment era of American forestry. It resembles the earlier crusade era because once again the voices are shrill, the propaganda persuasive, and its promoters and perpetrators endowed with the same religious zeal. The only difference between the crusaders and the environmentalists is that while they sound and act alike ("the end justifies the means"), they don't think alike. The crusaders wanted forestry to work as an environmental science, while the environmentalists ignore the knowledge that through forestry trees can be a renewable resource and that forestry can be practiced for the enhancement of the environment—both in the forest and in the city.

Where does the road lead now? We are at the environmental crossroads. We should pause and heed the time-honored admonition of "stop, look, and listen." First a moment of silence, and hopefully of truth, then look down the track both ways—one way to the woods, the other to town. If someone is talking, listen. Hear him out. If he opts for environment without understanding that forestry is doing so as well, let him know what forestry is doing for him—a comfortable home; edification through newspapers, magazines, books, TV, and radio; comforts and conveniences such as sanitary packaging and soft tissues; modish furnishings; and the numerous other benefits derived from forestry. Then take him to the woods and show him how trees grow, how they're harvested, protected, and processed for enhancement of the environment. Tell him that multiple use is not a myth, a fad, a smokescreen, but something that works if land is sincerely managed for that purpose.

It's strange that a national endeavor of such proportions as forestry, which has gained economic acceptance—people like its products, jobs, freight, and taxes—doesn't make the grade today either socially or politically. Is it because of economic and scientific illiteracy? Or is it the result of forestry's foes being more persuasive than its friends? Certainly ignorance or unacceptance of forestry as a constructive form of land management and use is the environmental enigma of the day. But we can't lie down, roll over, and play dead if we are to make the continuing and lasting contribution we want and know how to make for the country.

With a rededicated forestry profession and a forest industry that, despite today's soft market, is spending additional millions each year to improve its forestry, the nation will grow trees in ever-increasing abundance for its citizens yet unborn. No country in the world ever survived without wood, and as the nonrenewable resources of the earth are used up, wood will take their places with ever increasing frequency. We are dedicated, as a profession, industry, and nation to provide every family with a decent home. Without forestry, it can't be done.

REPRESENTATIVE PRYOR SENDS LETTER TO PRESIDENT NIXON CONCERNING OUR INVOLVEMENT IN SOUTHEAST ASIA

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. PRYOR of Arkansas. Mr. Speaker, yesterday I sent to President Nixon the following letter which I hereby submit for inclusion in the RECORD:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 5, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In January 1970 I proposed to you that we should no longer continue sending fresh combat troops into Viet Nam, but rather, as we withdraw our own American soldiers from the combat zones they should be replaced with South Vietnamese soldiers.

Because you are addressing our Nation on Wednesday night of this week concerning our involvement and status in Southeast Asia, I respectfully urge you once again to consider not sending new American troops to fight in Southeast Asia. According to all reports, the South Vietnamese Army can now adequately fill the shoes of those of our troops who will be withdrawn. In adopting such a procedure, you would be keeping your word on systematic withdrawals of our soldiers, and we, as a Nation, would be saying to South Viet Nam that the war is now their responsibility.

I was one of 100 Democrats who voted last week to withdraw all American trooops by December 31, 1971. As you know, our position did not prevail, losing by only one vote. However, as we do seek the solution to this dilemma, I sincerely feel it is senseless, unjustifiable and barbaric to continue sending our American boys to be slaughtered in a war you have said we will not win.

Respectfully, I urge you to consider this measure as you prepare your remarks for your Wednesday night message.

With kind regards.

Very truly yours,

DAVID PRYOR,
Member of Congress.

CONGRESSMAN BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. SCOTT. Mr. Speaker, as you know, I send a monthly newsletter to every citizen in the Eighth District who requests a copy and am inserting a copy of the April newsletter in the RECORD at this point for the information of the membership:

YOUR CONGRESSMAN BILL SCOTT REPORTS

For the most part, our Congressional Committees are now organized, beginning to hold hearings and the House is acting upon a variety of measures. Last week, to encourage voluntary enlistments and move toward an all-volunteer force, the Military Service Act was passed by the House. It increases the pay of the members of the military force, with greater emphasis on enlisted men and junior officers beginning their careers, extends the draft law for two years, provides that conscientious objectors shall serve in alternate non-combatant duty for three years rather than the usual two. Both Houses of Congress also passed legislation to amend the Constitution to provide for uniform 18 year old voting throughout the country, increased Social Security benefits, and the House is considering appropriations for education. I hope as various matters are being considered in Congress, you will feel free to let me have the benefit of your opinions.

Eighteen year old vote: Both Houses of Congress have passed a joint resolution to amend the Federal Constitution to provide for uniform voting throughout the country for citizens 18 years of age or older. You will recall that last year an effort was made to change the voting age to 18 in all elections by act of Congress rather than by a Constitutional amendment. Many felt that this was a matter reserved to the State governments under our Federal Constitution. However, the Supreme Court ruled that the law was valid insofar as it related to Federal elections but invalid as it is related to State and local elections. This interpretation, if not changed, will require the maintenance of separate voting lists for persons eligible

to vote in Federal elections and those eligible to vote in State and local elections and could result in additional expense and confusion. However, the joint resolution enacted by Congress last month and already ratified by more than 12 states will provide a uniform age for voting throughout the country in all elections when two-thirds of the states ratify the resolution. While there is a difference of opinion as to whether our youth at 18 have the required maturity to cast an intelligent vote, the amendment will in all probability be adopted and this will place a responsibility on parents and teachers to assist the youth in obtaining adequate knowledge of the candidates, issues and duties of elective office so that they will not only vote, but will cast informed votes.

Lorton Correctional Institutions: You will remember the House of Representatives during the last Congress passed a measure to transfer jurisdiction over the District of Columbia correctional institutions at Lorton from the District of Columbia to the Federal Bureau of Prisons as a part of the D.C. Crime Bill. In a conference with the Senate, however, this provision of the Crime Bill was deleted.

Because of the interest of the correctional officers and residents of the Lorton area and the strong support given the measure by the House, I have introduced the transfer bill as a separate measure this year. From the information available, it does appear that personnel of the Federal Bureau of Prisons have superior knowledge of prison administration and the Chairman of a House Subcommittee on the District of Columbia has scheduled hearings on the measure to begin on Monday, April 19th. In the event you or your organization would like to appear and testify with regard to the Bill, it is suggested that you contact Mr. Hayden S. Garber, Counsel for the Committee. His phone number is 225-4457.

Post Office & Civil Service Committee: The new Subcommittee on Investigations, created in the 92d Congress, has broad powers both to review and study the application, administration and execution of those laws which come within the jurisdiction of the full Committee. We expect to pay particularly close attention to the way the new Postal Service is organized and begins operation as a corporate-type agency under the provision of the Postal Reorganization Act of 1970. At the moment, interest is focused on postal modernization involving more than $1.5 billion in new postal buildings and an agreement of the Postal Service with the Army Corps of Engineers to take over major postal construction. We expect to follow this program closely over the coming months and will report our findings to the Congress and the public.

Terms for Federal Judges: To improve our system of justice, I have introduced a Resolution to amend the Constitution to provide that all Federal judges be appointed for ten-year terms with the right to be renominated and reconfirmed for additional ten-year terms. Should the proposal be adopted by the Congress and ratified by the States, in my opinion, we would still have an independent judiciary but it would tend to minimize arbitrary action by the courts if the judges were required to account for their stewardship every ten years. As you know, in Virginia our trial judges are appointed for eight years and our Court of Appeal judges are appointed for twelve years. However, for practical purposes, once a judge is named to the state bench, he continues to serve until his retirement and I believe this would generally be true for the Federal judiciary under my proposal. The thrust of the Resolution is that the mere knowledge an incumbent would be called to account every ten years would prevent him from taking irresponsible action. Twelve colleagues from both major parties joined me in co-sponsoring this legislation, which should increase the chances of favorable action. I have also asked for Administration support of the proposal. The reasonableness of the Resolution is demonstrated by the fact that 46 out of our 50 states have specific terms for members of the State judiciary.

Other Bills Proposed: Since Congress convened, I have introduced or co-sponsored more than 40 separate measures relating to such diverse topics as clearing title to Alexandria waterfront property; National catastrophic illness insurance; preserving neighborhood schools; having the Government fiscal year coincide with the calendar year; thirty year optional retirement for government employees; prohibiting the mailing of pornographic matter to minors; establishing a national cemetery adjacent to Manassas Battlefield Park; authorizing the suspension of assistance to foreign countries which fail to take steps to prevent narcotic drugs from unlawfully entering this country; providing a tax credit for certain expenses incurred in providing higher education; amending the Constitution to permit nondenominational prayer in schools and other Federal buildings; protesting the treatment of our Prisoners of War in Southeast Asia; providing four-year terms for members of the House; establishing a committee on the environment; establishing a select committee to study the problems relating to older people; and providing for more effective inspection of imported meat to prevent the importation of diseased or contaminated meat or meat products.

Cherry Blossom Time: More than the usual number of school groups are visiting the Capital at this time and, of course, our office will be glad to assist them with their plans. Should you desire assistance, you may want to contact the receptionist of the Washington office (phone 225-4376) and she will be glad to assist.

Government Employees Retirement: The House Subcommittee on Retirement, Insurance and Health Benefits will commence hearings on April 21 on Federal employees' health insurance. The Chairman of the Subcommittee has expressed the opinion that the Government may not be obtaining the best health insurance at the lowest cost for Government employees and witnesses to be called will include representatives of the Civil Service Commission and the principal insurance carriers.

The same Subcommittee also plans to hold area hearings on a variety of bills introduced with regard to Federal employees retirement laws. A number of groups including fire fighters, air traffic controllers, and correctional officers have requested legislation to authorize early retirement based upon hazardous duties and bills have been introduced to liberalize retirement laws with regard to Government employees generally. Rather than to hold separate hearings on these measures, the Subcommittee plans to look into all Federal employees retirement laws and to consider what changes, if any, should be made in them. As a part of the hearings, the Subcommittee plans to visit Dulles Airport and the FAA facility at Leesburg to see first-hand the activities of the air traffic controllers as the basis for determining whether they should receive hazardous duty retirement.

Fredericksburg Office: Any constituent should feel free to visit our Washington office at any time, and may call 225-4376 for an appointment. However, if you do want to discuss a matter and it is inconvenient to come to Washington, the Fredericksburg office also is open each day. I will be there to confer with constituents on Friday, April 23. You may wish to arrange an appointment through the Fredericksburg office by calling 373-0536 but, of course, you can stop by without an appointment.

Publications Available: The following bulletins are available for distribution upon request:

Family Food Budgeting
Your Child from 1 to 6
Lawn Diseases
How to Buy Beef Roasts
Planning Your Home Lighting
Rural Recreation
Clothing Repairs
Making Basements Dry
Family Fare Cookbook
Part-time Farming
How to Buy Beef Steaks
Foundations for Farm Buildings

Something to Ponder: Anger is never without a reason, but seldom with a good one.

THE CALLEY DECISION

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. CORMAN. Mr. Speaker, a great deal of attention has been focused this past week on the court-martial of Lieutenant Calley. President Nixon's decision to intervene in the case at this point in time is all the more reason we should view the decision from every point of view.

The following commentary on the case by Frank Mankiewicz and Tom Braden, which appeared in the Washington Post of April 6, should be of interest to all the Members. I insert the commentary below in the RECORD.

NIXON MOVES IN ON CALLEY

(By Frank Mankiewicz and Tom Braden)

President Nixon has not ordered Charles Manson released from custody, and Vice President Agnew has not spoken out in Manson's defense. One must conclude that their role in the outcry of support for Lieutenant Calley is based upon something more than concern for a convicted murderer.

Manson was convicted for six murders at which he was not present. The jury brushed this fact aside in the face of evidence that he had ordered the killings. It also brushed aside—as did the American public—the fact that his girls were just obeying orders.

But Lt. Calley was on the scene. He personally murdered at least 24 old men, women and children, unarmed and totally in his power. He killed 22 of them with an M-16 rifle from a range of about 5 feet, while they cowered in fear and the mothers tried to shield their babies. Then he killed an old man he was tired of "interrogating," ("I butt-stroked him in the mouth, sir"), and fired at a two-year-old boy.

That was the unanimous verdict of six combat veterans. They anguished for 13 days before they reached their verdict. For doing their duty to their country and its laws, they might have thought to be praised. They might even have expected criticism of the Army for starting at the bottom in its exposure of war crimes. What they got was far different.

What they got was George Wallace asking his draft director to suspend selective service until Calley is pardoned; Rep. Don Fuqua (D-Fla.) proposing that Calley address a joint session of Congress (as Churchill and MacArthur did); Rep. John Rarick (D.-La.) presenting the convicted murderer with a medal in absentia for "service beyond the call of duty," and a resolution by Sen. Henry Bellmon (R.-Okla.) to put the Senate on rec-

ord against prosecution of any military man for killing civilians during a war.

After that, they got Agnew. The Vice President, sitting comfortably in Washington, let it be known that conditions during a military operation "are not subject to Monday morning quarterback judgments by someone sitting comfortably in Washington."

"It is over-simplified extremism," according to the Vice President, to believe that anyone involved at Mylai "is guilty of a war crime and should be punished." He may have forgotten that the President of the United States once spoke of Mylai as "a massacre."

But if so, it didn't matter. For it remained to Richard Nixon, given an opportunity to remind the nation of that rule of law which was the keystone of his 1968 campaign, to demonstrate that when principle is at stake, politics comes first. If, in this century, there has been a more coldly calculating play to the momentary popular majority than Mr. Nixon's release of Calley from custody and his assumption of final review, it escapes memory.

Mr. Nixon has often reminded us of the brutality of the enemy, and he ought to know more than most Americans how brutal this guerrilla war has become. He could have talked about this and drawn a sharp distinction—we prosecute our war criminals. Given that opportunity to call upon the best in America, the President yielded instead to the worst.

Because the President and the Vice President have chosen to play to the crowd, the outcry in behalf of Calley will go on for a longer time than hysteria in this country usually does.

As he said he would never do, Mr. Nixon has now tailored his actions to the clamor in the street, ignoring those who sometimes uneasily, always quietly approve the rule of law. When passion subsides he and Vice President Agnew may find that their countrymen's respect for law runs deeper than theirs.

CALLEY—A TEXAS VIEW

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. COLLINS of Texas. Mr. Speaker, when I was back in Texas this weekend, everyone was discussing the Calley matter. A Texas viewpoint that speaks for many Texans was expressed in an April 4 editorial by Felix R. McKnight in the Dallas Times Herald.

More and more I wonder why we are in Vietnam. And day by day I am convinced that the sooner we bring all of our American boys home, the better off we will all be. For a plain spoken analysis of war and Calley, I want you to read McKnight of the Herald:

Why, in the name of God, make the 27-year-old William Calleys pay at hard labor through life so that the artisans of war can crawl from the mudholes of history to the wash basin?

Is this ramrod Floridian, whose tears were even disciplined as he stood before his jury, supposed to be our conscience?

Is he, by life in a stockade, supposed to be the total atonement for the million tragedies that are the footnotes to war manuals?

Must Lt. William Calley, in one sweep of righteousness, be the cleansing agent for massive World War II bombings that obliterated cities and brought other men the Congressional Medal of Honor?

Are we, in currently recounting the miseries of man's wars, to go back and prosecute Commander-in-Chief Harry S. Truman for the premeditated extinction of hundreds of thousands of civilians in the atomic erasure of Hiroshima and Nagasaki?

Do we call back for trial Gen. Killer Kane, wearer of the Medal of Honor, for leading his cluster of lethal B-24 bombers on a raid that leveled the military target of Schweinfurt? Or the bomber swarms that buried Dusseldorf, Bremen, Cologne?

The Allies arose from the ashes of Britain's Coventry after mass burials of their civilians to retaliate in savagery against enemy cities.

Remember Audie Murphy, the freckled kid from Commerce, of the same slight, Calley-ish build? Audie wears the blue-ribboned Medal of Honor for single-handedly dispatching 240-odd Nazis and shattering enemy machine-gun nests that had been killing and maiming his fellow soldiers.

Audie's act was premeditated; committed in the wrath that comes from seeing a buddy's blood.

William Calley stood unshakable before his jury the other day—except for tears that wet his cheeks—and told them he shot at My Lai for the same reason:

"If I have committed a crime, the only crime I have committed is in judgment of my values. . . . Apparently I valued my troops' lives more than I did the enemy. . . . That was my enemy out there and I had to value the lives of my troops. . . . That is the only crime I have committed."

Calley sobbed his final plea:

"You stripped me of all my honor. Please, by your actions, don't strip future soldiers of their honor—I beg of you. . . ."

It is unthinkable that William Calley, a nice young guy dislodged from civilian life and given a gun to fight 8,000 miles away in some cause we are now departing, would walk the streets of his hometown Miami at high noon and gun down women and children and old men in monk's cloth.

William Calley, the records show, committed his first sin at My Lai. His trial, orderly and conducted within the strict structure of military law, found him guilty. Jurors publicly said they combed back through the thousands of pages of testimony to grasp words that would prove him innocent. They did not find them—beyond reasonable doubt.

The harsh judgment rendered is to be questioned. The severity of sentence appalled America. It undoubtedly will be reduced as Lt. Calley lives in reflection and remorse through appeal procedures.

President Nixon, vested with final commutative authority, will decide the moral issues that go with it; issues that have crystallized in the futility of the Vietnam conflict.

No—this should not be the lot of William Calley. But perhaps the system that got him there should be called into the witness box.

It is late in the game to start indicting the military. So we ask again, as generations before, what price war? Do we finally use every resource reborn by the Calley affair to end the scourge that—left with more My Lais, rapes of Poland, etc.—will end us all?

War, at its sorry best, is a concoction of anguish, distrust, misery and impetuous acts of dishonor. It is the sordid game that ends in no decision; only the pause before the next shooting, the next My Lai.

The poison of war; the discipline that says clean out a resistance pocket or get cleaned out yourself, has made Lt. Calley reflect on many things. It caused him to say, even before his jury found him guilty of premeditated murder—whatever that is in war:

"My Lai was a small tragedy in a small place. But, for once, man was able to see all the hells of war. I can't say that I am proud of being in My Lai or participating in war. But I would be extremely proud if My Lai shows the world what war really is . . ."

NEW APPROACHES TO URBAN MASS TRANSPORTATION NEEDS

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, the problems of urban mass transit in the 1970's are certainly ones which shall merit our complete attention in the months ahead. Soaring inflation, together with the need to modernize and expand services, have made it imperative that we in the Congress find some effective mechanism to assist our ailing urban transit systems.

In the city of Chicago, we have the good fortune to have one of the Nation's leading experts in the field of urban mass transportation in our Commissioner of Public Works. I refer to my good friend Milton Pikarsky.

Recently, in Philadelphia, Commissioner Pikarsky was the keynote speaker at a joint American Society of Civil Engineers-Institute for Rapid Transit Specialty Conference. His topic, "New Approaches to Urban Mass Transportation Needs" is one that I am sure will be of interest to my colleagues. For this reason, I am enclosing the Commissioner's remarks in the RECORD.

SOME THOUGHTS ON URBAN TRANSPORTATION GOALS AND OBJECTIVES

With the recent release of the President's Revenue Sharing Program for Transportation, this nation is at a critical policy crossroads.

We are going through a period when major decisions concerning the future of urban transportation will have to be made both at the local and national levels. The problem is complex and the task is difficult, but our resources are of adequate magnitude to meet the challenge. Let us summarize what has thus far been achieved:

Awareness of the seriousness of the urban transportation problem.

Broader understanding of the urban "whole" consisting of interrelated elements.

Recognition of the need for multi-modal balanced transportation systems.

Recognition of the seriousness of environmental impacts of transportation systems.

Substantial research and development efforts for problem solving, new concepts and hardware systems for better transportation.

The task, now, is one of selecting appropriate courses of action so that already developed concepts can be put to work.

GENERAL FRAMEWORK

The urban transportation system is a subsystem common to two main separate systems: The general urban system and the general transportation system. Therefore, it is only natural that its goals and objectives should be derived from the overall goals of the two larger systems. The general urban transportation goals and objectives are subject to modification with changing public priorities. These objectives must be consistent with the overall objectives, they must be attainable with the short-term programs and must reflect the most urgent needs.

It is in this area that a continuous effort of updating and re-evaluating the objectives is required. Once selected, the immediate objectives should serve as the guide for action programs. We will also need a process by which the results of these action programs can be evaluated as to their success in meeting the objectives, and this is what we call

"Program Monitoring." This evaluation will produce feedback into the system and will guide the updating of immediate objectives.

Now, let us try to state our present goals and objectives within the framework we have established.

GENERAL URBAN GOALS

What distinguishes urban life from that of rural is the great diversity of activities at urban centers which have been attracting people. Therefore, the most essential goal of urban living should be the provision of adequate and equal *Options and Opportunities* for all residents so that they may participate in these diversified activities. Another urban goal, which to some extent is a derivative of the first one, would be to increase the aggregate *Quality of Life* which includes social, economic and environmental considerations.

GENERAL TRANSPORTATION GOALS

Transportation is not an end in itself, but is a means towards fulfilling social and economic needs of the total society. Its primary goal is to *provide maximum mobility of people and goods.* In addition, transportation should also be used as a tool to enhance *national economic* development.

URBAN TRANSPORTATION GOALS AND OBJECTIVES

Our general urban goal of "Options and Opportunities" and general transportation goal of "Maximum Mobility" could be achieved by *minimizing the friction of urban space between activity centers.* Reduced travel frictions will enable the urban residents to pursue their activities with a real freedom of choice in employment, shopping, cultural enrichment and recreation. In addition to serving these activities, the urban transportation system can be used as a tool to *enhance urban environment* by creating more desirable land-use and social patterns.

The stated goals can be translated into a generally recognized set of more specific objectives:

A continuing objective of transportation is to reduce the aggregate time spent between origin and destination. Increased personal income leads to a continuous increase in the value of time. Therefore, *minimization of travel times* will always be a primary objective.

Minimization of aggregate travel costs in relation to other service costs is a natural objective of urban transportation. This objective should have a higher relative weight for public transportation.

The urban transportation systems should be *adequate to meet the demands* at a higher level of performance in terms of capacity, speed, frequency, safety, convenience, comfort and reliability.

Land use and transportation systems interact with cumulative effects. It is, therefore, essential that we *optimize arrangements of land use and transportation systems.*

As stated earlier, the environmental impacts of transportation systems are no longer a matter of dispute. A strong objective is to develop systems having *minimum detrimental effects on the environment.*

Urban transportation systems should also have the objective of *enhancing urban opportunities such as employment, education and recreation* by seeking to create more such opportunities in addition to providing service to them.

IMMEDIATE OBJECTIVES

While it would be ideal to seek the continuous fulfillment of all the stated objectives, project planning and programming will have to be geared towards meeting more finite objectives. Selection of these immediate objectives should be based on the existing imbalances among the various components of the system, the urgency of the needs, and the availability of resources to meet them. As needs and resources change, our set of immediate objectives will require updating.

Urban transportation as a part of the general urban system should be guided and handled in a wide and comprehensive way. This interdisciplinary approach requires a well-defined organization to take care of the subject from the different urban life aspects. Thus, it is of great importance to *improve the institutional framework* in order to achieve better coordination and balance between urban transportation and the general urban system.

Urban transportation could alleviate some of the social imbalances by *achieving mobility for the disadvantaged.* Good transportation should decrease the existing polarization by providing equal opportunities of mobility to all.

Supplying a sufficient service in any given time is one of the major objectives. The main constraint towards achieving this objective is the fact that a given capacity should be able to meet a changeable demand. This causes a great many difficulties, particularly in adjusting the capacity to meet the peak-hour demands. Consequently, most transportation systems are experiencing serious problems at peak-hours, very often approaching a system breakdown. Therefore, immediate efforts are needed to *alleviate capacity deficiencies.*

A significant part of the noise and air pollution in our cities is due to the types of rolling stock and sources of energy used for transportation. Hence, an immediate objective of urban transportation is to *reduce air and noise pollution* caused by it.

There must be a continuous checking and evaluation of any technological development in order to *apply new technology* to upgrade existing systems for higher level of service.

PROGRAMS

Once we have defined the goals and objectives of urban transportation and the immediate objectives to be fulfilled in the short-run, we have to find an approach by which we could achieve our objectives. This could be done, of course, by developing a set of action programs which would be guided by the goals and objectives we have already stated. We could distinguish among *four different phases* of programming:

1. The planning phase

High priority should be given to:

Updating outputs of transportation studies with serious consideration to new technological developments and mass transportation.

Identifying deficiencies in the existing system and determining priorities.

Developing a framework for system development in order to fulfill the various needs.

2. The system development phase

Emphasis should be placed on the unique requirements of the different segments of the system rather than developing separate networks for each mode. Following this approach, we can identify four segments with different functional and structural characteristics.

The CBD core or central business district segment should be provided with:

Automated circulation systems or other people-movers;

Continuous pedestrian passageways;

Restrictive legislation including zoning for certain modes and services;

Integrated transfer centers; and

Specialized freight handling systems.

The accessibility corridors segments requires:

Upgrading existing facilities using present technology and innovative measures such as exclusive bus lanes, automatic train control operations; and

Building new facilities where needed. In developing new facilities to expand the capacity, dual mode transport systems and new transit concepts should be considered.

The collector-distributor systems segment should provide:

Specialized feeder bus systems;

Improved services for intra-area or neighborhood passengers with new techniques such as: dial-a-bus; and

Convenient transfer centers such as:

Park-n-ride, interfaces among bus, rapid transit and commuter rail services.

And *the special generators segment:*

Outside the CBD which includes airports, large shopping centers, recreational and educational centers and which should be provided with both:

Direct corridor access systems to the CBD; and

Intra-area transport systems such as people-movers and special shuttles.

3. Programing phase relates to capital financing

As long as our objectives include:

Minimization of travel time, transportation adequate to meet the demands and alleviation of capacity deficiencies, then we should be ready to find a financial solution to the possibility that the urban transportation system fails to break even.

In order to keep the system balanced among its different modes, we have to have a formula for continued, equitable means of financing public transportation. This financing if and when it be needed, could be collected in different ways. Each one of the following possibilities has its own proponents and opponents and most require special legislation:

A federal subsidy;
A state income tax;
An assessed property tax;
A property appreciation tax;
A motor fuel tax;
An employers tax;
A sales tax;
An excise tax;
A utility tax;
A special transit taxing district; and
An income from air rights, direct access
And other special privilege uses.

Among the programs derived from the immediate objectives of urban transportation, our fourth program applies to the operations area. It is obvious that prior to any technological development, the operations of the existing system should be studied exhaustively. A check list should include:

Improved coordination of services among carriers for optimum use of facilities.

Consolidation of services when feasible.

Utilization of technical efficiencies, such as the monthly pass or automated ticket control.

The total scheme presented here would not be complete unless a continuous evaluation or re-evaluation is made. In other words, a system or a model is needed to continuously evaluate the net community benefits derived from the different action programs mentioned. This feedback process in the system will serve as a decision tool by which the selection of the immediate objectives and programs may be accepted, modified or rejected.

In this presentation an attempt has been made to identify the immediate specific objectives of urban transportation as derived from the overall societal goals. It has been emphasized that these objectives are subject to modification based on changing needs and resources.

Towards meeting the stated objectives, a checklist of action programs has been suggested for all phases of urban transportation. Some of these action programs would involve local and national legislation. A framework has also been presented for the continuous evaluation of these activities.

It must be emphasized that defining goals

and objectives will be meaningful only if they are followed by positive action programs. Efforts should be directed to the accomplishment of these programs, including active support for progressive legislation.

REMARKS OF LT. GOV. MALCOLM WILSON, NEW YORK

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ROBISON of New York. Mr. Speaker, this past St. Patrick's Day, the Society of Friendly Sons of St. Patrick in the city of New York were fortunate enough to hear from New York State's Lieutenant Governor Malcolm Wilson. To those of us from New York the warm thoughtfulness of the speech will come as no surprise—for this is the Malcolm Wilson we have long admired and loved. But it is my feeling that others throughout the Nation who are not as well acquainted with our distinguished Lieutenant Governor would enjoy his remarks. Mr. Wilson has been second in command in our State for over 12 years now. He and Nelson Rockefeller have initiated far-reaching programs in every area of social endeavor, and have—together—forged a record which is the envy of every other State. In times of trouble, it has often been Malcolm Wilson's strong, calm, compassionate leadership which has smoothed the waters and prepared the way for reason and consensus.

So, is it any surprise that this great New Yorker, this great American, would end his remarks by toasting:

Thus, determined, Gentlemen, let this be our toast: To the United States of America! God keep her! God help her! God bless her!

For the enjoyment of my colleagues, I now present the full text of Mr. Wilson's address:

REMARKS OF LT. GOV. MALCOLM WILSON

It was not without considerable trepidation that I accepted the invitation to respond to the toast "the United States." Not only is it an awesome challenge even for one far more gifted than I, but also I anticipated the very circumstance in which I find myself at this moment. Like Jason and his Argonauts in their pursuit of the Golden Fleece, I am caught between the Scylla of the magnificent dinner and delightful Glee Club we have enjoyed together, and the Charybdis of the eloquent bishop of Albany whose address will be the highlight of this evening as it is whenever he speaks. Frankly, gentlemen, this is a situation from which I propose to extricate myself, if not deftly, at least expeditiously!

I wondered what I might usefully say in these precious few moments of your individual lives which have been put into my keeping.

The impulse is almost irresistible to wring one's hands verbally at the disquiet we feel in contemporary times. The temptation is strong to inveigh against those who confuse means with ends and resort to violence, whether in the streets, or on the campus, or in public buildings, seeking to accomplish their objectives, valid or invalid. One is impelled to express alarm at the emergence of a strange philosophy which equates freedom with license, which scorns authority and the organized structures of society, which exalts the anti-hero and the alienated, and sneers at the poor square who, in truth, holds society together.

It struck me, however, that none of these courses would be appropriate to the occasion, for a variety of reasons.

One reason is my awareness that this is too sophisticated and knowledgeable a company in which to labor the obvious.

A second reason is that I did not wish to engage in the rhetoric of crisis which increasingly marks our time.

Essentially, however, it is because I feel strongly that in complex situations one must beware of simplistic solutions. There are none.

In a remarkable but little noted farewell address on his retirement as counselor to President Nixon, Daniel Patrick Moynihan expressed this concept admirably.

He said:

"A century ago the Swiss historian Jacob Burckhardt foresaw that ours would be the age of "The Great Simplifiers," and that the essence of tyranny was the denial of complexity. He was right. This is the single great temptation of the time. It is the great corruptor, and must be resisted with purpose and with energy.

"What we need are great complexifiers,—men who will not only seek to understand what it is they are about, but who will also dare to share that understanding with those for whom they act."

Therefore, gentlemen, I leave to wiser heads the formulation of solutions for the problems of our time. However, this I do believe. There is nothing wrong with America that we do not have the spiritual, human and natural resources to overcome;—there is truly nothing America cannot achieve,—if we but renew in ourselves the proud heritage which is ours,—if we will only believe in ourselves again.

The sons of St. Patrick have a special pride, a special trust, a special stake in preserving that heritage—because in no small measure the story of America is the story of the Irish in America.

I must admit—albeit grudgingly—that there are others than the Irish who contributed to the totality of that heritage,—for uniquely among all the nations of the world, ours represents a distillation of the finest traits and characteristics of races from many lands.

I disparage no other, however, when I assert that the Irishman's contribution to our American heritage is exceeded by none.

When our ancestors arrived on these shores, they came without material possessions. They had no schooling,—no capital,—nothing but a deep-seated faith in God and a fierce passion for liberty,—both tested in the crucible of cruel oppression for almost a millenium.

They could offer their new land nothing of scientific skills,—or of wide university training; nothing of the professions or the arts,—because they came here a people denied their natural inheritance in their native land. That is why they came.

They dug our canals,—and built our railroads,—and tilled our soil,—and drove our trolleys,—and fought in our armies, yes,—and in due time many of them baptized our babies,—taught our children,—and buried our dead.

Their new land offered them liberty and opportunity. That is all they needed,—for their material poverty was relieved by a richness of character,—their lack of education by a hardbitten wisdom,—and their aching hearts were mended by the depth of their faith in God.

You may have noted, gentlemen, that I did not mention "security." I recall the beloved Al Smith saying long ago that in all the years he had been attending these dinners, he had never heard the word "security" used in any of the speeches,—but he always heard the word "liberty" for, in Al's words, "everyone knows that an Irishman,—given liberty,—will find security for himself." And he was right.

Our forebears got for themselves in some cases—and provided for their children in all cases—the education they had been denied in their native land. They became—and saw their children become—men and women of respectability and leadership in religion, in commerce, in the professions, in government and in the arts.

Who will deny that the twin pillars of strength which sustained them in the face of privation and peril and which gave them the courage to win the struggle were their passion for liberty and their faith in god?

Ireland, for seven centuries, rode out the storm and survived the whirlwind because her race, her nation and her people were founded on a rock. As St. Matthew said of the wise man in the gospel who built a house:

"And the rain fell, and the floods came, and the winds blew, and they beat upon that house, and it fell not, for it was founded on a rock."

So, too, gentlemen, I am convinced that we will survive the storms of our time if we remain faithful to the heritage which is our own foundation of rock—an unshakeable belief in the creator and in the dignity of each individual made in his image—a recognition of moral values—the same values which marked and molded the Irish character—an indestructible love of liberty and justice—and a boundless supply of courage and, yes, of humor with which to face life's storms.

In short, what is needed more than anything else in this time of uncertainty and concern is an act of faith.

For surely you share with me the conviction that, armed with this faith, there is truly nothing we cannot accomplish within the framework of the American system which has provided the most freedom in its society—the most abundance in its economy—and the most responsiveness in its government the world has ever seen.

Thus, determined, gentlemen, let this be our toast: to the United States of America! God keep her! God help her! God bless her!

FAMILY ASSISTANCE AND FINANCIAL SHARING ACT OF 1971

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. GREEN of Pennsylvania. Mr. Speaker, I am today introducing the Family Assistance and Financial Sharing Act of 1971. This legislation is unique in that both welfare reform and fiscal relief are seen as compliments, not alternatives, to one another. The themes of this legislation are currently part of our national debate: to federalize welfare or not; to legislate revenue sharing or not;

how do cities, people, and States benefit from a revenue-sharing act.

What has struck me about the nature and tone of the debate is that the questions have generally been phrased in either or terms: either welfare federalization or revenue sharing. Mr. Speaker, I am not certain that the debate should center on the either—or; I do not believe that welfare federalization and revenue sharing are mutually exclusive. My bill begins with this assumption—that the legislative ends need not be mutually exclusive but are integrally related. The Family Assistance and Financial Sharing Act of 1971 joins both concepts for a frontal attack on two of our most pressing needs—the plight of the poor and the fiscal relief for our cities and our States.

GENERAL PROVISIONS

This bill has three main provisions. First, it provides for a family assistance plan—a thorough overhaul and reform of the present welfare system. This section includes the following:

First. A family of four with a minimum income of $3,600 and each additional family member receives $500.

Second. Provides work incentives by permitting recipients to retain 50 percent of earnings. In this way, it is more beneficial for individuals to work than to live only on Federal welfare.

Third. Requires State to maintain present level of benefits until full Federal takeover. States will be reimbursed for 70 percent of their costs over $3,600 in the first year, and on an increasing basis until the fourth year when the Federal Government will fully relieve them of their costs. Pennsylvania currently pays an average of $3,433.

Fourth. Requires all recipients to register for employment or training except mothers of children under 13, wives of family heads, aged, blind, disabled, children under 16, and full-time students.

Fifth. Increases benefit level over a 4-year period to the Labor Statistics poverty index.

Sixth. Requires employment registration and suitable employment.

Seventh. Assumes the development of day care facilities and manpower opportunities at prevailing or Federal minimum wage levels, whichever is higher.

Eighth. Recipients retain ownership of home, household goods, personal effects, and other property held essential to family means of self-support—generally denied welfare recipients.

Ninth. Safeguards due process and equal protection rights of recipients.

Tenth. Adult welfare categories are increased.

Second, welfare costs and program administration are completely federalized.

Third, fiscal relief is provided through a Federal assumption of State and local public assistance costs and through a Federal revenue-sharing program. This section includes:

First. Frees for the States money not committed to welfare plus a share of Federal income revenue which grows from 1 to 2 percent over the 4-year phasein. This offers the States $8.7 billion the first year and up to $22 billion by year four.

Second. Sixty-percent of the funds freed in welfare must be returned to local communities and divided among them according to a formula based on population, local revenue effort, percentage of low income families. This formula will give cities like Philadelphia, New York, and Boston substantial increases of funds for their operating programs.

Third. Forty-percent of the Federal revenue shared must be passed directly to local communities.

Fourth. Fund expenditures will be required to take into account civil rights, contract compliance provisions, and civil liberties. Money must be spent on priorities which are determined by open community hearings.

OBJECTIVES OF THE BILL

In drafting this legislation, six major objectives guided my thinking. First, I wanted a welfare proposal that was income based. My assumption was that the problems of the working and nonworking poor are traceable to the amount of disposable income they have.

Second. I wanted a system that was progressive. I felt that benefits must keep pace with this society's standard of living.

Third. I wanted a system that would maintain and strengthen the family unit, that would spare the necessity for a paternalistic social welfare apparatus, that would protect the rights and privileges of eligible persons, that would encourage an increase in one's self-esteem, that would encourage those now working but underemployed to continue to work. For those not now working, but able to work, my bill provides for registration, training, and suitable employment.

Fourth. I wanted a system that would establish as national policy an understanding that welfare and public assistance are not an isolated State function but a national function requiring Federal investment of funds, technology, and administration.

Fifth. I wanted a bill that would recognize that the middle- and moderate-income families living in our cities need desperate relief from a fiscal bind they find increasingly hopeless, frustrating, and discouraging.

Sixth. I wanted to provide a mechanism that encourages a growth in funds returned to the geographic areas of greatest needs—to be spent on locally determined priorities.

THE PROBLEMS OF WELFARE AND FISCAL RELIEF

In setting out these objectives, it is obvious that I am not dealing with a single "welfare problem" but a problem involving many dimensions. I would like to discuss three of these dimensions because I believe that my bill has significant impact on them: the problem of poverty, problem of working low-income families; and systemic problems—the crisis in welfare and the crisis in our States and our cities.

1. PROBLEM OF THE POOR

Poverty has been defined by some as a condition when resources of families or individuals are inadequate to provide an acceptable standard of living. Though, this definition has come to have great currency in Government, it does omit crucial aspects—for poverty is also social isolation and it is also a certain sense of powerlessness.

Perhaps programs to guarantee an income will, after a period of years, translate into new forms of social awareness and an increased participation in the political life of the Nation. Almost all of us accept this as a reasonable assumption, and it is the assumption that is the foundation of this plan.

Any attempts to measure the extent of poverty in the United States are immediately subject to criticism. Whether one opts for the Social Security Administration categories of poor or near poor or the Bureau of Labor Statistics low- or moderate-income budget—the results are still the same: there is no perfect scheme and no value free poverty measurement. It certainly is true that the social security index does have serious problems of being food based—which brings up questions about an adequate diet definition and the proportion of the food budget allotted for food. The Bureau of Labor Statistics budget, on the other hand, while reflecting consumption cost, does little to tell about cash outlays, for it does not recognize the enormous amount of credit buying. Also, there are serious problems in the index as to calculating the value of one's living residence.

There are pitfalls either way. I would personally favor replacing the index with a measure that is designed to reflect conditions of inequality, say that share of the income that goes to the bottom 10 or 20 percent of the population. However, I have not opted for such a change with this bill. I have adopted the Bureau of Labor Statistics Index as the prime measure on which to base my calculations.

The Census Bureau's recent publication, "24 Million Americans: Poverty in the United States, 1969," noted that some 24.3 million persons had incomes below the poverty level—a decrease of 1.1 million since 1968 and 15.2 over the past decade. The proportion of persons below the poverty level decreased slightly from 12.8 to 12.2 percent. About one out of every 10 families were poor in 1969, compared with about one of five in 1959. Sixty-one percent of poor male family heads and 43 percent of poor female family heads worked in 1969. About 90 percent of poor male heads who did not work were either ill or disabled, or can be presumed to be retired. In 1969, it would have taken approximately $10.1 billion to raise the aggregate incomes of all poor families to the poverty level. The average poverty dollar gap for poor families in 1969 was $1,280.

Table I indicates the characteristics of poor families for 1969.

TABLE I.—SELECTED CHARACTERISTICS OF FAMILIES BELOW THE POVERTY LEVEL IN 1969, BY SEX OF HEAD

[Numbers in thousands]

Selected characteristics	Male head				Female head			
			Percent distribution				Percent distribution	
	Number below poverty level	Percent below poverty level	Below poverty level	Above poverty level	Number below poverty level	Percent below poverty level	Below poverty level	Above poverty level
RACE OF HEAD								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
White	2,490	6.0	79.1	92.6	1,065	25.4	59.0	82.6
Negro	608	17.8	19.3	6.6	718	53.2	39.8	16.7
Other	48	12.2	1.5	.8	21	(1)	1.2	.7
AGE OF HEAD								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
14 to 24 years	264	8.6	8.4	6.6	263	60.2	14.6	4.6
25 to 54 years	1,418	4.9	45.1	65.4	1,103	35.5	61.1	53.1
55 to 64 years	485	6.6	15.4	16.3	174	18.9	9.6	19.7
65 years and over	980	16.4	31.2	11.7	263	23.6	14.6	22.6
SIZE OF FAMILY								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
2 persons	1,313	8.7	41.7	32.5	583	23.1	32.3	51.5
3 and 4 persons	798	4.3	25.4	41.6	673	32.1	37.3	37.6
5 and 6 persons	535	5.8	17.0	20.4	373	53.8	20.7	8.5
7 persons or more	500	17.6	15.9	5.5	175	66.0	9.7	2.4
NUMBER OF FAMILY MEMBERS UNDER 18 [3]								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
No members	1,438	7.5	45.7	41.8	307	13.9	17.0	50.3
1 and 2 members	745	4.4	23.7	37.7	754	34.6	41.8	37.8
3 and 4 members	563	7.4	17.9	16.5	482	56.8	26.7	9.7
5 members or more	400	19.3	12.7	3.9	262	76.2	14.5	2.2
EDUCATIONAL ATTAINMENT OF HEAD [3]								
Total	2,879	6.8	100.0	100.0	1,539	29.9	100.0	100.0
Elementary:								
Less than 8 years [4]	1,225	21.7	42.5	11.1	460	43.4	29.9	16.6
8 years	498	9.1	17.3	12.5	188	28.0	12.2	13.4
High school:								
1 to 3 years	429	6.1	14.9	16.6	442	40.0	28.7	18.4
4 years	469	3.5	16.3	32.7	347	21.5	22.5	35.2
College:								
1 to 3 years	155	3.2	5.4	11.7	73	17.5	4.7	9.5
4 years or more	102	1.6	3.5	15.4	30	10.9	1.9	6.8
WORK EXPERIENCE OF HEAD								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
Worked in 1969	1,931	4.9	61.4	89.1	771	23.3	42.7	67.3
50 to 52 weeks	1,064	3.3	33.8	74.2	228	11.4	12.6	46.9
27 to 49 weeks	440	8.6	14.0	11.1	152	24.7	8.4	12.3
26 weeks or less	428	20.8	13.6	3.8	390	55.8	21.6	8.2
Did not work in 1969	1,156	23.9	36.7	8.7	1,032	45.5	57.2	32.7
Main reason for not working:								
Ill or disabled	540	36.2	17.2	2.2	203	48.5	11.3	5.7
Keeping house	(5)	(5)	(5)	(5)	741	46.7	41.1	22.4
Going to school	26	31.7	.8	.1	20	(1)	1.1	.2
Unable to find work	11	(1)	.3	.1	25	(1)	1.4	.2
Other	579	17.9	18.4	6.3	43	21.6	2.4	4.1
65 years and over	493	17.7	15.7	5.4	29	17.5	1.6	3.6
In Armed Forces	60	5.9	1.9	2.2	(5)	(5)	(5)	(5)
OCCUPATION OF LONGEST JOB OF HEAD								
Total	3,146	6.9	100.0	100.0	1,804	32.3	100.0	100.0
Worked in 1969	1,931	4.9	61.4	89.1	771	23.3	42.7	67.3
Professional and managerial workers	270	2.2	8.6	27.8	40	8.2	2.2	11.8
Clerical and sales workers	86	1.8	2.7	11.2	129	11.8	7.2	25.5
Craftsmen and foremen	307	3.4	9.8	20.2	4	(1)	.2	.9
Operatives	352	4.6	11.2	17.3	147	23.2	8.1	12.9
Private household workers	6	(1)	.2		147	57.0	8.1	2.9
Other service workers	113	5.3	3.6	4.7	244	35.3	13.5	11.9
Nonfarm laborers	270	13.0	8.6	4.2	15	(1)	.8	.5
Farmers and farm laborers	525	25.3	16.7	3.6	46	(1)	2.5	.9
Did not work in 1969	1,156	23.9	36.7	8.7	1,032	45.5	57.2	32.7
In Armed Forces	60	5.9	1.9	2.2	(5)	(5)	(5)	(5)

[1] Base less than 75,000.
[2] Other than head or wife.
[3] Head 25 years old and over.
[4] Includes heads with no years of school completed.
[5] Not applicable.

Anthony Downs, in a pamphlet published by the Committee for Economic Development notes that 13.4 percent of all poor persons live in the central cities. Table II indicates the number of persons these percentages represent.

TABLE II.—POVERTY IN METROPOLITAN AREAS

Area	Persons (millions)	Percentages
United States	25.4	12.8
Metropolitan	12.9	10.0
Central cities	7.8	13.4
Suburbs	5.1	7.3

Note: 1968 figures.

Less graphically, Downs lists six major groups of poor persons in metropolitan areas. The largest group is that of children under the age of 18. Downs estimates that this group comprises 42.2 percent of all poor persons in the areas. His next group is that of the elderly—the estimate here is 2.4 million or about 18.3 percent of all poor in the areas. The third group is composed of adults in households headed by a female under 65; there are 2.3 million adults accounting for 17.6 percent of all metropolitan poor in 1968. Adults in households headed by an unemployed male compromise over 7 percent of the population, and 7.1 percent of the metropolitan areas. Adults in households headed by a disabled male covers 2.8 percent.

Sixth, adults in households headed by employed males ages 18 to 64 comprise 11.9 percent of metropolitan population and 10.3 percent of the central city population. These figures are taken from table III:

TABLE III.—BREAKDOWN OF POOR PEOPLE IN METROPOLITAN AREAS, 1968

Population group	Metropolitan areas		Central cities		Suburbs	
	Thousands	Percent of total	Thousands	Percent of total	Thousands	Percent of total
Elderly (65 and over)	2,353	18.3	1,405	18.1	948	18.5
Children (under 18)	5,433	42.2	3,315	42.8	2,118	41.4
Adults in female-headed households (18 to 64)	2,262	17.6	1,467	18.9	796	15.6
Adults in households headed by disabled males (18 to 64)	392	3.0	219	2.8	173	3.4
Adults in households headed by unemployed males (18 to 64) [1]	903	7.0	553	.1	346	6.7
Adults in households headed by employed males (18 to 64)	1,528	11.9	795	10.3	736	14.4
All persons in poverty	12,871	100.0	7,754	100.0	5,117	100.0

[1] This group represents the households headed by males who were either unemployed or worked less than 40 weeks a year.

Data from the National Center for Social Statistics helps shed some light on the nature of public assistance in our urban areas. New York has 13.4 percent of its population on public assistance.

Baltimore City has 12.8 percent of its population receiving public assistance; in St. Louis, the number is 12.5 percent. My own city of Philadelphia has, according to latest published statistics, 11.5 percent of its population—a total of some 222,115 people, receiving public assistance. Of this number, 74.5 percent are receiving AFDC benefits. Table IV documents these figures for other cities.

TABLE IV.—CITIES AND PUBLIC ASSISTANCE

City	Population	All programs [1]		AFDC	
		Number	Percent	Number	Percent
New York	7,798,757	1,048,876	13.4	778,397	10.0
Philadelphia	1,927,863	222,115	11.5	165,428	8.6
Baltimore	895,222	114,778	12.8	93,236	10.4
St. Louis	607,718	76,033	12.5	54,420	9.0
San Francisco	704,217	82,616	11.7	47,948	6.8
District of Columbia	746,169	50,081	6.7	39,845	5.3
Chicago-Cook	5,427,237	368,816	6.8	271,404	5.0
Detroit-Wayne	2,642,348	169,946	6.4	117,342	4.4
Boston-Suffolk	721,152	110,637	15.3	80,300	11.1
Pittsburgh-Allegheny	1,591,270	92,687	5.8	64,027	4.0

[1] OAA, AB, APTD, AFDC, G.A.

What kind of solutions have we developed to deal with these problems of poverty? Broadly, there seems to be two main types of programs: Redistributive or economic and remedial or structural. Of the remedial programs, the best known are the social services—often grand in design but small in accomplishment. Social services though do play an important role in the welfare system and as such, they cannot be ignored. Counseling, true counseling and not indoctrination—can be an important support for people. The nutritional aid program of the food and nutrition service can inform people about new methods of cooking and the nutritional adequacy of diets. Legal services has become increasingly indispensable in the fight of a poor person for local justice and self-respect. Referrals for employment or training and counseling on marriage can aid the fight against poverty. In my own State of Pennsylvania, the Department of Welfare has at least 30 specialized social service functions. Social services are expensive—in Philadelphia alone, some $18,360,160 is expended each year. In Pennsylvania, some $38,630,128 is spent on social services. Social services are expensive—but they are necessary.

Our efforts at redistribution have generally been half-hearted or nonexistent. We have programs such as OAA or AFDC but neither do the job required. And, the best proof of the inadequacy of welfare payments is the food stamp program—an inkind program that is underutilized, too expensive for the recipient, and questionable in nutritional adequacy.

The plan I am proposing attempts to deal with this problem of redistribution by establishing a floor under recipients, increasing the categorical benefits, and structuring the benefit levels so that those recipients now with incomes under $2,000 will receive 52 percent of the total payable benefits.

I estimate that when the program is in operation, 47 million potentials will be eligible for assistance. This does not mean, of course, that 47 million eligibles will receive the basic $3,600 allowance. Studies have indicated that as a family gets closer to their break-even level, participation in the program decreases.

What it does mean is that our needy in about 40 of our States will have benefits increased immediately—that there will be a significant impact of new money held by new people on the economy of that area. Poor people will have increased purchasing power, increased economic power, and much to the apprehension of those in local institutions which now discriminate against the poor, poor people are likely to have increased political power.

2. The working poor

The second dimension of the problem with which I am concerned is that of the working poor. This is one glaring area where the present public assistance programs have failed. What does one do when one works but cannot earn enough or is not paid enough to support his family?

As Herbert Gans in a recent New York Times Magazine article has said, the ultimate tragedy is that the American economy simply does not need all the unemployed looking for work at a living wage and cannot provide for all the working poor who require higher wages to support their families. Gans notes and rightly so that those not in need and underpaid require a decent income, also.

Anthony Downs estimates that 3.2 million persons living in metropolitan areas lived in poor households headed by a man under 35 who worked 40 weeks or more during the previous year. Downs traces this inability to earn decent living standards to low wages, insufficient hours of work, long job layoffs, seasonal employment, and large family size. The poorest paid have the least skills and least desirable work habits. Downs notes that they lack the skills for a variety of reasons: difficulty in acquiring them, difficulty with union apprenticeship rules, motivations, discriminations, and inaccessible training, for example.

Then too, the Heineman Commission has estimated that at least 10 million jobs—including some State and municipal government jobs—pay less than current Federal minimums. The commission further noted that unemployment insurance does not cover all workers and pays below the poverty line in most States.

The consequences of the failure of the underemployed to earn living wages is, in Downs' view, an element that erodes respect of the entire family for the economic system. At the same time, evidence suggests that if there is a possibility to rise out of poverty, it, as Downs indicates, exists with families headed by men who are working.

My legislation provides that families will be eligible up to a break-even dollar level of $7,200. The essential thrust is this—we must include the working poor in our programs and we must do it in such a way that encourages, not discourages work. The proposed legislation provides for a 50-percent offset rate—so that the working poor retain 50 cents in benefits for every dollar of income they earned.

Some of the critics of this work incentive plan have said that people will not work and that they would rather live on welfare than be employed. But, the evidence indicates that this is a myth. Data from the New Jersey-Pennsylvania negative income tax experiment shows that wage earners did not leave the labor force, that families did not treat payments as windfalls and that fears of spending sprees or unusual expenditures were not justified.

The proposal I have outlined here must be only part of the response to the needs of the working poor. I believe, first that we must have a full employment economy—but not the full employment economy that is defined as 4.5-percent un-

employed. Second, we need additional coverage for workers by minimum wage laws and we need to increase the minimum wage. Third, we need a system of public service employment that will lead to permanent jobs. Fourth, we need manpower development programs that train for existing, not potential jobs.

3. The systematic problems

The third dimension is that of the systematic problems—the crisis in welfare and the fiscal crisis in our cities.

The idea of a welfare crisis is hardly new. The President has called the present welfare system a monstrous consuming outrage; one of our own colleagues titled his recent newsletter "A Scandal Called Welfare." Certainly, any recipient or social worker or legislator can list without hesitation the problems of the welfare system. No more graphic evidence is needed than to point out the increase—about 259,000 a month—in recipients receiving public assistance. Something is wrong and something must be changed.

Our present welfare system is administratively fragmented. The variation on cost per caseload is from $9.40 in Mississippi to $81.40 in the District of Columbia. Administrative costs run about 19 percent of the total per recipient cost of AFDC. Welfare boards operate under varying regulations and promulgate disparate sets of application, investigations and checking procedures. The compliance with Federal regulations in many States could rightly be called noncompliance.

An elaborate means test, a wasteful bureaucracy, a protection of Government money mentality, and a disregard for human self-respect, all of these are ingredients of public assistance.

Our present system has a built-in incentive against earning income or maintaining the family unit. The man in the house rule or the dollar for dollar reduction do nothing to aid the poor and the needy.

The present system does not reach enough of the poor. Estimates run as many as 3/5 of the eligibles outside the system. Examine the food stamps for example. Only in the last year has the program had high participation and even now, it does not reach the total number of eligibles.

The cost estimates of the present public assistance, exclusive of medicaid, administrative and general assistance, runs some $10 billion a year, of what is approximately $5.7 billion of Federal money. The non-Federal share is $4.48 billion. Table V presents a State by State breakdown of estimated 1972 costs.

An even larger amount of the total dollars spent on welfare cost is indicated from table VI. Included in this table are the whole range of social welfare services—the adult programs, the family programs, the social service and training components, the administrative components, and the medical components. Total cost estimates with all of these combined programs is about $20 billion.

TABLE V.—ESTIMATED 1972 FEDERAL AND NON-FEDERAL COSTS OF PUBLIC ASSISTANCE, BY STATE AND PROGRAM (EXISTING LAW)

[In millions of dollars]

State	Combined programs			Adult programs			Family programs		
	Total	Federal	Non-Federal	Total	Federal	Non-Federal	Total	Federal	Non-Federal
Alabama	161.2	126.5	34.7	117.3	92.1	25.2	43.9	34.4	9.5
Alaska	15.9	5.0	10.9	5.5	1.7	3.8	10.4	3.3	7.1
Arizona	60.2	34.7	25.5	21.0	15.3	5.7	39.2	19.4	19.8
Arkansas	81.1	64.7	16.4	59.9	47.8	12.1	21.2	16.9	4.3
California	2,103.7	1,051.9	1,051.8	939.0	469.5	469.5	1,164.7	582.4	582.3
Colorado	105.4	60.7	44.7	45.3	26.1	19.2	60.1	34.6	25.5
Connecticut	118.0	59.1	58.9	25.3	12.7	12.6	92.7	46.4	46.3
Delaware	18.2	10.6	7.6	5.5	3.0	2.5	12.7	7.6	5.1
District of Columbia	82.0	41.1	40.9	20.3	10.2	10.1	61.7	30.9	30.8
Florida	311.8	147.0	164.8	90.4	55.9	34.5	221.4	91.1	130.3
Georgia	205.8	157.8	48.0	94.9	73.1	21.8	110.9	84.7	26.2
Hawaii	40.3	20.5	19.8	6.9	3.5	3.4	33.4	17.0	16.4
Idaho	22.1	15.2	6.9	6.3	4.3	2.0	15.8	10.9	4.9
Illinois	509.3	254.7	254.6	113.1	56.6	56.5	396.2	198.1	198.1
Indiana	78.8	48.4	30.4	20.3	14.1	6.2	58.5	34.3	24.2
Iowa	108.1	59.7	48.4	44.9	24.8	20.1	63.2	34.9	28.3
Kansas	78.8	45.5	33.3	19.5	11.3	8.2	59.3	34.2	25.1
Kentucky	121.8	92.6	29.2	63.1	48.2	14.9	58.7	44.4	14.3
Louisiana	212.8	156.9	55.9	133.2	98.3	34.9	79.6	58.6	21.0
Maine	51.0	34.9	16.1	16.2	11.1	5.1	34.8	23.8	11.0
Maryland	121.7	62.7	59.0	27.1	16.5	10.6	94.6	46.2	48.4
Massachusetts	426.4	213.2	213.2	122.8	61.4	61.4	303.6	151.8	151.8
Michigan	384.3	192.1	192.2	77.1	38.5	38.6	307.2	153.6	153.6
Minnesota	159.9	91.1	68.8	39.7	22.6	17.1	120.2	68.5	51.7
Mississippi	95.8	79.5	16.3	72.9	60.5	12.4	22.9	19.0	3.9
Missouri	179.0	125.5	53.5	109.2	75.4	33.8	69.8	50.1	19.7
Montana	14.9	9.6	5.3	5.5	3.5	2.0	9.4	6.1	3.3
Nebraska	31.4	18.5	12.9	10.7	7.5	3.2	20.7	11.0	9.7
Nevada	10.2	6.9	3.3	3.3	2.2	1.1	6.9	4.7	2.2
New Hampshire	32.3	19.2	13.1	13.1	7.8	5.3	19.2	11.4	7.8
New Jersey	415.1	207.6	207.5	44.0	22.0	22.0	371.1	185.6	185.5
New Mexico	47.0	32.7	14.3	16.8	10.9	5.9	30.2	21.8	8.4
New York	1,400.3	700.2	700.1	271.0	135.5	135.5	1,129.3	564.7	564.6
North Carolina	132.5	96.1	36.4	68.8	49.7	19.1	63.7	46.4	17.3
North Dakota	15.3	10.7	4.6	6.6	4.6	2.0	8.7	6.1	2.6
Ohio	278.0	156.2	121.8	75.8	51.9	23.9	202.2	104.3	97.9
Oklahoma	146.2	99.3	46.9	101.2	69.3	31.0	45.0	30.0	15.0
Oregon	83.8	48.1	35.7	19.2	11.0	8.2	64.6	37.1	27.5
Pennsylvania	645.7	357.9	287.8	127.2	70.4	56.8	518.5	287.5	231.0
Rhode Island	46.4	23.4	23.0	6.7	3.4	3.3	39.7	20.0	19.7
South Carolina	44.7	35.8	8.9	21.2	16.6	4.6	23.5	19.2	4.3
South Dakota	21.4	14.9	6.5	5.5	3.8	1.7	15.9	11.1	4.8
Tennessee	160.0	121.5	38.5	71.9	54.7	17.2	88.1	66.8	21.3
Texas	368.2	274.9	93.3	210.0	156.5	53.5	158.2	118.4	39.8
Utah	35.0	24.6	10.4	8.7	6.1	2.6	26.3	18.5	7.8
Vermont	19.5	12.7	6.8	7.4	4.8	2.6	12.1	7.9	4.2
Virginia	110.9	71.0	39.9	24.3	15.6	8.7	86.6	55.4	31.2
Washington	152.3	76.1	76.2	40.9	20.4	20.5	111.4	55.7	55.7
West Virginia	62.5	43.9	18.6	24.1	16.3	7.8	38.4	27.6	10.8
Wisconsin	98.9	55.6	43.3	34.0	19.1	14.9	64.9	36.5	28.4
Wyoming	7.3	4.4	2.9	2.0	1.5	.5	5.3	2.9	2.4
Guam	1.2	.7	.5	.3	.2	.1	.9	.5	.4
Puerto Rico	40.9	20.5	20.4	9.1	4.6	4.5	31.8	15.9	15.9
Virgin Islands	1.4	.5	.9	.3	.1	.2	1.1	.4	.7
Total	10,276.7	5,795.1	4,481.6	3,526.3	2,124.5	1,401.8	6,750.4	3,670.6	3,078.9

TABLE VI

State	Total all programs	Federal share	State/local share
U.S. total	$20,939,144	$11,600,610	$9,338,534
Alabama	309,517	237,956	71,561
Alaska	21,285	8,365	12,920
Arizona	72,278	42,109	30,169
Arkansas	127,330	99,637	27,693
California	4,196,620	2,179,268	2,017,352
Colorado	212,862	126,210	86,652
Connecticut	279,449	144,008	135,441
Delaware	30,972	17,968	13,004
District of Columbia	148,311	76,536	71,775
Florida	487,514	257,288	229,866
Georgia	423,426	305,783	117,643
Guam	1,877	937	940
Hawaii	74,255	36,956	37,299
Idaho	42,704	29,369	13,335
Illinois	965,316	494,099	471,217
Indiana	180,981	103,411	77,570
Iowa	169,616	96,913	72,703
Kansas	172,110	97,412	74,698
Kentucky	221,949	163,799	58,150
Louisiana	329,812	236,936	92,876
Maine	103,736	70,379	33,357
Maryland	300,491	150,513	149,978
Massachusetts	817,954	400,582	417,372
Michigan	774,658	400,544	374,114
Minnesota	386,419	222,073	164,346
Mississippi	158,070	125,813	32,257
Missouri	289,318	188,761	100,557
Montana	33,068	21,334	11,734
Nebraska	79,811	47,306	32,505
Nevada	23,457	14,065	9,392
New Hampshire	44,570	26,654	17,916
New Jersey	723,844	364,238	359,606
New Mexico	83,642	58,335	25,307
New York	3,520,137	1,684,259	1,835,878
North Carolina	275,904	184,204	81,700
North Dakota	35,627	24,936	10,691
Ohio	498,107	274,366	223,741
Oklahoma	275,924	186,380	89,544
Oregon	175,466	105,080	70,386
Pennsylvania	1,274,973	651,095	623,878
Puerto Rico	146,436	48,732	97,704
Rhode Island	112,447	58,288	54,159
South Carolina	110,095	83,047	27,048
South Dakota	44,560	30,832	13,728
Tennessee	259,223	193,173	66,050
Texas	741,583	517,563	224,020
Utah	69,816	48,915	20,901
Vermont	47,816	30,924	16,892
Virgin Islands	3,849	1,450	2,399
Virginia	234,012	150,475	83,537
Washington	351,916	183,231	168,685
West Virginia	104,405	72,224	32,181
Wisconsin	355,425	207,062	148,363
Wyoming	14,561	8,817	5,744

The plan as outlined in this legislation would simplify the administration and the delivery of services. It would establish national standards of regulations and benefits. It is designed to be attractive to all the poor and it contains an element of outreach that will require the Secretary to inform potential recipients about the bill. There are provisions for periodic increases in the base Federal floor, and maintenance of benefits as provided by the States. Income and work incentives are included; registration for employment and job requirements follow guidelines of suitability and minimum or prevailing wage.

While the costs are higher than present expenditures, the additional money will not go toward destroying self-respect or distintegrating family units. It will go for a plan designed to provide a chance for those in poverty to increase income, to move out of poverty and ultimately to reduce the welfare rolls.

The crisis in welfare is directly related to the second systemic problem—that of the fiscal crisis in the States and the cities. It is all too commonplace to note that cities and States are crying out for funding. Philadelphia finds that it will need about $100 million to meet budget projections, The Federal Reserve Bank of Philadelphia warned that Philadelphia faces "fiscal chaos in the 1970's." The report noted that cumulative deficits alone for Philadelphia total $1.325 billion over the next 5 years.

At the same time, States are finding a need to first, increase existing taxes and second, in many cases to enact new taxes. Local government units find themselves trying to tax almost everything—a recent story in the New York Times said that New York City has proposed to tax bank vaults which are located under city sidewalks. The States have increased the sales tax to some unbearable proportions, and that burden is regressive in impact. For the local areas, the property tax and the assessment levels in many cities are already as high as possible. Undoubtedly, there must be some hard questions asked as to whether or not these local government units are exerting enough tax effort. There are already some proposals that suggest the value of the land and not the value of improvements should be the base for any property tax.

But the facts still remain. Debt, multiple taxing bodies on same population, high real estate taxes, declining population, antiquated financial procedures—all of these negatives at a time when the demands made on the State and cities for improvement in housing, education, transportation, and health are increasing.

It is time that we recognize that many of the functions of today's Government are not strictly local in impact. Education, for example, though it is paid by the local governments, the local area seldom derives complete benefit from such education expenditures—students move from the community, taking their educational background and earning power with them.

The proposal I am making is a two part revenue-sharing plan—it proposes to return to States and local governments a percentage of Federal revenues while at the same time providing for a pass-through of money saved by State and local governments when the Federal Government assumes the burden of welfare costs. The formula for such a return of Federal expenditures attempts to get the money into those areas of greatest need. It is based on a Government's population, revenue effort and proportion of low-income families. Only those units greater than 12,500 population are eligible for Federal/State revenue sharing.

The revenue-sharing measure contains the safeguard against civil rights violations and a provision for open community hearings. Public elected officials are required to publish a listing of proposed expenditures and at the end of each fiscal year, they must publish another list indicating exactly how that year's funds have been spent.

Under the full funding and full allocations of my bill, when federalization and revenue sharing are both operative, my home city of Philadelphia will realize approximately $198 million a year.

In the first year of my proposal, Pennsylvania will have a total allocation of approximately $631 million.

Mr. Speaker, I believe that it is time we stopped playing politics with the future of people and the future of our cities. We must not reject out of hand any proposal for the partisan reason that a Republican President proposed it or a Democratic Congress proposed it. We must realize that welfare reform and fiscal relief are the people's programs and deserve to be judged as such.

I believe that the two insurmountable problems that now confront the cities and the States—the cost of aid to dependent children and welfare programs that consume the raw revenues needed to meet the demands for services—can be solved with this bill. It provides a decent Federal standard in welfare and it offers cities and States new revenues to give their people the services they want.

By joining the two concepts and by looking at the problems in terms of the effect each can have on the solution of the other, we can reform welfare and we can provide fiscal relief for the cities and the States.

ERNIE LEGATO'S MISSION OF MERCY

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. KARTH. Mr. Speaker, once in a while I come across something in the local press that I would like to bring to the attention of my colleagues. These are troubled times and most of the news nowadays is bad news. Often it has to do with man's inhumanity to man—thus the article below is particularly welcome especially at this time of the year.

I have known the subject of the article, Ernie Legato, for many years and despite his acknowledged rough exterior, his good works are many and varied. In addition, he is a fine representative of organized labor—Local 556 Hotel and Restaurant Employess, AFL–CIO—and a member of St. Paul's outstanding Italian-American community.

I just thought that this account of one man's attempt to help his fellows is particularly appropriate and ought to be called to your attention. The short article reprinted below appeared in the Oliver Towne Column of the St. Paul Dispatch on March 22, 1971:

Ernie Legato, Hotel and Restaurant Union business agent, is one of those rough, ready and ebullient types, with a salty voice and a turtle-facade. That is the outside.

Inside is Tony Legato, who collects old bed sheets for the benefit of Our Lady of Good Counsel Cancer Home. Tony passes the word out to hotels and motels around town and they save their sheets. Then he delivers them to St. Mary's, St. Ambrose and Mt. Airy homes for senior citizens. Residents turn the sheets into bandages, which Tony picks up again and takes to the cancer home. It's a long route with a lot of steps every week. But it's Tony's mission of mercy.

VOCATIONAL EDUCATION

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MOLLOHAN. Mr. Speaker, I would like to extend my remarks on vocational education by inserting the text of a recent address by U.S. Commissioner of Education Sidney P. Marland, Jr. This address shows the growing importance of vocational education in this time of uncertainty in which rising unemployment among college graduates and higher college costs are forcing more and more high school graduates into vocational education.

The address follows:

CAREER EDUCATION NOW

(Address by Sidney P. Marland Jr.)

Since I intend to devote a major part of my remarks today to the subject of career education, it seems appropriate to begin by mentioning that I am finding my new job to be a richly rewarding learning experience.

Take the matter of the Commissioner's place in the Washington pecking order. I have always held the commissionership to be one of the great and auspicious positions in the Federal Government. So naturally, when I learned that a prominent Federal official is issued a brand new $30,000 bullet-proof limousine each year, I immediately inquired into the nature of the transportation furnished to the Commissioner of Education.

It turned out to be rather basic—a small, misshapen, used Rebel. When I asked for an improvement, I was sent a slightly newer, small, misshapen, used Rambler.

I am not discouraged. I am merely chastened. It's really a very nice car. And, besides, I have been assured that the Commissioner hardly ever gets shot at.

Career education is an absorbing topic at the Office of Education lately. In essence we are attempting to answer a very large question: what is right and what is wrong with vocational education in America today and what can be done to build on our strengths and eliminate our weaknesses?

I will indicate to you in a few moments the major points of our reply, the steps we believe should be taken by the Federal Government and particularly by the Office of Education to strengthen your hand in refashioning the vocational or career curriculum. For we are in wholehearted agreement that it is in serious need of reform and it is my firm intention that vocational education will be one of a very few major emphases of the U.S. Office, priority areas in which we intend to place the maximum weight of our concentrated resources to effect a thorough and permanent improvement.

But let me broaden the discussion a bit at this point to talk about career education not simply from the Federal point of view but from the point of view of you and me and of everyone who has committed his life's work to the proposition that education's prime task is to seek and to free the individual's precious potential. My concern with this vital area of education was with me long before I came into possession of my bent Rambler. It is the result of more than 30 years in school life, ample time to observe the vocational education problem in such diverse settings as New York City, Pittsburgh, and Winnetka, Illinois. For even in Winnetka, archetypal suburb, blessed in material things far above most communities in this country, there are many people who are worried about the logic and relevance of what is being taught their youngsters, particularly when considered in the light of the amazingly sophisticated complex, and rapidly changing career situations they will face upon graduation from high school or from college.

Winnetkans, like most Americans, ask: what are we educating our children for?

Educators, it seems to me, have too often answered: we simply are not sure.

Uncertainty is the hallmark of our era. And because many educators have been unsure as to how they could best discharge their dual responsibility to meet the student's needs on the one hand and to satisfy the country's infinite social and economic appetites on the other, they have often succumbed to the temptation to point a God-like finger at vocational educators and damn them for their failure to meet the Nation's manpower requirements and doubly damn them for their failure to meet the youngster's career requirements, not to mention his personal fulfillment as a human being.

Most of you are secondary school administrators. You, like me, have been preoccupied most of the time with college entrance expectations. Vocational-technical education has been a second-level concern. The vocational education teachers and administrators have been either scorned or condemned and we have been silent.

There is illogic here as well as a massive injustice. How can we blame vocational educators for the hundreds of thousands of pitifully incapable boys and girls who leave our high schools each year when the truth is that the vast majority of these youngsters have never seen the inside of a vocational classroom? They are the unfortunate inmates, in most instances, of a curriculum that is neither fish nor fowl, neither truly vocational nor truly academic. We call it general education. I suggest we get rid of it.

Whatever interest we represent, Federal, State, or local, whether we teach or administer, we must perforce deny ourselves the sweet solace of knowing the other fellow is in the wrong. We share the guilt for the generalized failure of our public system of education to equip our people to get and hold decent jobs. And the remedy likewise depends upon all of us. As Dr. Grant Venn said in his book, *Man, Education, and Manpower:* "If we want an educational system designed to serve each individual and to develop his creative potential in a self-directing way, then we have work to do and attitudes to change."

The first attitude that we should change, I suggest, is our own. We must purge ourselves of academic snobbery. For education's most serious failing is in its self-induced, voluntary fragmentation, the strong tendency of education's several parts to separate from one another, to divide the entire enterprise against itself. The most grievous example of these intramural class distinctions is, of course, the false dichotomy between things academic and things vocational. As a first step, I suggest we dispose of the term vocational education, and adopt the term career education. Every young person in school belongs in that category at some point, whether engaged in preparing to be a surgeon, a brick layer, a mother, or a secretary.

How absurd to suggest that general knowledge for its own sake is somehow superior to *useful* knowledge. "Pedants sneer at an education that is useful," Alfred North Whitehead observed. "But if education is not useful," he went on to ask, "What is it?" The answer, of course, is that it is nothing. All education is career education, or should be. And all our efforts as educators must be bent on preparing students either to become properly, usefully employed immediately upon graduation from high school or to go on to further formal education. Anything else is dangerous nonsense. I propose that a universal goal of American education, starting now, be this: that every young person completing our school program at grade 12 be ready to enter higher education or to enter useful and rewarding employment.

Contrary to all logic and all expediency, we continue to treat vocational training as education's poor cousin. We are thereby perpetuating the social quarantine it has been in since the days of the ancient Greeks, and, for all I know, before then. Since the original vocational fields were defined shortly before World War I as agriculture, industry, and homemaking, we have too often taught those skills grudgingly—dull courses in dull buildings for the benefit of what we all *knew* were young people somehow pre-judged not fit for college as though college were something better for everyone. What a pity and how foolish, particularly for a country as dependent upon her machines and her technology as America. The ancient Greeks could afford such snobbery at a time when a very short course would suffice to instruct a man how to imitate a beast of burden. We Americans might even have been able to afford it a half-century ago when a boy might observe the full range of his occupational expectations by walking beside his father at the time of plowing, by watching the farmers, blacksmiths, and tradesmen who did business in his home town.

But how different things are today and how grave our need to reshape our system of education to meet the career demands of the astonishingly complex technological society we live in. When we talk of today's career development, we are not talking about blacksmithing. We are talking about the capacity of our people to sustain and accelerate the pace of progress in this country in every respect during a lifetime of learning. And nothing less.

The question seems to be fairly simple, if we have the courage and creativity to face it: Shall we persevere in the traditional practices that are obviously *not* properly equipping fully half or more of our young people or shall we immediately undertake the reformation of our entire secondary education in order to position it properly for maximum contribution to our individual and national life?

I think our choice is apparent. Certainly continued indecision and preservation of the status quo can only result in additional millions of young men and women leaving our high schools, with or without benefit of diploma, unfitted for employment, unable or unwilling to go on to college, and carrying away little more than an enduring distaste for education in any form, unskilled and unschooled. Indeed, if we are to ponder thoughtfully the growing charge of "irrelevance" in our schools and colleges, let us look sharply at the abomination known as general education.

Of those students currently in high school, only three out of 10 will go on to academic college-level work. One-third of those will drop out before getting a baccalaureate degree. That means that eight out of 10 present high school students should be getting occupational training of some sort. But only about two of those eight students are, in fact, getting such training. Consequently, half our high school students, a total of approximately 1,500,000 a year, are being offered what amounts to irrelevant, general educational pap!

In pained puzzlement they toil at watered-down general algebra, they struggle to recollect the difference between adjectives and adverbs, and they juggle in their minds the atomic weight of potassium in non-college science. The liberal arts and sciences of our traditional college-preparatory curriculum are indeed desirable for those who want them and can use them. But there must be desire and receptivity, and for millions of our children, we must concede, such knowledge is neither useful nor joyful. They do not love it for its own sake and they cannot sell it in the career market place. Small wonder so

many drop out, not because they have failed, but because we have failed them. Who would not at the earliest convenient and legal moment leave an environment that is neither satisfying, entertaining, nor productive? We properly deplore the large numbers of young men and women who leave high school before graduation. But, in simple truth, for most of them dropping out is the most sensible elective they can choose. At least they can substitute the excitement of the street corner for the more obscure charms of general mathematics.

I want to state my clear conviction that a properly effective career education requires a new educational unity. It requires a breaking down of the barriers that divide our educational system into parochial enclaves. Our answer is that we must blend our curricula and our students into a single strong, secondary system. Let the academic preparation be balanced with the vocational or career program. Let one student take strength from another. And, for the future hope of education, let us end the divisive, snobbish, destructive distinctions in learning that do no service to the cause of knowledge, and do no honor to the name of American enterprise.

It is terribly important to teach a youngster the skills he needs to live, whether we call them academic or vocational, whether he intends to make his living with a wrench, or a slide rule, or folio editions of Shakespeare. But it is critically important to equip that youngster to live his life as a fulfilled human being. As Secretary Richardson said, "I remind you that this department of government more than anything else is concerned with humaneness."

Ted Bell, now Deputy Commissioner for School Systems in OE, made the point particularly well in a recent speech to a student government group. He was speculating on the steps a young person needs to take not just to get a diploma or a degree today, but to make reasonably sure he will continue to learn in the years ahead, to be an educated man or woman in terms of the future, a personal future.

"Here," Dr. Bell said, "the lesson is for each person to develop a personal plan for lifelong learning: learning about the world we live in, the people that inhabit it, the environment—physical and social—that we find around us; learning about the sciences, the arts, the literature we have inherited and are creating; but most of all, learning the way the world's peoples are interacting with one another. If one educates himself in these things, he will have a pretty good chance of survival and of a good life."

In other words, life and how to live it is the primary vocation of all of us. And the ultimate test of our educational process, on any level, is how close it comes to preparing our people to be alive and active with their hearts, and their minds, and, for many, their hands as well.

True and complete reform of the high school, viewed as a major element of overall preparation for life, cannot be achieved until general education is completely done away with in favor of contemporary career development in a comprehensive secondary education environment. This is our ultimate goal and we realize that so sweeping a change cannot be accomplished overnight, involving as it does approximately 30 million students and billions of dollars in public funds. Until we can recommend a totally new system we believe an interim strategy can be developed entailing four major actions.

First we are planning major improvements in the vocational education program of the Office of Education. This program, as you know, involves the expenditures of nearly $500,000,000 annually and our intention is to make the administrative and programmatic changes that will enable the States to use this money to make their vocational education efforts more relevant to the needs of the young people who will spend their lives in careers in business and industry. We intend to give the States new leadership and technical support to enable them to move present programs away from disproportionate enrollments in low-demand occupations to those where national shortages exist and where future national needs will be high.

Right now State training programs fill only half the jobs available each year. The other half are filled by job seekers with no occupational job training of any kind. We do better in some fields than others, of course, particularly production agriculture where we are able to come closer to meeting the total need because it is a relatively static job market with little growth projected. About 70 percent of the demand in farm jobs will be met with trained help this year compared with only about 38 percent in the health occupations and 35 percent in various technical fields. This is nice if you happen to own a farm, not so nice if you run a hospital or laboratory.

We obviously require greater emphasis on such new vocational fields as computer programmers and technicians, laser technicians, and jet mechanics. We particularly need qualified people in health occupations such as certified laboratory technologists, dental assistants, occupational therapists, and the like. And, of course, we badly need men and women to capably service the rapidly growing environmental industries. Though when we speak of new occupations it is always useful to remind ourselves that even some of the newest, such as computer programming, for example, will very likely be obsolete in 20 years or so, affirming once again the need for a sound educational base underlying *all* specific skill training.

Second—here I speak of all cooperating agencies of education and government—we must provide far more flexible options for high school graduates to continue on to higher education or to enter the world of work rather than forever sustain the anachronism that a youngster must make his career choice at age 14. This demands that we broaden today's relatively narrow vocational program into something approaching the true career education we would eventually hope to realize. Vocational students need much more than limited specific skills training if they are to go on to post-secondary education, whether at the community college or four-year level. And young people presently drifting in the general education wasteland need realistic exposure to the world of work, as well as to the option of general post-secondary schooling.

Third, we can effect substantial improvement in vocational education within current levels of expenditures by bringing people from business, industry, and organized labor, who know where the career opportunities are going to be and what the real world of work is like, into far closer collaboration with the schools. Eventually, further subsidies or other encouragement to industry to increase cooperative education and work-study could greatly enhance these programs. Efforts should be made by people in educational institutions offering occupational courses to get nearby employers to help in the training. This will not only aid the students but employers as well by providing these cooperating firms a ready supply of skilled workers well prepared for the specific demands of their particular fields. I would add only this caveat: that these work experience arrangements be accepted and operated as genuine educational opportunities, of a laboratory nature, not simply as a source of cheap help but for the business and pocket money for the student. Youngsters should be given the opportunity to explore eight, ten, a dozen occupations before choosing the one pursued in depth, consistent with the individual's ambitions, skills, and interests.

Fourth, we must build at all levels—Federal, State, and local—a new leadership and a new commitment to the concept of a career education system. For we require leaders willing to move our schools into more direct and closer relationships with society's problems, opportunities, and its ever-changing needs. I believe these leaders will come primarily from the ranks of organizations such as yours. Not only will the present vocational-technical education leaders be partners in change, but general educators, long dedicated to the old ways, must become new champions of the career program.

In closing, a word about two very promising OE efforts to help strengthen vocational-technical education in its most critical aspect, personnel.

The teacher is by far the most important factor in the school environment. We all know this. And we also know that voc-ed teachers are in seriously short supply.

We are also keenly aware that vocational-technical education is starved for other critical personnel, especially those qualified to develop and administer productive programs.

The first effort, called Leadership Development Awards, is a doctoral-fellowship program under the Education Professions Development Act. It seeks to identify and train a cadre of leaders for the vocational-technical career education field. As an initial move we have made the first group of awards to 160 experienced vocational educators to enable them to undertake full-time study at the doctoral level.

These men and women are attending 11 universities which share an emphasis on career education. These institutions pay special attention to the needs of the disadvantaged and handicapped; they cooperate closely with industry, the States, and the local districts; and they have established close working relationships with the surrounding communities.

Training lasts from two to three years. It is not tied to the campus but is essentially an intensive internship program with opportunities for research and exploration into the complexities of our constantly changing occupational structure.

We believe these doctoral candidates will make a very constructive imprint on the world of career education. But they will not be cast adrift upon graduation to search out their own niche in that world. Their home States will develop plans for the most strategic use of their skills—in colleges and universities which prepare career educators, in State departments of vocational education, in community colleges, and at the local level for development of the entirely new approach school systems must take to career education.

Our second effort is a program, already producing impressive results, to help the States attract and train teachers and administrators in vocational-technical education. The Leadership Development Awards I have described will produce the shapers and developers of the new career education; this second effort will produce the teachers to carry out the realistic and contemporary plans and programs they develop.

We are funding a variety of State plans. The money is helping to train personnel to work with the disadvantaged and the handicapped, to develop innovative and effective methods of exchange between teachers and businessmen, and to design and carry out more effective vocational guidance, a particularly crucial area. The funds are also being used to increase the number of trades and industry teachers in the emerging occupations that I spoke of a few moments ago.

The overriding purpose of this program is to encourage the States to develop their own capacities and their own resources to produce vocational-technical teachers in the numbers we need and a quality we need. This new blood will energize career education, particularly in our city schools, whose revitalization is certainly education's first order of business.

President Nixon put the matter well when he said, "When educators, school boards and government officials alike admit that they have a great deal to learn about the way we teach, we will begin to climb the up staircase toward genuine reform."

We have, I believe, begun to climb that staircase. We have begun, at least in part, the difficult, continuing work of reform. These recent tumultuous years of challenge and strife and all-encompassing change have given us lessons to learn, especially lessons in humility. But they have also taught us to hope and to act. The actions in vocational education and teacher education that I have outlined to you today are but the first in a series of reforms which I intend to initiate and carry out within the U.S. Office of Education. I solicit your reactions to what I have said for I particularly want to bridge the gulf between the Federal Government and the education leaders in the States, in the communities, indeed, in all the classrooms of America.

With a guarantee of your tolerance and support I will return to Washington and my new duties confident that the absolute need to develop a strong new program of career education is well understood by you who must understand it, that you and I agree on the kind of action that must be taken and the urgency of taking it. I respect and salute your capacity to reform the secondary schools of the land. In sum, the schools are engaged in swift change because you the educators have chosen to change them. The schools, I conclude, are in good hands.

PULLING THE WOOL OVER OUR EYES

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MANN. Mr. Speaker, I would like to insert into the RECORD the following editorial by Anthony Harrigan from the Southern States Industrial Council of April 1, 1971. It strikes me as an apt commentary for April Fools' Day, when it was first published. For the Japanese are actually "pulling the wool over our eyes" in more ways than one. Even as they force our once viable domestic textile manufacturers out of business through slave-wage competition, they are able to persuade another segment of the American business community of an alleged Japanese belief in fair and free trade. Any plant boss or laid-off worker knows the truth, however, and it is that the Japanese mode of trade is neither fair nor free. It is based on a wage-scale so low that no American business can compete with it, and the effect is that more and more American textile businesses are going under. Does anyone seriously believe that once the Japanese manufacturers have conquered the American market the prices of Japanese goods will remain low? That is hardly the way of colonialism—the colonial way is for prices to go sky-high once the market is captured. And make no mistake: It is conceivable that this will become a country of warehouses and distributors for the goods of Japan and other foreign slave-wage countries, and if that is not colonialism in reverse, what is it?

I believe that this Congress and this administration must take a hard and long look at how the American textile, steel, glass, citrus, electronics, and other industries are being affected by competition from abroad. I believe that once this is done, it will become obvious that what is needed is not the fake protection of so-called voluntary restrictions dictated by people who are already waging a trade war against this country, but real protection in the form of American-made legislation to make it possible for American industry to compete, for American jobs to continue, and for American markets to be available. The editorial follows:

THE JAPANESE TEXTILE GAMBIT

(By Anthony Harrigan)

Announcement by the Japanese textile industry that it will impose limited, voluntary quotas on exports to the United States is not an acceptable solution to a serious trade problem. Indeed many Americans may wonder whether the announcement is not a shrewd effort to sweep the textile import problem "under the rug."

President Nixon very rightly rejected the Japanese proposal. The Japanese government—in the wake of the announcement—has indicated there is no need for further negotiations. For many months, the Nixon administration has been holding discussions with the Japanese. Now, the Japanese government apparently believes it can stop negotiations. This Japanese attitude can be viewed as an affront to the United States government. Sen. Herman Talmadge (D.-Ga.) has said that the Japanese proposal merely shows Japan's "arrogance and contempt for our own government."

Unfortunately not all American public officials are critical of the latest Japanese gambit. U.S. Rep. Wilbur Mills, chairman of the powerful House Ways and Means Committee, has praised the Japanese proposal which calls for a 5 per cent annual limit on sales growth.

The unilateral Japanese plan isn't constructive because it doesn't bind other Asian countries that export textiles to the United States. The Textile Manufacturers Assn. in free China said March 9 that its sales "will never be affected by a unilateral voluntary agreement Japan may reach with the United States."

It is unclear how the Japanese plan would be enforced. There's a strong likelihood that it would be unenforceable and that the Japanese would make an end run around the agreement. Some years ago an agreement curbed Japanese cotton goods shipments to the U.S., but Japan then began exporting more wool and synthetic textiles.

A practical approach to the textile imports problem would involve specific limits on various textile products exported by Asian countries. Last year, the Congress came very close to approving import quota legislation. Legislation of that type is still needed.

The Wall Street Journal, which is critical of the textile industry's effort to restrict the flood of Asian textiles, said that import quotas "are simply an unsophisticated response to the problems of any import-troubled company or industry." The WSJ editorial writer, sitting behind his desk, may deplore what he considers an "unsophisticated response," but the textile mill owner who has to close down his plant—and his employes who are faced with loss of jobs—undoubtedly prefer results to sophistication.

The hard fact is that the Japanese are engaged in a trade war against the United States. They seem determined to monopolize certain markets in the United States, without thought to the consequences of such monopolization.

The Japanese trade struggle would not cause so much concern in the United States if Japanese industry fully accepted the free trade principles they appeal to in winning sympathizers. But Japan is known to be extremely reluctant to open its markets to foreign business. Moreover, the Japanese regularly sell their products in U.S. markets at lower prices than they charge their people at home.

The U.S. textile industry isn't the only target of unfair Japanese trade practices. U.S. Sen. Paul Fannin (R.-Ariz.) recently said in a speech on the Senate floor that Japanese "dumping" of TV sets in the American market resulted in the loss of 47,000 jobs in the electronics industry. "Not only have the Japanese used illegal sales tactics in the United States," said Sen. Fannin, "they also have closed their home market to any competition from American-made television sets."

Finally, Japanese industry has a very involved relationship with the government of Japan. Sometimes it is hard to tell whether business managers or government officials are making company decisions. In view of this close relationship, the U.S. government is right in protesting the Japanese withdrawal from negotiations.

In the long run, it is unlikely that the Japanese will accept meaningful import restrictions until Congress takes decisive action in support of the threatened textile industry and its many thousands of employes around the country.

FUTURE U.S. ROLE IN ASIA

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BOB WILSON. Mr. Speaker, Lt. Gen. V. H. Krulak, USMC, retired, the distinguished vice president of Copley Newspapers and president of Copley News Service, made some pointed observations on the future U.S. role in Asia in a recent address to the World Affairs Council in San Diego. As the former commanding general of the Fleet Marine Force, Pacific, before his retirement in 1968, Brute Krulak is particularly well qualified in the field of Asian affairs and I know my House colleagues will find his remarks very pertinent.

REMARKS BY LT. GEN. V. H. KRULAK

China—the oldest state in the world. One quarter of all mankind, embodying a culture of depth and continuity unmatched elsewhere on the globe.

One quarter of all mankind; a people who have evolved, in six fateful decades from an Oriental Empire to a communist society.

One quarter of all mankind, most of whom now have memory of no other sort of life than one characterized by deprivation, mass coercion and terror.

In 1809 Napoleon said, "Let China sleep. When it awakes, the world will be sorry."

China is indeed awake and, unless the world faces realistically the nature of that awakening, it is indeed likely to be sorry.

In one brief discussion, it is not possible to treat adequately all the aspects of Red China's interface with her neighbors and with the world at large.

A real understanding of this interface involves consideration of the burden on the little nations of Southeast Asia who must live with a hungry and acquisitive China; of their problems of survival.

It involves an understanding of the race between China and India for modernization and power.

Of the hunger of Japan for Chinese raw materials;

Of the impact of fertilizer, antibiotics and the pill on China's future.

Of the dispute between China and the U.S.S.R. over millions of square miles of border area.

Of the tragic turmoil that has beset China for 25 years.

Of the true state of affairs in Peking today.

But in the interest of time and simplicity, I will speak today on one matter only—what is happening to Mao Tse-tung's government; where it is headed today, and what it means to us.

We are faced with a crisis—nothing less—where the matter of recognition and U.N. membership of Red China are concerned. What should we do, in our own self-interest?

This, of course, has to be a product of what China is; what she means and, more important, *who* is speaking for the 750 million people. In short, just what is going on in Peking? Can we deal with Mao Tse-tung? Should we deal with him?

And that was the purpose of my trip to the Far East;—to learn the answers to those questions.

I visited Japan, Taiwan, Thailand and Hong Kong.

I spoke to government leaders, U.S. and foreign diplomats, businessmen, journalists, military people, and personal friends in these areas and hammered continually on the basic question—How strong is Mao's government? What is it doing? Where are its aims? Where is it going? What does it all mean to us?

I believe I got some of the answers.

Just as skilled doctors are likely to disagree on either the diagnosis or treatment of a disease, so the many people to whom I spoke were not unanimous on either the situation in Red China or what needs to be done about it. Mostly, they spoke confidentially and with great candor.

I was impressed, in the end, that their viewpoints did not diverge greatly, and from it all, I believe I was able to distill a clear picture of how a group of real experts sees the situation.

First, let us talk briefly of background. Recall that the Chinese society has lasted for over 2 millennia, based always on the family as the embodiment of the Confucian ideology and as the fabric which held the people together.

The Manchus understood this, and tried to exploit the Confucian system. So did the Mongols before them.

But not the communists. After 2,000 years of family existence, when the communists came into power in 1949, the first thing they sought to destroy was the family.

In a society which had been largely independent of oppressive central government domination in 20 centuries, the Maoists undertook almost overnight to break up the family as a bourgeois instrument of inequality.

They took the farmer from his wife;—they dismembered the family fishing crew. They took the children from their parents, set up boarding schools and nurseries, said that all children belonged to the state and tried to teach them to despise their parents.

As a basically independent people, the Chinese had shown an astonishing amount of initiative over the centuries.

The communists undertook to destroy this initiative, and to substitute slogans and theories.

Since they were looking for mechanical efficiency more than anything else, the communists turned their back on the greatest reverence of all where the Chinese people are concerned,—the land.

They did such outrageous things as desecrate sacred burial areas, bulldozing over graves and otherwise affronting an ethic that went back for 2,000 years.

They did all of this in order to break with the past and to change the attitude of the people into one of complete subjection to the communist system.

The years between 1950 and 1965 were a constant procession of experiments—experiments involving millions and millions of people, and each aimed at destroying the old order and replacing it with something that would be kindred to Marxist theory.

Each of the experiments gradually faded off in the face of stubborn resistance on the part of the Chinese people. They just would not change. Sometimes they went through the motions. They nodded their heads obediently. But, in the end, they ignored the orders.

Mao Tse-tung and his closest advisers could not stand for this and, in 1966, they launched the Great Proletarian Cultural Revolution which was probably the bravest and, at the same time, the most foolhardy idea that anyone has ever attempted to perpetrate on a great mass of people.

Mao realized that he was growing old; that all of his previous experiments had been failures and that he had the opportunity for no more than one more big endeavor. He determined that the only way to correct his previous mistakes was to destroy completely his whole system and to recreate a brand new one which followed the most idealistic communist design.

It is not easy for the world to realize that, despite his personal brutality, Mao is a romantic, a pure Marxist; probably the greatest Marxist theoretician alive.

He sees his destiny clearly—as the man who never compromised; the man who was charged by fate to bring the real essence of Marxism to reality; first, in the lives of 750 million Chinese, and ultimately throughout the world.

Nothing dare stand in the way of his great experiment; least of all the lives and welfare of the people involved. Mao has been given to violence in the face of disagreement since his childhood, which was turbulent because of his impatience and his violent temper.

His consummate brutality where his colleagues and his people are concerned should be no surprise to anyone who reads his history. The blood of millions is on his hands.

The Great Proletarian Cultural Revolution was born of a series of experimental failures, each one going to defeat in the face of quiet stubborn resistance by the millions of peasants that are China.

First, there were rural communes, separating 300 million husbands, wives and children, aimed at converting the whole land into impersonal "production units." Children were to be wards of the state. Men and women were to be allowed to cohabit, not as a part of normal existence, but simply for procreation.

It was a failure.—It resulted in less food, lower industrial production, more work and unfulfilled promises.

Then there was total change. Mao determined—almost overnight—that there would be a general subordination of everything to industrialization—"The Great Flying Leap Forward."—

This was intended to project China dramatically into the world's manufacturing producers. It included a program of ten million crude backyard blast furnaces, presumably to make industrial steel.

It was a failure, too. The people were lost in a welter of complicated instructions. The backyard steel was almost worthless, and there was a by-product of famine because of reduced emphasis on food production.

Then a dramatic re-shift was decreed—a return from industrialization to a new emphasis on agriculture.

The country was hungry.—Five million dead of famine in a single year.

This, too, was a failure, simply because the bulk of the increased food production went to the cities, and not to the farmer who raised it.

He quickly lost interest.

The next experiment was a period of self-criticism; a program where Mao encouraged critics of Maoism to speak out freely. He called it his "Thousand Flowers" program aimed at getting to the heart of their lack of progress by encouraging critics of the regime to speak their minds.

That failed too. Mao and his cohorts were shocked by the volume and violence of the criticism. They simply could not take the truth. Almost a million so-called activists were ultimately executed for speaking their mind. Ten million more were uprooted and sent to prison or work camps. The brief period of candor came quickly to an end.

Then the Maoists decreed an attack on science and technology, condemning them as opponents of the classless society.—This failed too. It took only a brief year or two to make clear that technicians, scientists and trained men were needed to make the machinery of government and commerce go.

They were far from finished.—An effort was made to convert cities into pure Marxist urban communes, with every act of city living and working completely communized. No initiative; no personal freedom.

Failure. Inefficiency in administration, bureaucracy and stupidity resulted in chaos, hunger and just plain refusal of millions of stubborn Chinese to work.

Then the Maoists tried a mass birth control program to help fight famine.

Failure. The Chinese family would not cooperate.

In the face of this incredible pattern of experimentation with the lives of his people and the unvarying pattern of failure, there was a brief and significant period in 1965 and 1966 when things grew better. This was not because of any improvement in government or enlightenment in leadership but simply because of exhaustion.—The Communists Party relaxed its pressure to experiment, probably because they were worn out and devoid of ideas.

For a brief moment, the people were left alone to live their own simple lives. The result was almost miraculous—more food, more tranquility, more consumer goods;—not only because the low level party functionaries were tired of putting their efforts behind Maoist experiments with the lives of the people.

Mao himself, in 1966, was sick with Parkinson's disease; 74 years old, a consummate failure in his effort to prove that Communism is a practise as well as a theory. Weakened physically and mindful that his years were numbered, he determined to make one last major push; one designed to transcend in both scope and results all of those experiments that preceded it.

He decreed what amounted to an attack on his own party mechanism, or the machinery and principles of Marxism.

His scheme was to wipe the slate clean, get rid of every official who had exhibited any doubt whatever of the efficacy of Maoism, purge the intellectuals who had raised questions regarding the regime, wipe out the remaining large businessmen, and try again to create an absolutely classless, totally communized society. The only people to be left undisturbed were farmers and laborers in industry.

The Red Guards were Mao's instrument; schoolboys in the main; boys who had never been off the farm or out of the classroom.—He turned them loose in the Autumn of 1966 with a free hand to eliminate every vestige of anti-Mao thought. Mao and his cohorts expected that the youths would have done their purging in a month or so, and they certainly expected that the youngsters would respond to the direction of the party leaders.

But it did not work that way. They went wild—killing, stealing, battling among themselves, losing sight completely of the Marxist idealism that was supposed to govern their actions.

The rampaging of the several million irresponsible youth simply crystallized and intensified the opposition to Mao—both in and out of the party. Anti-Mao groups took courage and came out into the open. The country was in turmoil. Strikes and even street fighting between the Red Guards and the contesting factions were common. Wherever he could get someone to obey, Mao's repression was brutal. Deaths and imprisonment were the order of the day.

The government in Peking existed in form, but not in any substance. The fact was, in 1967 and part of 1968, nobody was in charge at the top. It was a hollow shell. Low level civil functionaries did pretty much as they pleased. Many simply stopped functioning. People everywhere felt relief at the lack of government supervision, and were free to criticize Mao and his minions. Under the influence of anti-Maoists, things grew substantially better, particularly in the countryside.

Mao saw that his regime was tottering—about to be engulfed in civil war, involving not just the party, but the cities and farms as well. In desperation he finally turned on the farmers and laborers, whom he had spared previously. He declared that all dissident farmers and industrial workers had to be purged, too. He ordered the people's liberation army to enter the battle to restore and keep the peace.

The only problem was, large segments of the liberation army were not loyal to Mao. The great bulk of the forces insisted on remaining aloof; refusing to enter the conflict, refusing to intervene in Mao's behalf; willing at most, to keep some semblance of law and order in the countryside.

In the end, the army was loyal only to itself. Its leaders realized that it stood as the only stabilizing power in all China. They were not committed to ideology as much as to maintaining the focus of power, and building up their nuclear strength against a possible confrontation with the Russians. They are tough men, they are patient men. They have the strength, and it grew clear, as early as 1968, that they would ultimately run the country.

With political opposition visible on all sides, with the army insisting on staying in the wings, Mao saw his era coming to an end and, like the real fighter that he is, elected to give it one final try.

Almost with a wave of a wand, in late 1968, he went all the way. He declared that henceforward all of China—urban and rural—would become a truly proletarian state, with absolutely every act of authority discharged by committees of the people.

Whether it was a store, a farm, a factory, a newspaper or a school, it would be administered by committees of the persons doing the work. Everyone would have the same pay and the same privileges. Committee members would be subject to instant recall by their fellow workers.

Of course, the idea collapsed. The Chinese people were fed up with arbitrary experiments that disrupted their lives. They were patient and quiet, but simply ignored Mao and his directives. He was defeated by his own philosophy. He had always said, "Let the masses manage the affairs of the state." They did.

That brought us up to about 1970—a year or more ago. Mao since has had to offer a procession of face-saving compromises—just to stay in a position of nominal authority;—more freedom for the farmer, amnesty for his enemies, concessions to the army. That is what is going on now. The Mao regime is trying desperately to put on the face of success, to preserve the fiction that their Marxist innoculation has taken on the Chinese people; that he and his cohorts are in fact the nation's leaders.

The fact is, they are not. They are hated and ignored today, and another in the long train of Chinese dynasties is passing. Although among the shortest, and certainly the most oppressive, like all of its successors over a 3,000 year span, like the Mongols and the Manchus, it will simply have to leave some mark on the amorphous Chinese people.

The Chinese administrative procedures of the future will certainly see the effect of Maoist totalitarianism. The viciousness of Mao's 20 years of attack on his enemies will be felt everywhere, and the Maoists mania of totally isolated superiority will make relations with the outside world most difficult for his successors to engineer.

Mao believed he and his China were destined to make over the world. His successors are going to have to make up their minds that wars of national liberation are really not their bag; that they will be lucky if they can manage their own internal affairs while maintaining some facade of sovereignty in facing the outside world.

They have grave economic problems, brought on by a quarter of a century of experimentation. They have serious agricultural problems. Even though this year's grain harvest was good, it is still less than needed for a bare subsistence diet.

In the face of these facts, all of which are available to the Department of State and thus to our legislators in Washington, it will be well to go directly to the subject of Red China recognition, and the United Nations.

It is obviously a major issue facing the United States this year. In addition to the Communist countries, several of the larger non-Communist nations have established some form of relationship with Peking; Britain, Canada, France, Italy, Sweden and Norway are the principal ones.

Last year about 40% of the required 66% of the United Nations were in favor of seating the Maoists. Now the pressure is on us.

There the key phrase is, "Establish a meaningful dialog."

Some of the U. S. diplomatic people to whom I spoke, some of our business people, some of our foreign friends, speak to the wisdom of our "talking meaningfully to a people who constitute a quarter of all mankind." And the implication is that we should do it at once.

But by no means does everyone feel this way.

Others contend that, applied to the conditions of today, this is the worst sort of sophistry, and I have to agree.

Even if we could somehow talk to the Chinese people at large, they wouldn't know what to talk about. They are simple, provincial folk, whose horizon does not extend far beyond their own village. Eighty-five percent of them are existing at the subsistence level or below. Their only aim is to survive; their only satisfaction, caring properly for their elders; their only pleasure, sleeping with their wives.

A dozen times I was reminded that the government which purports to represent them does not. Nobody really does. As I have said, the Maoist leadership is a failure. The great leap forward failed. The great flying leap failed, and the great proletarian cultural revolution failed in a wave of unprecedented blood letting.

Mao has largely lost the helm to a group of generals to whom power and not dialectic is the key and the objective.

What Senators Fulbright and McGovern and our "meaningful dialog" proponents are really contending is that there is some benefit to be found in intercourse, not with the men in the fields and factories, but with a tiny hard core of men—Mao and his threadbare satellites.

And just who are they?

They are a band of nihilistic Marxist brigands who have survived literally by killing off the opposition wherever they found it. Their murders have numbered 15 million since 1949.

They are a group of arrogant and frightened men who have failed in every one of their social experiments, who inspire no loyalty among their people, who really have less popular mandate than Atilla the Hun.

They are a group of perennial losers who, in 1967 and 1969 came within an eyelash of being destroyed as they attacked the very fabric of their own regime.

They are a group of vicious minds who labor under the grotesque idea that they must remake the world; who hate us and all we stand for with a bitterness that defies description; who have supported, sustained and nourished our enemies wherever and whenever they could.

Dialog with them? We might as well get in bed with a nest of rattlesnakes, that is, assuming they would be willing to get in bed with us, which is doubtful.

There is a Chinese proverb that is applicable here—"If you wish to know the road ahead, inquire of those who have travelled it."

Inquire of our British cousins.

They were anxious to create a "meaningful relationship" with Mao and his bandits because of the economic benefits. "Seven Hundred and Fifty Million Customers," they said. After two years of humiliating haggling, they finally got the Maoists to sign a paper that was supposed to begin a diplomatic and economic give and take.

What became of it?

Ask the British businessman, a tiny trickle of trade, perhaps sixty million dollars annually, and a negative trade balance at that.

Seven hundred and fifty million customers—all broke.

Ask Sir Donald Hopson, Her Majesty's Ambassador to Peking, who, at the beginning of the Red Guards fiasco in 1966, had to stand while Mao's bullies beat him physically, sacked his Embassy and violated the Embassy's women before his eyes.

Ask the Russians—Mao's ideological cousins, and bandits in their own right. Ask them about dialog with the Chinese Marxists.

Ask the Black African countries that have been disillusioned by their presumed Chinese benefactors.

Ask them to tell us just why they threw the Reds out.

Ask them all. Ask them all just how much "meaningful dialog" they had with a "quarter of all mankind". And ask them how they would behave if they had it all to do over again.

The fact is, the United States of America has an opportunity today that comes to a few generations. It has both the chance and the challenge to contribute directly to the peace of the world by standing up and telling it like it is, to say, with the confidence of the world's own experience, that there is no such thing as "meaningful dialog" with cutthroats, that where the Mao group is concerned, no written agreement has any value.

"You cannot wrap fire with paper," said a Chinese philosopher.

We can be the rallying point to the whole world on this issue if only we cease equivocating and raise our national voice with the truth.

Dialog with China? There is no argument there. Certainly, we must have it and, if it were definitely in our selfish national interest to do so, we would be justified in dealing with the cut-throats this very day.

But it is not in our selfish national interest. There is no pressure whatever on us to dignify them or help perpetuate them. There is no pressure whatever on us to demoralize the opposition to Mao inside China.

There is no significant promise of fruitful trade with them; not now, or in the early future.

There is certainly no promise of greater security for us in talking with Mao and his irresponsible chauvinist comrades.

It will be far better to talk when there is someone respectable and responsible to talk to. If we will just wait, the Chinese people will throw them out for us. All we need to do is be patient.

"There is a day to cast your nets, and a day to dry your nets," say the Chinese.

We will do well to dry ours for awhile. And that, I submit, should be our national policy.

CONCLUSION

At the beginning, I offered the generalization that China is in both torment and in ferment, and that her torment is critical to the world.

I hope the picture I have projected through the eyes and lips of others, gives meaning to those words.

I hope I have been able to underscore truths that we cannot—that we dare not—elude.

First, the peace of the world—the tranquility of the United States of America—are at stake in Asia.

Second, the economic well being—the standard of living—of the United States of America—are at stake in Asia.

If we walk away from our commitments there, we can expect results so bitter that a generation of Americans will have to pay dearly,—in terms of encouragement beyond measure to Red China, with the specter of a Communist dominated Southeast Asia—to include Singapore, Burma, Malaysia and maybe Indonesia.

Whether we like it or not, whether we want it or not,—the United States of America has a role to play in Asia.

Ming Yun I Ting.

It is decreed.

If Americans believe in their country and their future, they will heed this ancient counsel.

SERGEANT O'GRADY'S VIEW

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. McKINNEY. Mr. Speaker, today, we hear quite a bit about the generation gap and especially as to how it relates to the scourge of drugs. Certainly, communication, at all levels, should begin and be fostered in the home. But there is another aspect of community life where communication is all important, particularly in its relation to the generation gap and drug abuse, and that is at the police departments.

Our law enforcement officers face this challenge on a daily basis; many times confronting a particular problem long before youngster's parents become informed.

I think it is especially encouraging to find a police officer who has a deep understanding of this many-faceted problem and who can deal with it sympathetically but resolutely. While I know that this Nation is blessed with a number of officers who have this capability, I would like to bring to my colleagues' attention a policeman from my district who was recently interviewed by the Norwalk, Conn., Hour.

A reading of the following article will reveal many of the fine qualities of Sgt. Philip O'Grady, Jr., a 16-year-old veteran of the Norwalk Police Department. I would add that the author of this piece, James T. White, is a freelance writer who did the story because he felt the community should be informed. Mr. Speaker, may I commend him to you also. At this point, I would like to insert the story in the RECORD:

POLICEMAN'S VIEWPOINT—SERGEANT O'GRADY TALKS ABOUT NARCOTICS

(By James T. White)

"There's a lot more to it than telling the young user about the long-term effects of drugs. For, unanimously, medical experts warn that 'drugs are hell and the dope addict is readily destroying himself!' The vast majority of young drug abusers invariably begin with marijuana, move on to pills, including all types of barbiturates, then heroin or other hard drugs. And the drug-dependent person is only adding to his problems, for using drugs, other than those that are medically prescribed, that is, is stupid.

"And kids, who say they don't 'dig' adult 'squares' and the 'establishment's' double standards, racism, bigotry, war and alcoholism, instead of 'turning on' with drugs should do all they possibly can to obtain a good education . . . then they can help try to solve some of the world's problems."

Sgt. Philip O'Grady Jr., a veteran member of the Norwalk Police Department, when asked about the so-called drug epidemic said that "Statistics show that in many areas of the country, particularly in the big cities, and especially along the west coast and the eastern seaboard areas, the situation is gravely serious. But, while all local communities certainly have a drug problem that is steadily increasing, Norwalk is about the same as the average community of its size."

Does it help to sentence a young drug-addict to jail or prison?

"If he is convicted for the possession of drugs, and is willing to seriously participate in receiving treatment that is available as a county or state anti-drug institution, it might help him if his sentence is thusly suspended. Court officials strive to decide on the most logical course," says Sgt. O'Grady.

Sgt. O'Grady comes into contact regularly with cases that touch the heartstring. A girl in a nearby city from a good family, found with some marijuana was released with no penalty. But soon she was among users, Sgt. O'Grady said, and the last heard of her she had taken to the road.

Another was the boy who was arrested enroute to school carrying several pounds of marijuana, the officer recalled.

Appointed a supernumerary officer on June 9, 1954, and a regular member on Apr. 1, 1955, Sgt. O'Grady was assigned to the Detective Bureau, general investigation, in May 1963. Appointed a member of the Special Services Division in September 1964, he was promoted to the rank of sergeant in October, 1969, and took command of the Special Services Division in February 1970.

The 43-year-old Broad River resident is a man who takes pride in his profession. And with close to 17 years of police experience behind him he is looking forward to many more years of service to the department and the residents of the community. A veteran member of the Detective Bureau, he has completed courses at the Federal Bureau of Narcotics Training School in Washington, D.C. (1966), the Police Academy in New York City (1967), the Drug Seminar for Connecticut and Westchester County (1969 and 1970), the Organized Crime School (1970), as well as classes of instruction given by the Norwalk Police Department in all phases of tactical force training. He has instructed classes at the Fairfield County Detective Conference training school as well as classes in advanced police technology at the Connecticut Chiefs of Police training school.

IT IS DAMAGING

How widely is marijuana used in the United States, how does the drug work and what are its physical effects?

"The exact extent of marijuana use in the United States is now known. But according to the President's Commission on Crime arrests on marijuana charges have more than doubled since 1960. In the past 10 years, narcotics authorities have reported a sharp increase in the use of marijuana, and just how widely the drug is used somewhat varies—research studies by health authorities have found that five and six million Americans may have used the drug at least once in their lives, but other estimates run as high as 18 to 20 million.

"When smoked, marijuana affects the user's mood and thinking, and the user may get talkative, loud, unsteady, drowsy or dreamy, and find it hard to concentrate or co-ordinate his movements. And as the marijuana quickly enters the bloodstream and acts on the brain and nervous system, it may cause hallucinations when taken in very large doses. Therefore it is classed by medical scientists as a mild "hallucinogen." Some scientists have stated that the drug can render serious physical harm to the user's body as it accumulates in the liver and brain. A study by the National Institute of Mental Health also showed that psychotic reactions often occur in some individuals who use even the smallest amount. The report stated that a person using marijuana invariably finds it harder to perform tasks or make decisions that require clear thinking. Doing anything that requires good reflexes and co-ordination is affected by the drug. Thus it is especially dangerous to drive while under the influence of the drug," he says.

Sgt. O'Grady said that health authorities report that marijuana's effect, when smoked, is usually felt quickly, in about 15 minutes. And the range of effects, that can last, last from two to four hours, can vary from the lowest depths of depression to great heights of excitement. And while an individual user may sense no drastic change of mood at all, invariably the sense of time and distance, co-ordination and mental reflexes of many users frequently becomes greatly distorted.

In explaining that the drug is known as "pot," "grass," "weed," "tea," "Mary Jane," and by other names, Sgt. O'Grady said that marijuana is usually rolled and smoked in cigarettes or in pipes. The marijuana cigarette which is commonly known as a "joint," "stick" or "reefer," is often rolled in brown rice-paper, and its smoke is easily recognized by its sweetish odor, which is pungently harsh, and smells like dried grass or burnt rope. The officer pointed out that parents should look upon marijuana as being potentially dangerous.

Medical experts agree that marijuana isn't especially strong, that the user can only get a somewhat mild "high." But, inevitably, smoking marijuana puts the youth around people who use heroin or other hard drugs. And marijuana-smoking, which usually begins with just a little "experimenting," then soon develops into a full-time habit, more often than not eventually leads to the user "experimenting" with hard drugs. And although there are diversified opinions as to what causes a drug addict, experts agree that it's difficult to be around "junk" and not use it.

Sgt. O'Grady talked to over 6,000 public and parochial school children in the past two years on the dangers of drug addiction. He said that parents must educate their young from the earliest years to prevent them from becoming involved with drugs, thus avoiding the horrible misery that is synonymous with drug addiction.

COURT THE RESULT

"We, who daily come in contact with those who violate the drug laws, often wonder why it is that a young person will start experimenting with marijuana or habit-forming drugs. Undoubtedly, in many groups, drug-taking is considered a sort of status symbol, a display of youth sophistication . . . and it is unfortunate that many well-meaning youths will end up in court two or three times before they realize that drugs, jail, and possible mental and physical impairment, and possible death from an overdose, are synonymous," he says.

When asked about the serious risks involved in breaking the laws dealing with marijuana, Sgt. O'Grady points out that an arrest or conviction for a felony can hinder plans of one's future life: conviction can prevent a person from being able to enter a profession such as law, medicine, teaching, or attending a U.S. military academy. He has to be approved by a special hearing board before he can hold a government position, he my find it extremely difficult to get a responsible position in business or industry, and in many states, a person with a police record for drug conviction must meet special qualifications to obtain or renew a driver's license.

What are the drugs most commonly used locally?

"Amphetamines, which stimulate the central nervous system, are used by people in all walks of life to combat fatigue and sleepiness. These stimulent drugs, when legally prescribed by a physician, and used as medically directed, can be used with effective results. However, scientists have found that, when abused, these drugs concentrate their stimulative action in nerve endings and the higher centers of the brain. This speeds up the action of the heart, producing a temporary sense of alertness, self-confidence, and well-being.

"Some addicts take very large daily doses of amphetamines, which are generally swallowed as pills, but can be taken in liquid form by injection into a vein at varied time intervals . . . a dangerous practice known as 'speeding' . . . which leaves the addict unable to organize his actions, movements or thinking.

"The Food and Drug Administration reports that probably half the amount of amphetamines produced by the drug industry each year, which is tremendous in quantity, finds its way into illegal channels, for non-prescribed use. Students often take these stimulents while cramming for exams, drivers take them to stay awake on long trips, and others merely take them for "kicks." It is reported that some abusers alternate between stimulate and sedative drugs, to produce alertness and then to slow themselves down."

Sgt. O'Grady explained that stimulant drugs, while they do not become physically dependent on their continued use, nevertheless are all extremely dangerous. The body does, however, eventually develops a tolerance to these drugs, with the result that large doses are necessary to achieve the desired effects.

Sgt. O'Grady said that barbiturates—sedative preparations whose slang terms include "barbs" and "goof balls"—relax the central nervous system, and are dangerous when taken without proper medical supervision. The NIMH (part of the Health Services and Mental Health Administration), which is the federal agency primarily responsible for research on drug addiction and abuse, that is constantly conducting extensive animal and human research to uncover underlying effects of various drugs. It wants to try to find out how psychological or physical dependence develops. It a recent report it stated that "barbituates are a leading cause of accidental poison deaths in the United States."

Sgt. O'Grady, said that reasons given by young users for smoking marijuana or taking drugs include: "for kicks," "for self-confidence," "curiosity," "well-being," "alertness," "to understand myself better."

To the question, "Who do you think is best qualified to help the young addict?" Sgt. O'Grady said that he firmly believes that an interested ex-addict can render an invaluable service to his community by becoming involved in self-help programs for drug addicts.

"Such local self-help projects as SPEAR, Vitam and Renaissance undoubtedly owe much of the success they have achieved in aiding drug-dependent youths to the fact they are manned by ex-addicts . . . and former drug abusers are invariably well informed about the reasons for drug addiction. All communities have their share of 'glue-heads,' 'pitheads,' 'speedfreaks' and 'acid-heads,' for 'junkies' come from all walks of life, from all social and economic backgrounds. And many reformed addicts play an important role in 'getting through' to addicts and potential addicts.

"Other projects that are rendering an invaluable service in self-help programs for drug addicts are Daytop Village, Synanon, Gateway House and Phoenix House. At such places, they tell it like it is, with no nonsense, and if a youngster is sincere about really helping himself, the results can be advantageous. Such a program has to be all business, no mincing of words, no half-hearted effort, no insincere enthusiasm."

HEROIN MOST COMMON

"The most commonly used drug in the country today is heroin. And the slightest overdose can cause death! That is why our advice to youngsters is, 'Do NOT get involved with drugs!'

"Local youths have the money and cars to go to New York City to buy drugs. In the big cities the drugs are cheaper and available—as easy to acquire as a bar of candy. But, fortunately, and not to underplay the steadily-increasing seriousness of the local drug situation, the problem in our local schools seems to be not overly serious, for most of the users that become involved with the law are already out of school, in their late teens or early twenties.

"And there's more to it than telling the young user about the long-term effect of drugs. For, invariably, his friends are fellow drug-dependents too, who, like himself, will do anything to get one more fix. And besides being in trouble with his family, he is certain to be in trouble with the law. For an addict may have to spend up to $100 and more a day to buy his day's supply of heroin. Supporting a heroin habit is expensive.

"Young people who begin using drugs as a symbol of revolt, rebellion, as a way of escaping the realities of life, of antagonizing their elders, are definitely on the wrong path! We must educate our youngsters to appreciate the values of life . . . the fulfillment of which cannot be acquired through pills or the needle. If we can do this then we have done a great deal to assist and direct those who desire to become responsible citizens of our communities, or our country."

THE VOLUNTEER DEVELOPMENT CORPS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. HALPERN. Mr. Speaker, over the past decade I and other Members of the House of Representatives have voted to use some of the taxpayers' dollars to help the people of the developing nations build a better society. In general, I am proud of our record.

This week I had an opportunity to discuss the usefulness of these expenditures with a volunteer technician, a cooperative housing management specialist, who has just returned from Chile, and I want to share some of her observations with my colleagues, believing we can thereby improve our performance.

She is Ruth M. Senior, who spent the past 17 years managing small housing cooperatives in New York, Puerto Rico, and the Virgin Islands for the Association for Middle Income Housing, headquartered in New York City. She is a professional economist, speaks Spanish fluently, and had worked earlier in Latin America.

In December Sociedad Auxiliar de Cooperativas de Vivienda, known as INVICOOP, a federation of small housing cooperatives headquartered in Santiago, asked Volunteer Development Corps—VDC—a new private organization headquartered in Washington, to send someone to help INVICOOP devise some feasible means of providing centralized management for its member cooperatives, each of which is too small to employ its own manager.

VDC asked Mrs. Senior to undertake this assignment as a volunteer. She agreed to do so, and she and her husband, Clarence, a former member of New York City's Board of Education and himself an outstanding sociologist, spent the past month in Chile.

Cooperative housing is nothing new in Chile. In fact, INVICOOP itself has organized cooperatives that provide homes for 10,000 families. These families' incomes range from $70 to $150 a month, and among these families blue-collar industrial workers and rural farmworkers predominate.

What amazed me is that, according to Mrs. Senior, in Chile no housing cooperative, no public housing project is managed—at least, as we use that term. These cooperatives—and public housing, too—are simply spawned and abandoned. There is no maintenance of the properties, except as each cooperative member or public housing tenant provides it. Generally, no reserves for major repairs or replacements are established or maintained, even though the contract with the lender probably requires it. Indeed, it is a wonder the houses stand, the monthly payments are made, and some of the cooperatives succeed in providing decent housing at prices the median-income Chilean can afford, year after year after year.

Fortunately, INVICOOP's officers recognize they need the kind of management that has made housing cooperatives so successful in New York and elsewhere throughout the United States. While there, Mrs. Senior helped them devise a pilot program that will include 22 cooperatives with 1,066 member families. Under this program, the cooperatives will pay INVICOOP 20 escudos—$1.40 at the official exchange rate—per month per unit, and for this they will get central financial management, bookkeeping, and property maintenance. It is a beginning—an auspicious beginning.

U.S. taxpayers' funds have helped establish some of these cooperatives and public housing in Chile, elsewhere in Latin America, and around the world. These funds have flowed by various routes—through the International Bank for Reconstruction and Development through International Development Bank, through Latin American Development Bank to savings and loan associations and other housing lending institutions. Some of the funds, through the U.S. Agency for International Development, have provided loan guarantees for builders who have constructed these housing cooperatives and public housing. I believe we should continue to use U.S. funds in this manner.

Yet I suggest we can use these funds somewhat more wisely by building into each project adequate provisions for management, property maintenance, and financial administration. We should see that proper reserves are established. And we should see that the letter of such agreements is observed.

I am pleased to have talked with Mrs. Senior. She was one of the first volunteers this new organization, Volunteer Development Corps, sent overseas, and I appreciate what she has done not only for these cooperatives in Chile but for the United States and our relations with the people of that country.

VDC's purpose is to provide short-term, volunteer, technical help to cooperatives in the developing countries at their request. U.S. cooperatives provided some of the funds to finance this new venture, and the Agency for International Development has granted VDC $100,000 for its first year's work.

VDC pays its volunteer's travel to the co-op's headquarters overseas and his lodging and meals while there. The overseas cooperative commits itself to the costs of in-country travel, an interpreter—if necessary—secretarial help, and the like. Each AID dollar, therefore, is supplemented by the volunteer who contributes his services, by U.S. cooperatives that pay part of VDC's administrative costs, and by the overseas cooperative that requests VDC's help.

As my colleagues will recognize, VDC is patterned somewhat after the very successful International Executive Service Corps, headquartered in New York, which is now handling more than 500 businessman-to-businessman projects overseas each year. VDC's work is cooperative-to-cooperative effort—the kind of effort some of us have sought to stimulate in various ways through our foreign aid programs. This seems to me an especially wise use for a part of the funds Congress has provided AID, and I wish the Volunteer Development Corps every success in its future activities.

I insert the summary report of Mrs. Senior's successful trip to help the cooperative housing program of Chile in the RECORD following my statement:

VOLUNTEER DEVELOPMENT CORP, PROJECT 4, CHILE

(Summary report by Ruth M. Senior)

Sociedad Auxiliar de Cooperativas de Vivienda (INVICOOP) is a federation of small housing cooperatives, with headquarters in Santiago, Chile. In the past 15 years INVICOOP has organized more than 200 housing cooperatives throughout the country with nearly 10,000 member families. Incomes of these families range from $70 to $150 a month. These families are generally urban blue-collar or rural farm workers.

These are tiny cooperatives, averaging fewer than 50 units. None is managed, except on a self-help basis. In fact, there seems to be no professional management for any public or public-interest housing. Under such circumstances, the rate of failure—estimated at 20% by INVICOOP officials—is surprisingly low.

While an impressive number of cooperatives nominally exist, there is no cooperative action among cooperatives nor generally within the cooperative itself. This results in lack of maintenance, slipshod financial stewardship, and deterioration of the homes.

Though housing law stipulates adequate reserves, their absence is widely assumed. Lenders seldom resort to legal action to assure such reserves, for such action is costly and the verdict uncertain. Nevertheless, cooperatives' repayment record is good.

INCICOOP has recognized the weakness of spawning cooperatives and abandoning them. In December 1970 INVICOOP asked Volunteer Development Corps to help determine the feasibility of centralized management for small housing cooperatives and, if feasible, to help structure a department of centralized management within INVICOOP. At VDC's request, I volunteered for this assignment and arrived in Santiago in February.

I visited 31 of these cooperatives in Greater Santiago, Maipu, Los Andes, Llay Llay, Valparaiso, and Vina del Mar. I met with officers and members of these cooperatives. I conferred with officials of government housing agencies, including MINVU (Ministry of Housing & Urban Affairs) and Caja Central (the regulatory agency for savings and loan associations).

Under the direction of Juan Pablo Roman Rodriguez, INVICOOP's manager, we have outlined a feasible pilot demonstration of centralized management. It includes 22 cooperatives with 1,066 member families. These cooperatives would pay INVICOOP 20 esculos ($1.40 at the official exchange rate) per unit per month, and INVICOOP would provide central financial management, bookkeeping, educational services, and property management.

With the help of INVICOOP's staff, I have prepared a 60-page document that places the project in its local setting, explains the problems of centralized management, indicates solutions to these problems, lists the cooperatives to be included in the pilot effort, explains their selection, describes the structure of a new department within INVICOOP—*departmento de servicios habitacionales*—including budget and personnel, outlines services to be performed, analyzes each service in detail, and includes drafts of promotion and education material.

The three great problems are these. First, each cooperative is small and will thus require much management for a small fee. Second, apparently no one in Chile has experience in such housing management that INVICOOP can call on. Third, cooperatives already in occupancy must accept—and get their members to accept—a fee, however modest, for centralized management, which they have never experienced.

As INVICOOP forms other cooperatives, it can avoid these problems. It can develop larger cooperatives. Through this pilot project, it can itself gain the experience it needs. And it can build management fees into the basic cooperative structure.

I have suggested that INVICOOP seek a $10,000 grant to finance this pilot project in centralized management for the first six months. It can thus demonstrate to the cooperatives and their members the value of proper maintenance, beautification, central purchasing, accurate accounting, membership training and education, and full occupancy before putting centralized management on a self-sustaining basis.

This pilot project will, for the first time in Chile, provide families that own these cooperatives competent, technical management and thus strengthen cooperative housing, economically and politically. Equally important, it will reestablish the cooperative idea within each cooperative and link these cooperatives with cooperatives throughout the free world. I am pleased to have had the opportunity of working to implement this important concept.

RAILPAX

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. JAMES V. STANTON. Mr. Speaker, the great concern of the people who reside in the Lake Erie shore area over their exclusion from the Railpax route system has been expressed in the formation of the Great Lakes Committee for an Improved Railpax. I bring to the attention of my colleagues the resolution which this organization approved at its first meeting in Cleveland on April 2:

RESOLUTION

Whereas, The National Rail Corporation has designated a system of rail passenger service which is inadequate to meet the needs of the nation and its population centers, and

Whereas, this system will result in the loss of rail passenger service throughout the nation which is currently being provided, and

Whereas, Railpax has chosen not to provide passenger service from Buffalo West to Chicago via Erie, Cleveland, Toledo, Elkhart, South Bend, Gary, and

Whereas, Railpax will not provide service from Detroit to Toledo and points to the East, and

Whereas, the States of New, Pennsylvania, Ohio, Michigan, and Indiana, as represented here today, are deeply concerned that such service be provided, and

Whereas, it is the belief of the representatives of such states that such service is within the stated purpose of the Rail Passenger Service Act and further that such service is considered mandatory as a part of the national rail passenger network, and

Whereas, this Committee has not had sufficient time to analyze and review the impact of the Railpax determination,

Now therefore, it is hereby resolved that:

1. Each of the states of this Committee shall appoint a representative to meet as a group with the Railpax personnel to analyze the technical data upon which the Railpax route determinations were made. These representatives shall meet with the Railpax personnel as soon as possible and report their findings back to this committee.

2. This committee shall meet again in Washington, D.C. as soon as possible with the Railpax authorities and all interested Congressmen and Senators to attempt to have the service to the afore mentioned cities included in the Railpax system.

3. This committee also encourages all Congressional action designed to broaden the service of Railpax and specifically the service on the routes previously mentioned. We commend Congressman Jack F. Kemp, New York, for his interest in this matter and we endorse the principle of his proposed bill which would provide increased capitalization for the Railpax Corporation.

4. We further order Henry W. Eckhart, Chairman, PUCO to forward copies of this resolution to the President, all Senators, all Congressmen, the Railpax authorities, the Secretary of Transportation, the National Association of Railroad Passengers and the Governors of all of the participating states.

DR. M. R. HADLEY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. GAYDOS. Mr. Speaker, 42 years ago a young medical doctor settled in McKeesport, Pa., hung out his shingle and opened an office for the general practice of medicine. No one realized then, of course, this young physician, Dr. M. R. Hadley, was destined to become one of the most respected men in his profession and one of the most revered men in his community.

Dr. Hadley retired from active practice in January of this year. He took down that old shingle and with it a multitude of awards, citations and tributes he collected throughout his career for achievements in medicine, human rights, youth work, humanitarianism, and outstanding service to people and the community.

Over the years there have been many dinners and affairs honoring this fine gentleman. There is to be another on April 22, but this one will not fit the mold of prior testimonials. It cannot. There simply are not platitudes left to describe Dr. Hadley's unselfish dedication to medicine, McKeesport, and people. The usual list of glowing superlatives has long since been exhausted and no new phrases have been coined to adequately express the feeling the community has for this man. The good doctor will have to be content with the knowledge that those who honor him April 22, admire him as a physician, respect him as a man and cherish him as a friend.

It is a fact Dr. Hadley was not born in McKeesport, but its citizens long ago claimed him as a native son and will deny anything to the contrary. However, records show he was born in Thomasville, Ga., a son of the late Herbert and Carrie Corker Hadley, and graduated from public school there in 1914. He enrolled at Savannah State College and in 1917 moved to Cleveland, Ohio, where he received the familiar "greeting" from Uncle Sam, inviting him to partake of military life.

After the war, Dr. Hadley returned from the Army and in 1919 entered Howard University's Pre-Medical School, graduating 6 years later from its college of medicine. He served his internship at Kansas City General Hospital in 1925–26, and spent 2 more years there as house officer. He came to McKeesport in 1929, was admitted to the staff at McKeesport Hospital, and began a career that was to bring him widespread recognition.

In 1940, Dr. Hadley was admitted to the staff of the Bedford League Tuberculosis Hospital in Pittsburgh, a post he held for 5 years until the league closed its doors. However, a year later, he was elected to the active staff of the McKeesport Hospital as an associate in medicine, and in 1948 he passed the examination for fellowship in the American College of Chest Physicians. In 1950, he was elected to the McKeesport Hospital's senior staff, serving as president in 1955–56, and also named chief of its department of pulmonary diseases.

Subsequently, Dr. Hadley was to hold many offices in many organizations. He was president of the McKeesport Academy of Medicine in 1960 and 1961; a member of the board of directors of Allegheny County Medical Society and vice president of the group from 1963–66; president of the McKeesport Tuberculosis Association in 1957–58; a member of the board of directors for the county chapter of the American Cancer Society and director at large for the State division of that society and the American Heart Association.

The honors collected by Dr. Hadley during his career are far too numerous to list in full, Mr. Speaker, but I would like to mention some of the major awards. He was cited in 1954 by the board of directors of the United Negro College Fund Inc., and 10 years later was named "Physician of the Year in Pennsylvania" by the Governor's Committee for the Employment of the Handicapped. His work on behalf of disabled veterans and handicapped persons was recognized by the Pennsylvania State Senate in a resolution adopted on the floor in December 1965.

That same year he was appointed to the board of trustees of Allegheny County Community College. In 1966, he was named to the Pennsylvania Medical Society's Environmental Health Commission and honored by Alpha Omicron Lambda Chapter of Alpha Phi Alpha Fraternity for outstanding service in medicine. The Jewish War Veterans gave him its "Brotherhood" Award in 1967, and he received the Alumnae Federation Award from Howard University for conspicuous service to his profession in 1968. In November of last year, the McKeesport Optimist Club cited him for outstanding service to the community.

Dr. Hadley has been listed in "Who's Who in the East" since 1950 and has been most active in the American Legion, serving as a past commander and a past deputy district commander. He is a member of the Urban League, a life member of the NAACP, a director of the community chest, a member of the State Veterans Employment Committee, the Mon-Yough Adult Retarded Center, and the Mon-Yough Handicapped and Rehabilitation Committee. He also belongs to the National Medical Association, the Amedican Medical Association, the American Thoracic Society, the American College of Chest Physicians, the Gateway Medical Group of Pittsburgh, and the IBPOE. He has been credited with bringing about the integration of personnel in every department of McKeesport Hospital, including interns, surgical residents, and the School of Nursing.

Dr. Hadley's retirement from active practice, however, by no means is the end of his involvement with the hospital, the community or the people. Just a few weeks ago he was elected as a member of the hospital's board of trustees, and I know he will continue to lend his abilities and experience to any program or project which will benefit the city and its citizens.

Mr. Speaker, this is the Dr. Hadley who is recorded in citations, plaques, and certificates. It can be shared with my colleagues. Unfortunately, I cannot share with them the warmth, sincerity, humor, and gentleness which also are part of Dr. Hadley. These are qualities which cannot be captured in citations and awards. They are the treasures of we who know him, and we are richer for it.

SMOKE GETS IN YOUR EYES

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. YOUNG of Florida. Mr. Speaker, public support for H.R. 4776, the Nonsmokers Relief Act I introduced on February 22, keeps coming in from across America and even abroad. Millions of nonsmoking citizens are deeply distressed over being forced to breathe polluted air that leaves them gasping, coughing, and half-nauseous.

Among thousands of letters in support of this bill were only two in opposition; this, I believe, is because the measure would place no burden on the smoker but merely protect the rights of those who do not want to smoke.

H.R. 4776 would require the Secretary of Transportation to establish regulations for a protected area to be set aside aside on airliners, trains, and buses for nonsmoking passengers .

The U.S. Surgeon General supports this bill. Trans-World Airlines, one of our biggest carriers, has separated smokers and nonsmokers aboard its planes for some time now, with considerable success and wide acceptance of its passengers.

We must immediately act to provide needed relief to millions of American travelers. If further evidence is needed to support this legislation, I would draw the attention of my fellow Congressmen to an editorial from television station WFLA–TV serving my home district in Florida, and a news story that appeared Sunday showing how passengers will ask to be in a nonsmoking area if one is provided, and also showing the possible health threat from secondary smog inhalation:

SMOKERS ON JET SEGREGATED FOR HEART PATIENT

CLEVELAND, April 3.—A United Air Lines 727 jet plane took off from Cleveland Hopkins International Airport today for Miami with smoking passengers segregated from nonsmokers.

Pete Williams, manager of customer services for United here, said he had a request from United President Edward Carlson to section off a portion of the plane for nonsmokers because a passenger, Dr. David Gitlin of Cleveland, might suffer heart trouble because of the smoke.

He said few people moved into the smoking session, and some passengers asked to be moved amidst the nonsmokers.

SMOKE GETS IN YOUR EYES

With no personal affront to the smoking public, it's a rare person who enjoys tobacco smoke blown in his face . . . even when sitting downwind in such open expanses as sports stadiums.

And confined in close quarters, these fugitive fumes can become downright annoying—sometimes even nauseating.

This invasion of nasal privacy is particularly irritating, mentally and physically, when traveling via public transportation. There is no escape short of leaping from the plane, train, or bus, and the prolonged inhalation of smoke from another's ashes can create a sense of resentment . . . even dislike . . . for the most lovable fellow passenger.

Thus—we welcome the introduction in the Congress by Representative Bill Young and Senator Ed Gurney of the Transportation Smoking Bill—and wish it well. The measure does not restrict smokers from smoking in public places or conveyances . . . that is an individual decision . . . but it would require the Secretary of Transportation to establish protected areas to assure the rights of non-smokers who prefer to travel aboard airliners, trains, and buses without a cloud of secondhand smoke.

This theory could also well be extended to doctors' waiting rooms where, despite the ailing, coughing humanity huddled together awaiting diagnosis, someone usually lights up and blows the winds of secondary smoking into already suffering lungs.

It might eventually even find its way into the traditional smoke-filled back rooms of political conventions. But, for now, we'll settle for it getting out of committee.

CREDIBILITY GAP IN REVERSE?

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ARCHER. Mr. Speaker, the Washington Post of Tuesday, March 30, contained some disturbing information concerning the questionable editing practices of CBS.

Because of the great public interest in the recent CBS news documentary "The Selling of the Pentagon," I commend to the attention of my colleagues the following two items from the Washington Post:

[From the Washington Post, Mar. 30, 1971]

CBS REPLIES TO EDITORIAL ON PENTAGON DOCUMENTARY

This letter is in response to your editorial of March 26, in which you start by calling the CBS News documentary, "The Selling of the Pentagon," a "highly valuable and informative exposition of a subject about which the American people should know more," and then proceed to examine in some detail the specific editing of that film and general practices of television news editing technique.

The editorial was obviously written by one who has long labored on the editorial page—and not on the news pages.

You conclude that in some measure (not specified) public confidence and credibility are undermined by our editing techniques "innocent or not."

The question of how a news or documentary broadcast is edited is at least as important as you obviously consider it. It is precisely as important as, and possibly no more complicated than, questions pertaining to editing in the print medium (newspapers and news magazines)—the process by which any journalist rejects or accepts, selects and omits, and almost always compresses material available to him. You do not question the right, indeed the professional obligation of your reporters to do this, nor of your editors to continue the process once the reporter has done his job, nor indeed, of your senior editors to impose their professional judgment upon this same piece of work when or if it comes to them.

But you question not only our rights to do the same thing, but also the methods by which we edit, and even our motives ("innocent or not"). You do not, in other words, grant us the right to do precisely what you do—and must do if you are journalists as distinguished from transmission belts.

Why?

The key to why you feel this way is spelled out in your editorial: "People who work in the nonelectronic news business know how readily they themselves may distort an event or a remark . . . these dangers are of course multiplied in the production of a televised documentary."

You are saying that good reporting—fair reporting—is a difficult business, with many pitfalls along the way, that television reporting is a more difficult business with more pitfalls. Fair enough.

Then you go on to suggest, indeed recommend, that our rules should be different than your rules, that sound journalistic ethics and the First Amendment are somehow divisible between rights granted to journalists whose work comes out in ink and somewhat lesser rights for journalists whose work comes out electronically. You say we should go out of our way to "preserve intact and in sequence" the response of those we interview. We both "go out of our way" to be fair and accurate, but we both have limitations of space, and we both seek clarity. Except in verbatim transcripts, neither medium preserves intact or in sequence everything it presents. You say at the very least we should indicate that something in the interview has been dropped. If we asked you to do this, you would properly respond that readers know, without a blizzard of asterisks, that material in your paper is edited, that these are not the complete remarks. Our viewers know it, too. And so do those whom we cover.

But most astonishing of all, you propose that we should give the subject of the interview an opportunity to see and approve his revised remarks. Is that now the policy at The Washington Post? Of course not. You know and I know that this strikes at the very core of independent and free journalism. To grant a subject such a right of review is to remove the basic journalistic function of editing from the hands of the journalist and place it—in the case of the documentary in question—in the hands of the Pentagon. I almost wrote—"tell you what, we'll do it if you'll do it." Then I had a second thought: No, we won't do it even if you should do it.

We are all after the same thing: to be fair, to inform the public fairly and honestly. We do not suggest that we—or any journalistic organization—are free from errors, but nothing in the First Amendment suggests that we must be perfect, or that we are not human. And nothing suggests that if our responsibility is larger, our job tougher or our coverage broader there should be some new set of rules for our kind of journalism, as if to say the First Amendment is fine so long as it doesn't count for much. You don't seem to mind if our end of the dinghy sinks, so long as yours stays afloat.

Fairness is at the root of all this, and fairness can be and always will be debated.

But I submit that we are as careful about editing, as concerned with what is fair and proper and in balance, as rigorous in our internal screening and editorial control processes as any journalistic organization.

The job of ensuring that fairness, that balance and that sense of responsibility is difficult. It is the subject of our constant review and concern. It is not a question that can be solved by a single statement of policy or staff memorandum. It must be, and it is, the daily concern of our working reporters, editors and management.

We believe, as I have said publicly before, that "The Selling of the Pentagon" was edited fairly and honestly. Long after the useful and valuable debate on this broadcast has subsided and perhaps been forgotten we shall be editing other news broadcasts and other documentaries as fairly and as honestly as we know how, and in accordance with established journalistic practice—just as you shall be so editing.

RICHARD S. SALANT,
President, CBS News.

NEW YORK.

MR. SALANT'S LETTER

In our letters space today we print a response by Richard Salant of CBS News to our recent editorial concerning the dispute between CBS News, the Pentagon, Vice President Agnew, Congressman Hébert, and now—as it seems—The Washington Post. In time the U.N. may have to be called in, but for now we would like, in a unilateral action, to respond to Mr. Salant's complaint. We think it is off the point. And we think this is so because Mr. Salant invests the term "editing" with functions and freedoms well beyond anything we regard as common or acceptable practice. Mr. Salant taxes us with unfairly recommending two sets of standards in these matters, one for the printed press and another for the electronic. But he reads us wrong. We were and are objecting to the fact that *specifically, in relation to question-and-answer sequences,* two sets of standards *already* exist—and that what he and others in television appear to regard as simple "editing" seems to us to take an excess of unacknowledged liberties with the direct quotations of the principals involved.

Before we go into these, a word might be of use about the editorial practices (and malpractices) common to us both. When a public official or anyone else issues a statement or responds to a series of questions in an interview, the printed media of course exercise an editorial judgment in deciding which part and how much of that material to quote or paraphrase or ignore. The analogy with TV's time limitations, for us, is the limit on space: deciding which of the half million words of news coming into this paper each day shall be among the 80,000 we have room to print. Thus, "Vice President Agnew said last night . . . Mr. Agnew also said . . ." and so on; it is a formulation basic to both the daily paper and the televised newscast.

That bad and misleading judgments can be made by this newspaper in both our presentation and selection of such news goes without saying—or at least it did until we started doing some public soul-searching about it in this newspaper a good while back. There is, for example, a distorting effect in failing to report that certain statements were not unsolicited assertions but responses to a reporter's question. But that we do not confuse the effort to remedy these defects with a waiving of our First Amendment rights or a yielding up of editorial prerogatives should also be obvious to readers of this newspaper—perhaps tediously so by now. What we have in mind, however, when we talk of the license taken by the electronic media in the name of "editing" is something quite different, something this newspaper does not approve and would not leap to defend if it were caught doing. It is the practice of printing highly

rearranged material in a Q-and-A sequence as if it were verbatim text, without indicating to the reader that changes had been made and/or without giving the subject an opportunity to approve revisions in the original exchange.

It is, for instance, presenting as a direct six-sentence quotation from a colonel, a "statement" composed of a first sentence from page 55 of his prepared text, followed by a second sentence from page 36, followed by a third and fourth from page 48, and a fifth from page 73, and a sixth from page 88. That occurred in "The Selling of the Pentagon," and we do not see why Mr. Salant should find it difficult to grant that this type of procedure is 1) not "editing" in any conventional sense and 2) likely to undermine both the broadcast's credibility and public confidence in that credibility.

The point here is that "The Selling of the Pentagon" presented this statement as if it were one that had actually been made—verbatim—by the Colonel:

ROGER MUDD. What about your public displays of military equipment at state fairs and shopping centers? What purpose does that serve?

Mr. HENKIN. Well, I think it serves the purpose of informing the public about their armed forces. I believe the American public has the right to request information about the armed forces, to have speakers come before them, to ask questions, and to understand the need for our armed forces, why we ask for the funds that we do ask for, how we spend these funds, what are we doing about such problems as drugs—and we do have a drug problem in the armed forces; what are we doing about the racial problem—and we do have a racial problem. I think the public has a valid right to ask us these questions.

This, on the other hand, is how Mr. Henkin actually answered the question:

Mr. HENKIN. Well, I think it serves the purpose of informing the public about their armed forces. It also has the ancillary benefit, I would hope, of stimulating interest in recruiting as we move or try to move to zero draft calls and increased reliance on volunteers for our armed forces. I think it is very important that the American youth have an opportunity to learn about the armed forces.

The answer Mr. Henkin was *shown* to be giving had been transposed from his answer to another question a couple of pages along in the transcribed interview, and one that came out of a sequence dealing not just with military displays but also with the availability of military speakers. At that point in the interview, Roger Mudd asked Mr. Henkin whether the sort of thing he was now talking about—drug problems and racial problems—was "the sort of information that gets passed at state fairs by sergeants who are standing next to rockets." To which Mr. Henkin replied:

Mr. HENKIN. No, I didn't—wouldn't limit that to sergeants standing next to any kind of exhibits. I knew—I thought we were discussing speeches and all.

This is how the sequence was *shown* to have occurred, following on Mr. Henkin's transposed reply to the original question:

Mr. MUDD. Well, is that the sort of information about the drug problem you have and the racial problem you have and the budget problems you have—is that the sort of information that gets passed out at state fairs by sergeants who are standing next to rockets.

Mr. HENKIN. No, I wouldn't limit that to sergeants standing next to any kind of exhibit. Now, there are those who contend that this is propaganda. I do not agree with this.

The part about discussing "speeches and all" had been omitted; the part about propaganda comes from a few lines about Mr. Henkin's actual answer and was in fact a reference to charges that the Pentagon was using talk of the "increasing Soviet threat" as propaganda to influence the size of the military budget.

Surely, something different from and less cosmic than a challenge to CBS's First Amendment rights is involved in the question of whether or not the subject of such a rearranged interview should not be given a chance to see and approve what he will be demonstrated to have said. And surely this "editing" practice must be conceded—with reason—to have damaging effect on public confidence in what is being shown to have happened—shown to have been said. We agree with Mr. Salant's premise that we are all in the same dinghy. That is why we are so concerned that neither end should sink.

LOOK BACK IN ANGER OR HOW GROSS WAS OUR PRODUCT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BOB WILSON. Mr. Speaker, the following tongue-in-cheek letter to the President, dated January 1997, may prove to be an accurate look at the future if present trends continue and I include this article from the March 15 issue of Advertising Age in the text of my remarks:

LOOK BACK IN ANGER OR HOW GROSS WAS OUR PRODUCT

(NOTE.—Advertising Age herewith presents the complete text of a draft report from a Presidential commission. It was retrieved from the archives by Fred Danzig.)

JANUARY 1997.

DEAR MR. PRESIDENT: Recommendation for Legislative Program to be presented to Congress by your Administration:

The Ad Hoc Commission to Study Maximization of National Growth, created following the November, 1966, national election, has, on the recommendation of the President, centered its concern on the Gross National Product.

For a number of years, the GNP has failed to advance beyond normal inflation rates (population and monetary) and thus constitutes a decline. Lesser nations have started to outstrip the U.S. growth rate and in a number of essential sectors, the GNP is lagging seriously.

The commission has traced the source of the problem to the year 1970, a year in which the GNP first failed to expand satisfactorily in the post-World War II era. In that year, coincidentally, the consumerist movement evolved into a national phenomenon. That was a quarter of a century ago. The cry that was heard in the otherwise quiet days that ensued was, "Every product a Molotov cocktail, every advertisement a boomerang."

You will recall that Ralph Nader (associate justice, U.S. Supreme Court), and Robert Choate (director, U.S. Consumer Interest Agency, or CIA, as it is commonly known) were in the vanguard when it came to arousing the interest of consumers and media in product performance and advertising claims. As this movement gained strength in the '70s, federal agencies and other elected officials added their voices—and power—to the cause. The dynamics of the economy soon were disrupted as advertising came under attack from numerous sides. There was a ban on the radio and television advertising of cigarettes that nearly crippled the broadcast industry. This, in turn, led to higher unemployment in the media and at advertising agencies. Advertising restriction became more segmented as the technology of the '70s improved.

You, Mr. President, recall that you first achieved national attention when you led Congress in a fight to ration cigaret advertising in the print media. Your bill to prohibit magazines, newspapers, radio stations, tv stations, Phonevision, closed circuit networks and cassette programers from transmitting or delivering advertising to the public without prior approval from the head-of-household at the viewer/subscriber end became a cause celebre, but finally went into effect.

Other consumerists saw to it that "me-too" products were removed from the store shelves. Only one aspirin brand was needed; only one laundry bleach, one peanut butter, one breakfast cereal (dry), two toothpastes (regular and mint), three soda flavors (cola, cream and orange) and three hot cereals (oatmeal, wheat and farina) were permitted on the market.

In retrospect, we see that the assault on brand proliferation and advertising claims accelerated as the GNP declined. We are now prepared to see a relationship in this area; some argue that the GNP declined as the consumerist assaults escalated.

You will recall that magazines and newspapers were required to publish cigaret and non-cigaret editions. After the success of the law that made it mandatory for a direct mail advertiser to first obtain permission from "occupant" before mailing promotional material, the law was amended so as to apply to all media and advertising. The law of the land, plainly stated, became: No advertiser can furnish an ad to a U.S. citizen without that citizen's prior consent. Enforcement is provided by modern technology.

In the field of political advertising, you know how all candidates must appear on tv for no less than five minutes, be seen without makeup, speak in their own voices and submit to spontaneous questioning from a random selection of newsmen for at least three of the five minutes. This must occur once each night (prime time) for the final two weeks before an election.

While our land is freer than ever from complaints about misleading advertising and questionable merchandise, the commission has detected consumer discontent with what has been called "media monotony" and "merchandising tedium." On examination, this discontent translates into a malaise brought on by a steady diet of the same old foods and packages, the same "look" and "sound" of our advertising. The commission more significantly, has found that 24% of all Americans are now utilizing the services of tax-free consumer co-ops to screen commercials, approve ad campaigns and media schedules and shop for their daily and weekly household needs. They find this arrangement less time consuming than if they looked after such business on their own. Brokers are springing up across the land to represent individual consumers and consumer groups in meetings with advertisers, would-be advertisers, agencies and would-be agencies. Some brokers are known to have assembled as many as 4,500,000 consumers under their control, thus creating new power blocs. Advertisers have been currying favor with such groups, to the detriment of independent consumers.

This trend has led to a decline of 7.6% in tax revenues, since such activity is tax-free. Red tape seems to be increasing in the approval apparatus for ads. It has also been shown that it now takes the Advertiser's Acceptance Committee nearly 20 times longer to place a tv commercial than was required 25 years ago. With computers, the time increases, of course.

The Consumer Advertising Acceptance Board (CAAB), which regulates all 3,476 city, state and national advertising codes and regulations, now numbers 6,453,288 employes in 1,176 district offices. (This does not include supervisory personnel in Washington.) Such activity, while noble in its original concept,

seems to have a depressing effect on the GNP, reducing it by 14.5% per year at current rates. Since no more than 54.7% of the population ever gives permission to have advertising appear on network tv programs at any given time, the tv networks have yielded their once preeminent status to closed circuit and cable tv networks. Clearance problems have been encountered with commercials for tv cassettes. One cassette commercial, rated GP by the CAAB and the USCIA, recently contained X-rated commercials. The federal government is now being held liable for "psyche damage" to 3,452 minors in 16 programing zones. Psyche damage cases, successor to the earlier class action suits brought by consumers, are tying up our courts and further impeding the diminishing GNP growth.

Briefly, adults are spending more and more time screening advertising claims, testing products and conferring with advertising executives in order to work out differences of intepretation. Our adult population also spends an average of 11.3 hours per week ordering ads for personal perference viewing hours (under provisions of the 1978 No Right to Advertise Law, and as amended in 1980 to include the "advertiser liability concession").

Such duties have curtailed productivity 63% more than was reported in 1992. Offices that serve as clearing houses for consumer groups and individuals are now occupying 34.6% of the available office space in our 20 largest cities, thus creating enormous pressures on the so-called "production sector" of the economy, always in need of working space.

Suggested policy:

1. To meet this GNP crisis, restore more adults to the work force and reinvest the economy with a fresh burst of productive energy, as well as to boost national morale, the commission recommends that the President embark on a program of benign neglect of advertising and marketing.

2. The time has come for a massive rollback of laws that pertain to advertising. The commission recommends that the President call on Congress to repeal advertising laws and embark on a determined program of returning the economy to the level of freedom enjoyed, and still recalled with pleasure by many Americans, in the year 1984. Very truly, yours . . .

MRS. ELIZABETH SPORE, NEWARK TEACHER, HONORED

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. EDWARDS of California. Mr. Speaker, on May 21 the citizens of Newark, Calif., will honor Mrs. Elizabeth Spore, a first grade teacher at the H. A. Snow School in the Newark Unified School District. Mrs. Spore is retiring after completing her 26th year of dedicated service to the schoolchildren of California. Ten of those years were spent in faithful service to the community of Newark. Mrs. Spore has provided that steady leadership and constancy of purpose which is really the highest kind of service. The fruits of her efforts can be seen in the character of the young students she taught and in the pride and gratitude of multitudes of California parents. Let me add my voice to the voice of the community she has so faithfully served and let me add my thanks for her dedicated and selfless efforts.

SERIOUS CHARGES AGAINST U.S. TREATMENT OF SOUTH VIETNAMESE

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BINGHAM. Mr. Speaker, the evidence of brutal treatment of the people of South Vietnam by the U.S. Government mounts daily. I have asked the Secretary of State and the Administrator of AID for a prompt report on the factual statements made in the following article by Donald Luce in today's New York Times:

BRUTALITY IN VIETNAM

(By Don Luce)

SAIGON, South Vietnam.—The invasions of Laos and Cambodia are no solution for the people of Indochina. Nor is Vietnamization. The Nixon plan to "end" the war fails to take into consideration that a negotiated political compromise is the only way to peace.

Many people here echo the statement of fourteen Vietnamese religious, labor, social welfare, youth, and political groups which said: "The action of sending Vietnamese troops into Laos in order to decrease the loss of American forces according to President Nixon's declaration reveals the submissive nature of Nguyen Van Thieu's Government. The lives of Vietnamese young men are cannon fodder for the American expeditionary soldiers in Indochina."

Repression grows steadily. The Vietnamese police force is being bolstered from 97,000 to 122,000 this year. U.S. aid to "public safety" is being increased from $21 million to $30 million this fiscal year. Meanwhile, budgets, for two of the most needed areas of foreign assistance, health and education, are being cut back.

John Mossler, director of the Agency for International Development, described the police efforts in the 1970 "Report to the Ambassador." "During 1970," he wrote, "the police continued to improve their capability in traditional police functions. Their timely and positive action effectively contained civil disturbances including war veterans, students, and religious groups, thereby preventing the spread of violence."

How can we expect to promote understanding with the people of a country when our highest officials publicly brag about "containing" the war-wounded veterans, the students, and the religious groups? What has happened to our priorities when six times more aid is given to a repressive police force than to the education system? Who, we must ask ourselves, is encouraging the spread of violence?

The Saigon government and American advisers now speak of moving more than a million refugees from central Vietnam to the delta. This is testimony of the Government's failure to control the central Vietnamese and reveals their pathetic lack of understanding for regional ethnic differences and the importance of the ancestral land. In the highlands, 20,000 Montagnards are being moved in a "Gathering People for Hamlet Establishment" campaign. American helicopters and army trucks, given in the aid program, descend on the tribal people and forcefully carry them to crowded urban centers. their animals, ceremonial gongs and burning longhouses are left behind.

A third of all the South Vietnamese have been moved from their traditional village surroundings into refugee camps and city slums. The fathers fight in one army or the other. Mothers wash clothes for foreign soldiers. Daughter become "hootch mates" or prostitutes. Young children shine shoes, pimp, wash and watch cars and sell peanuts. They live undisciplined lives away from the needed direction of fathers and mothers.

The basic family unit has been almost destroyed by the war and by American social scientists who believe "profit incentives" are the basic underlying drive in all human beings.

The following proposal is submitted as an alternative to continuing the death and social destruction.

I. The United States will:

(a) Not bomb or invade North Vietnam.

(b) Immediately end all bombing, artillery bombardment and combat operations.

(c) Immediately withdraw all U.S. troops and air support from Indochina.

(d) Propose and respect an immediate embargo on all weapons, ammunition and military equipment going into Indochina.

II. The National Liberation Front will:

(a) Not shoot U.S. forces as they withdraw.

(b) Allow international inspection of all camps holding U.S. prisoners.

(c) Release all American prisoners upon completion of U.S. withdrawal.

III. The United States will offer its economic assistance through the United Nations and other mutually acceptable international organizations on the condition that all political prisoners are released.

VISTA: REORGANIZATION OR EROSION?

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, last week I met with VISTA volunteers from all over the country who traveled to Washington at their own expense to express their opposition to President Nixon's reorganization proposal which would merge VISTA, Peace Corps, and other national volunteer agencies into one large agency, ACTION.

The national VISTA alliance, an independent organization which represents over half of the Nation's VISTA volunteers, is opposing the proposed merger on the grounds that it would deemphasize the needs of the Nation's poor, and it would further weaken the already debilitated Office of Economic Opportunity.

The VISTA volunteers represent some of the finest and best of the young people in this Nation, and they deserve our utmost support. I would like to express my strong opposition to this latest maneuver by the Nixon administration to undermine and destroy this vital program.

Earlier this year, the International Executive Board of the American Federation of State, County and Municipal Employees reaffirmed their support for VISTA as a viable and meaningful program, and they applauded the efforts of the national VISTA alliance in organizing to protect themselves from administration pressure. Even at this early date, the executive board of AFSCME warned of the possible results of the proposed reorganization plan.

Mr. Speaker, I would like to place this statement in the RECORD for the benefit of my colleagues:

STATEMENT ON THE VISTA PROGRAM

(Adopted January 29, 1971)

Since the early 1960's thousands of young Americans have responded to calls and opportunities to work through "the system" to assist residents of low income areas. The principal national program enabling young people to volunteer their services in this manner is the Volunteers in Service to America program under the Office of Economic Opportunity.

There have been successes and failures in the VISTA program; there have been severe criticisms, strong Congressional opposition, and clear if not obvious efforts by the Nixon Administration to destroy the program.

What the VISTA program has been is an opportunity for concerned young people to participate in efforts to change the system by working through the system. That is what we have asked of them; that is what they have tried to do, most of them in a responsible manner. They have challenged that system, often in ways that have proven unacceptable to the so-called "establishment."

What they have sought is not unlike what the trade union movement seeks—power for the powerless.

Now the VISTA program is under direct attack by the Nixon Administration and there is serious question of its survival. There is reason to suspect that the recent proposal of President Nixon for a combination of VISTA and other voluntary agencies may be an attempt to kill off VISTA, or, at least, to limit VISTA to less controversial—and less meaningful—efforts.

Perhaps because what they seek to do is so similar to what trade unions seek to do, VISTA volunteers have organized themselves into the National VISTA Alliance for the purposes of protecting volunteers from Administration pressure and strengthening, rather than weakening, the VISTA program.

The International Executive Board of AFSCME unequivocally supports a strong, flexible and creative VISTA program in which "the system" can be challenged and changed.

We encourage the efforts of these young people to organize themselves for collective pursuits and we pledge the assistance of AFSCME in that effort.

KELLY-SPRINGFIELD CELEBRATES 50 YEARS IN CUMBERLAND, MD.

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BYRON. Mr. Speaker, on April 2, 1971 at the Ali Ghan Shrine Club in Cumberland, Md., the Kelly-Springfield Co., celebrated the 50th anniversary of its move to Cumberland. Mr. J. Carson Dowell, president of Kelly-Springfield gave a very important speech on that occasion, and I would like to take the opportunity to share his thoughts.

THE 50TH ANNIVERSARY LUNCHEON ADDRESS

(By Mr. J. Carson Dowell)

Good afternoon, ladies and gentlemen . . .

And welcome to Kelly-Springfield's 50th anniversary-in-Cumberland luncheon.

Fifty years may seem like a long time to some of you, but to me—I only wish it were *just* my 50th birth anniversary.

I'm delighted that so many of you could be present. We have one guest with us who is also celebrating an anniversary today. He was a young man when Kelly-Springfield moved to Cumberland and, like good wine, seems to improve with age. He has served as a member of the board of directors of Kelly-Springfield for many years and is one of our community's most distinguished citizens. Today he is 81 years old, and I'd like for you to join me in warmly saying: Happy birthday, Judge William Walsh.

Cumberland is Kelly-Springfield's adopted home town, just as it is *my* adopted home town . . . and the home town of 3,000 other employees—almost a third of our company's world-wide payroll. I've had a lot of things on my mind about our town recently, and I'm going to talk about some of them today. I'm concerned, and I hope you're just as concerned as I. The partnership between Cumberland and Kelly-Springfield has been going on for a long time. And we share the same problems.

And that reminds me of a story about a pair of newlyweds:

"Is something bothering you, dear?" the new wife asked anxiously. "Please share your problems with me. Now that we're married, your problems are *our* problems now."

"O.K., dear," the husband replied. "I'm sorry to tell you that *we're* being sued for breach of promise in Baltimore."

Speaking of women, I'm happy to see a few ladies here today. I welcome you and assure you that I do not share the opinion of W. C. Fields, who once said that to him women were like elephants. He enjoyed looking at them, but he had no plans to own one.

At the outset, I want to emphasize the fact that Kelly-Springfield is one of the oldest companies in the tire industry—a company internationally famous prior to its relocation here.

Kelly-Springfield was founded in 1894 in Springfield, Ohio, and its first product was a unique rubber tire for a buggy wheel.

In those days, personal transportation depended on the horse. You could ride it, or you could have it pull your wagon, cart, buggy, or carriage . . . and those vehicles could give you a very rough ride on the streets and roads that existed at that time.

That first successful rubber tire for a buggy cushioned the shock and stayed on the wheel so well that it became immensely popular . . . and hence the beginning of Kelly-Springfield. The word "Kelly" came from the name of the financier who helped organize the original firm and "Springfield" from the town in which the company was founded—Springfield, Ohio.

The rubber tire for the buggy gave way to the solid tire for the car and truck, and the solid tire to the modern pneumatic tire, but not before Kelly-Springfield became one of the world's leading producers of tires—particularly truck tires in the early days. Our country's armies in both world wars moved on Kelly-Springfield tires.

By the time the Cumberland plant produced its first tire on April 2, 1921, Kelly-Springfield had been in business for 27 years. This year, 1971, our company will mark its 77th year of operation.

But it's Cumberland and the Cumberland area's affairs that concern me here today—some 50 years after Kelly-Springfield was so warmly welcomed to this city.

I would be less than honest if I tried to minimize Kelly-Springfield's problems at this time. We have had a strike at our Mexico Farms Distribution Center since January 31. We have begun a substantial layoff at the tire factory. Economic conditions throughout the country are lagging, and the tire market demands have not rebounded as vigorously as we had hoped. But in spite of the outlook, I remain cautiously optimistic. I firmly believe that we are solving our problems and that we will soon resume the rapid growth our company has enjoyed for so many years.

In reading about Kelly-Springfield's early days in Cumberland, I was struck by the cooperation among the city's business, political, and civic leaders who organized the campaign to attract new industry.

As far as Kelly-Springfield was concerned, the company could hardly have chosen a worse time to move than in 1916. That was when the decision was made to come to Cumberland, and Europe was already two years into World War I. The groundbreaking ceremony was held in 1917 after the U.S. had become involved in the war, and it was four long years later before the first tire was produced. A delay of that length would be very costly to us today, and it probably had just as bad an effect on the company 50 years ago.

But at last the plant was erected, and production was begun. Kelly-Springfield closed down its plants in Akron and Wooster, Ohio, and in Buffalo, New York, and cast its lot with the good people of Cumberland.

One of the most ardent leaders in the movement to bring Kelly-Springfield to Cumberland was George G. Young, former mayor and secretary of the chamber of commerce. Mr. Young's widow and his son still live in Cumberland, and I believe George is with us today.

The elder Mr. Young was mayor of Cumberland when he first asked Kelly-Springfield to come here. He was secretary of the chamber of commerce when he turned the first shovelful of dirt to begin construction of the new plant in 1917.

There were many others who helped in the campaign. But I'm afraid to begin naming them, because I would be sure to leave out somebody. Thousands of local people bought shares in the non-profit company that gave Kelly-Springfield a cash bonus of three-quarters of a million dollars to relocate in Cumberland. In addition, Kelly-Springfield was given a free plant site, and the city provided special utility services to get the factory started.

In those days, Cumberland had many advantages over the 41 other cities Kelly-Springfield surveyed. The city was on U.S. 40, the first national highway and a major east-west artery. The B & O and Western Maryland Railroads made this an important rail center. There was an adequate supply of good labor, and plenty of good water in the river. One of the big advantages was Cumberland's location in the heart of one of the richest coal-producing areas in the country.

All those factors helped Kelly-Springfield decide to locate here. But I suspect the most important factor of all was the spirit of cooperation.

Those early Cumberland people showed rare wisdom, in my opinion. They had a clear vision of all the advantages a major industry could bring to a community. They had learned their economics lesson well. They were well aware of the principle that wealth can only be created by manufacturers, farmers, miners, and other producers of materials and commodities. They knew that the entire structure of wholesale and retail trade, plus all services, both public and private, grow out of basic industry.

Twenty years ago the United States Chamber of Commerce studied the effect of what happens to a community when a hundred new industrial jobs are created in a town. They found that every dollar paid out by a factory is spent seven times during the year.

By that yardstick, the $35-million-plus that Kelly-Springfield paid out last year in wages and salaries, in local purchases of materials and services, in construction, and in taxes had a total economic value to this area of about $200-million.

The U.S. Chamber's analysis found that many new retail establishments are required to serve the families represented by one hundred new industrial jobs. The new jobs benefited schools, utilities, transportation, churches, and services of all types—as well as the merchants.

That survey proved the value of a factory in a community, whether it produces tires, glass, paper, or any other product. Mr. Young and his co-workers did not have the ad-

vantage of that U.S. Chamber study, but they knew what a new plant would mean to them in terms of jobs and in terms of dollars and cents to storekeepers, doctors, schoolteachers, repairmen, and everybody else who lived and worked here.

Undoubtedly, as I have been talking, you have been drawing comparisons between those days and today. And I think those comparisons are inescapable.

No longer is Cumberland the gateway to the West. With the rise in the automobile and the decline of the passenger train, the cross-country highway became supremely important. The location of Interstate 70 on the Pennsylvania Turnpike from Breezewood to New Stanton, instead of parallel to U.S. 40 as it is virtually everywhere else, was a body blow to this area. In that location of Interstate 70, Western Maryland was bypassed by coast-to-coast superhighway traffic.

The waters of the once beautiful Potomac were contaminated until they became almost unusable. Coal became a difficult or impossible fuel for large industries because of air-pollution problems.

And I hate to say it, but I believe there has been a slight recession in the spirit of cooperation among all groups and individuals in the community—when compared to that magnificent spirit that was instrumental in bringing Kelly-Springfield to Cumberland in the first place.

But I am not here to paint a picture of gloom. I am here to challenge the men and women of this community to return to those principles of progress and cooperation that Cumberland and Cumberland people demonstrated so effectively 50 years ago.

In the 17 years I have lived here, some progress has been made . . . and this has been particularly apparent in recent years. We have seen the improvement in U.S. 40 from here to Hancock, the erection of the new Sacred Heart hospital, and expansion of the Memorial hospital. Other great strides forward include the construction of Allegany Community College, the vocational technical school and the regional health center. Cumberland now has two fine homes for the elderly.

The city has made a start in urban renewal, but it will take dedicated effort by everyone to see such a complex project through to a successful conclusion. I think urban renewal is important to Cumberland because it turns our faces toward the twenty-first century instead of the nineteenth.

Rocky Gap State Park will be an important addition to our recreational facilities, and we must exert every effort to see that the delays in its construction are eliminated.

We must, also, devote much more attention to our highways to the west. The Appalachian Thruway is a project of primary importance to the economic well-being of Cumberland and Western Maryland. It isn't Interstate 70, to be sure, but it will be a good 4-lane route to all points west.

The railroads have been beset with problems, and *they* need our understanding and support. The value of their services and their economic contributions to this area and to the whole nation is too often misunderstood. The preliminary decision by Railpax to eliminate passenger train service here must be fought. I am glad that Senator Beall, Congressman Byron, and Congressman Staggers are aggressively putting our position before Congress in this matter.

As far as our environment is concerned, I can see a lot of progress. At Kelly-Springfield, the law made it necessary for us to switch to low sulphur fuel oil. We are engaged in a project to eliminate everything but clear water reaching the river from our plant. Our air and water programs are costing us more than half a million dollars, but we are proud to be a leader in the abatement of pollution.

The declining population of our area has been the result of our inability to attract new industry. The local tax base is shrinking, but it is unwise to pile more taxes on the smaller base. We must attract new industry, and we must encourage existing industry. That means we need realistic tax laws and realistic financing. We can only get new industry through energetic competition with other states and other cities, just as those Cumberland people did more than a half century ago when Kelly-Springfield relocated here.

Injudicious taxation and elimination of exemptions not only discourage newcomers . . . but these measures also block the expansion of companies already here. And I would not think it necessary to remind you that a hundred new jobs at Kelly-Springfield or PPG or the B & O or any other firm doing business in the area mean just as much to the economy as jobs created by a newcomer.

Another problem of this area has been the recent upsurge in labor strife. These bitter struggles are the greatest deterrent possible to new industry. No problem has ever arisen that cannot be resolved by reasonable and responsible men through negotiation. Responsible conduct by labor leaders may not always be immediately popular, but it will win the most friends and serve the greatest good in the long run.

A profitable, competitive company must be the common goal of both management and labor. The uncompetitive, unprofitable plant or business cannot continue to provide the jobs, the wages and salaries that make for happiness and success. Again, the need here is for a renewal of Cumberland's historic spirit of cooperation.

Progress and growth for Cumberland entails all these elements:

An enlightened, energetic management.
A competent, responsible labor force.
Good, modern highways.
Good rail facilities.
Attractive financing.
Abundant utilities.
Good government.
Wise tax laws.
And cooperation among people at all levels.

Given those elements, new industry is bound to come. Old business will rise to the challenge. The tax base will grow, and we will see a renewal of community faith and community power. Cumberland! The historic old name will reverberate with new meaning . . . so . . .

Let's all work together to put Cumberland back on the superhighway—a major industrial stop on the road to everywhere!

VOTER ASSISTANCE ACT OF 1971

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BADILLO. Mr. Speaker, for well over a decade the issue of election reform and the extension of the right to vote to the disenfranchised has been a major topic debate before the Congress. It is unfortunate to report that we have still not completed the task of insuring every American citizen who wishes to vote a reasonable opportunity to do so.

I am introducing legislation today which will permit any citizen of this country the opportunity to vote in congressional elections if that person has resided in the district where he or she seeks to vote for a minimal period of 30 days. This bill should be viewed as a companion to the Voting Rights Act of 1970, which extended the right to vote in presidential elections. This bill further provides for a streamlining of the procedures used by the States for absentee ballots.

We have become an extremely mobile Nation. Our young people as well as our older people do not remain in one location if their needs will be best served by relocating. Senator HAROLD HUGHES, upon introducing this bill in the Senate, stated that nearly 5 million voters failed to cast ballots in 1968 due to durational residential requirements, and that perhaps as many as 4 million citizens did not vote because they were outside of their voting districts on election day.

It is quite clear that there is much to be done in America if we are to achieve the promise that our Constitution holds out to all Americans.

I have worked in the area of electoral reform for well over a decade in the city of New York and on various national reform commissions, and I find that it is absolutely essential that if we are to make our political system a forum where divergent points of view can be heard and the merits judged fairly, we must do all that is humanly possible to give our citizens a guaranteed right to be heard. This legislation, I believe, will make a large contribution toward that goal.

Mr. Speaker, I would like to append to my remarks a full copy of the bill for the benefit of my colleagues.

H.R. 7213

A bill to regulate the election of Members of Congress by prohibiting the imposition of durational residency requirements as a condition of voting for such officers, and providing a procedure for absentee voting and registration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Voter Assistance Act of 1971".

TITLE I — RESIDENCY REQUIREMENTS FOR CONGRESSIONAL ELECTIONS AND PRESIDENTIAL PRIMARIES

SEC. 101. (a) No citizen of the United States who is otherwise qualified to vote in any election for any Member of Congress shall be denied the right to vote for such officer in such election because of the failure of such citizen to comply with any durational residency requirement of such State or political subdivision; nor shall any citizen of the United States he denied the right to vote for any Member of Congress in such election because of the failure of such citizen to be physically present in such State or political subdivision at the time of such election, if such citizen shall have complied with the requirements prescribed by title II of this Act or the law of such State or political subdivision providing for the casting of absentee ballots in such election.

(b) For the purposes of this title, each State shall provide by law for the registration or other means of qualification of all duly qualified residents of such State who apply not later than thirty days immediately prior to any Congressional election, for registration or qualification to vote for Members of Congress in such election; and each State shall provide by law for the casting of absentee ballots for any such officer by all duly qualified residents of such State who may be absent from their election district or unit in such State on the day such election is held and who have applied therefor not later than seven days immediately prior to such election and have returned such ballots to the appropriate election official of such State

not later than the time of closing of the polls in such State on the day of such election.

(c) No citizen of the United States who is otherwise qualified to vote by absentee ballot in any State or political subdivision in any election for any Member of Congress shall be denied the right to vote for such officer in such election because of any requirement of registration that does not include a provision for absentee registration.

(d) Nothing in this section shall prevent any State or political subdivision from adopting less restrictive voting practices than those that are prescribed herein.

(e) As used in this title, the term—

(1) "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico;

(2) "Member of Congress" means Senator, or Representative in, or Resident Commissioner or Delegate to, the Congress; and

(3) "Congressional election" means any election held for the nomination of a candidate for election as, or for the election of a Member of Congress.

(f) The provisions of section 11(c) of the Voting Rights Act of 1965 shall apply to false registration, and other fraudulent acts and conspiracies, committed under this title.

SEC. 102. Whenever the Attorney General has reason to believe that a State or political subdivision is denying or attempting to deny to any person the right to vote in any election in violation of this title, he may institute for the United States, or in the name of the United States, an action in a district court of the United States, in accordance with sections 1391 thorugh 1393 of title 28, United States Code, for a restraining order, a preliminary or permanent injunction, or such other order as he deems appropriate. An action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2282 of title 28 of the United States Code and any appeal shall be to the Supreme Court.

SEC. 103. Any person who deprives, or attempts to deprive, any other person of any right secured by the first section of this title shall be fined not more than $5,000, or imprisoned not more than five years, or both.

TITLE II—ABSENTEE VOTER FORMS

SEC. 201. (a) A citizen of the United States who, although a legal resident of a State, will not be physically present in his precinct or election district on the date of a presidential or congressional election may use the post card application (hereinafter referred to as the "Absentee Voter Form") set out in subsection (d) in order to be registered as an absentee voter or request absentee voter ballots for any such election.

(b) When duly executed by a person entitled to use the Absentee Voter Form, such form shall be accepted by the appropriate officials of any State or political subdivision thereof as absentee registration to vote in any congressional or presidential election, and as an application for an absentee ballot for use in such election, if such person is a legal resident of such State or subdivision and is otherwise entitled to register and vote in such election. The provisions of this subsection relating to presidential elections shall not apply to the Commonwealth of Puerto Rico.

(c) The Congress recommends that the States provide for the acceptance of the Absentee Voter Form for absentee registration to vote in, and as an application for an absentee ballot for use in, State and local elections.

(d) The form and content of the Absentee Voter Form shall be as follows:

(1) The form shall be printed on both sides of a card approximately nine and one-half by four and one-eighth inches in size.

(2) Upon one side, perpendicular to the long dimension of the card, there shall be printed the following:

Fill out both sides of card.

ABSENTEE VOTER FORM

State of (Fill in name of State).

1. I am a citizen of the United States and am eligible to vote in the State indicated above. I am not requesting a ballot from any other State, nor am I voting in any election conducted by any other State.

2. I (am) (request to be) registered to vote

(Strike out one)

in such State.

3. (a) The date of the first election for which I am requesting a ballot is (day, month, year).

(b) For _____ months prior to the date of such election my legal residence in the State indicated above has been: (street address or rural route number, city, State, and ZIP code).

The voting precinct or election district for this residence is (enter if known).

(c) I request that an absentee ballot be sent to me at my present address, which is: (name, street address or rural route number, city, State, and ZIP code).

4. (a) I request an absentee ballot to vote in the coming election of the following type:

_____General
_____Primary
_____Special
_____Congressional (check any which apply)
_____Presidential
_____Presidential preference primary
_____Primary for the selection of delegates to a national nominating convention.

(b) If I have requested a ballot for a primary election, my party affiliation is (name of political party).

NOTE: If party affiliation is secret in your State, do not fill in the blank for item 4(b).

5. I will be temporarily absent from my precinct or election district on the date of this election because (give reason for absence).

6. (Additional information).

7. The statements made above are all true and accurate.

(Signature, Date).

NOTE: Any person who knowingly and willfully makes any false statement or misrepresentation in filling out this form is subject to a fine of up to $10,000 and imprisonment for up to five years.

INSTRUCTIONS

1. Before filling out this form check the instruction chart at any Post Office for information as to any additional information your State may require, the title and address of the official to whom this form must be sent, and other information.

2. Type or print all entries except signatures. Fill out both sides of the card.

3. Address card to the proper official, whose title and address appear on the instruction chart posted in any Post Office.

4. Mail this form as soon as your State will accept registration or ballot requests.

(3) The other side of the card shall have a red, white, and blue band across it longitudinally, and there shall be printed on such side the following:

Fill out both sides of card.

(Offical mailing address)

(Name of sender, Street address or rural route number, City, State, and zip code).

OFFICIAL ABSENTEE VOTER MATERIAL—VIA AIR MAIL

To: (Title of election official, Street address, City, State, and zip code).

SEC. 202. The Attorney General shall—

(1) have a sufficient number of Absentee Voter Forms printed and provide for their distribution to United States Post Offices and other appropriate Federal buildings;

(2) provide for the preparation, revision, printing, and distribution of charts and pamphlets showing the title and address of the State and local election officials to whom Absentee Voter Forms should be sent in each State, and such other information as the Attorney General deems necessary;

(3) enter into arrangements with the Postal Service and other Federal agencies to provide that a copy of such chart or pamphlet and a supply of Absentee Voter Forms are conspicuously displayed and readily available;

(4) cooperate with State and local government officials in providing for the effective operation of this title.

SEC. 203. (a) The provisions of section 11 (c) of the Voting Rights Act of 1965 shall apply to false registration, and other fraudulent acts and conspiracies committed under this title.

(b) Any person who deprives, or attempts to deprive, any other person of any right under this title shall be fined not more than $5,000, imprisoned not more than five years, or both.

(c) The provisions of section 1001 of title 18, United States Code, are made applicable to the Absentee Voter Form.

SEC. 204. (a) This title shall not affect the provisions of the Federal Voting Assistance Act of 1955, however, persons eligible to use the form and procedures provided under such Act may use such form or the Absentee Voter Form, if they are eligible to use the Absentee Voter Form also.

(b) As used in this title—

(1) "Presidential election" means a primary election held for the expression of a preference for the nomination of persons for election to the office of President and Vice President or for the selection of delegates to a national nominating covention of a political party held to nominate candidates for such offices, and an election held for the election of Presidential electors; and

(2) "Congressional election" means any election held for the nomination of a candidate for election as, or for the election of, a Senator, or Representative in, or Resident Commissioner or Delegate to, the Congress; and

(3) "State" means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 205. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

SEC. 206. If any provision of this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of this Act or the application of such provisions to other persons or circumstances shall not be affected by this determination.

JOHN D. COFER

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. PICKLE. Mr. Speaker, a short time ago a citizen beloved and respected by all who knew him either in his hometown of Austin, Tex., or around the world passed away. John D. Cofer was truly a distinguished citizen of the first order.

He brought great credit to his profession of law and served as an attorney and counselor of the Supreme Court of the United States. A veteran of both world wars, he was a constant patriot. At the end of World War II, his wise and equitable performance of his duties as Military Governor of Fuerth and Roth-

enburg, Germany, caused the people there to write of him:

The town of Fuerth can be eternally grateful that its destiny in those fateful weeks and months lay in the hands of a man so circumspect, understanding, and upright.

Mr. Cofer went on to lend his able services to former President Lyndon B. Johnson beginning when the President was a U.S. Senator and on up through his tenure as Vice President and as President. He has long been a close personal friend whom I have admired greatly.

I will long remember this giant gentleman of a man, as will the citizens of Austin and of Texas. The Texas Legislature recently passed a resolution in his memory.

Mr. Speaker, in loving memory of Mr. Cofer, I include the resolution in the RECORD at this time:

SENATE CONCURRENT RESOLUTION NO. 40—IN MEMORY OF HON. JOHN D. COFER

Whereas, Mr. John D. Cofer, a distinguished citizen of our nation and State, died February 28, 1971; and

Whereas, His chivalrous manner and pleasing presence will be forever remembered by those who knew him; and

Whereas, For fifty years he adorned the legal profession, practicing law in the grand manner; supporting the Constitution of the United States and of this State; honestly demeaning himself in the practice of law, and discharging his duty to his clients to the best of his considerable ability; and

Whereas, In the perilous years of World War I and World War II he served our nation valiantly; and at the end of World War II won the affection of our former enemies by discharging with justice, wisdom, tact and patience his duties as Military Governor of Fuerth and Rothenburg, Germany; and

Whereas, With ardor, dignity, integrity and high purpose he participated in the political life of our people for many years; and

Whereas,

"He scarce had need to doff his pride or slough the dross of Earth—
E'en as he trod that day to God so walked he from his birth,
In simpleness and gentleness and honor and clean mirth."

Now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the sympathy of the 62nd Legislature be and it is hereby extended to the family of John D. Cofer; and, be it further

Resolved, That the gratitude of the Legislature be extended to the family of John D. Cofer for his enrichment of our heritage; and, be it further

Resolved, That copies of this Resolution be prepared for the family of John D. Cofer; and that when the Senate and House adjourn today they do so in memory of John D. Cofer.

BEN BARNES,
Lieutenant Governor.

WHAT'S HAPPENING TO OUR HERITAGE

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. LENT. Mr. Speaker, in these times when so few things in our society are spared criticism—when so few things remain "hallowed," I was extremely disturbed to learn yesterday that another of the historic pillars which for so long has represented the inner strength of this Nation will soon come tumbling down unless action is taken very swiftly to prevent it.

When talk of battlefield casualties in another war occupies us, few will recall what battle claimed more lives in one day than any other war in our country's proud history. On September 17, 1862, the Battle of Antietam cost 23,000 Union and Confederate casualties, and in that important struggle a New York volunteer regiment dubbed "Hawkins' Zouaves" played a great role. It is reassuring in these times to reflect that it was Antietam rather than Hue or Khesanh which was the turning point in the preservation of our Nation.

In tribute to the valor of these many New Yorkers who fell, a massive and inspiring monument stands today at the beautiful Antietam National Battlefield, less than an hour's drive north of Washington. I had the pleasure to visit Antietam recently and I must admit to experiencing a surge of pride when I looked upon this edifice to brave New Yorkers which overlooks all of the land on which so many gave their lives to preserve our Union.

I was shocked to read in the April 6 edition of the Washington Post that the land on which this tribute stands is soon to be parceled out for a subdivision for private developers.

When so many today seek to divide our Nation, it is indeed troubling to me that we should permit the destruction of this monument to New Yorkers who died to preserve the Union and insure that only one war would be fought on American soil—and in the interest of more motels, restaurants and apartments.

Mr. Speaker, this is a shameful development and one that I would much like to see corrected. I hope that the appropriate officials will take note and rally to the preservation of this historic site. It would be a sad testament indeed to abandon our own historic grounds to commercialism when the small nations of Europe so proudly preserve the many acres that entomb our lost soldiers of other wars.

WITHDRAWAL OF APPEAL IN HENTOFF AND OTHERS AGAINST ICHORD

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ICHORD. Mr. Speaker, I wish to advise the House that I and other Members, who appear as appellants in *Hentoff et al.* v. *Ichord et al.*, case No. 24,761, U.S. Court of Appeals for the District of Columbia Circuit, have instructed the Department of Justice to withdraw our appeal.

You will recall that on October 28, 1970, during a recess of the House, a judge of the U.S. district court, the Honorable Gerhard A. Gesell, acting at the instigation of a representative of the American Civil Liberties Union, had the presumption to enter an unprecedented order permanently enjoining the Public Printer and the Superintendent of Documents from printing and distributing a House report. The report in question was a report of the Committee on Internal Security, titled "Limited Survey of Honoraria Given Guest Speakers for Engagements at Colleges and Universities," which I filed with the House on October 14, 1970.

Following the filing of this report, the House adjourned on that day and recessed until November 16, 1970. An appeal was taken on October 30, 1970, to the U.S. court of appeals and motions were filed for summary reversal of the district court's order or, in the alternative, for the expedited processing of the appeal. We asked the court of appeals to consider and decide the case before Congress returned from recess on November 16, 1970. In doing so, we had hoped to avoid the head-on confrontation between the judiciary and the legislative authority which was inherent in the district court's assumption of power in excess of that which it possesses. Article 1, section 6 of the U.S. Constitution clearly denies jurisdiction to the courts to question the speech or debate of Members in the House. We had every reason to believe that the court of appeals would summarily reverse the action of the district court without delay or equivocation.

Contrary to our expectation, the Court of Appeals, in disregard of the urgencies of the situation and of the rights and privileges of the House, on November 5, 1970, entered a per curiam order denying our motion for a summary reversal or, in the alternative, for an expedited processing of the appeal. On the return of the House from recess, these facts were brought to its attention. See CONGRESSIONAL RECORD, volume 116, part 27, pages 36680, 37110; volume 116, part 28, page 37799; volume 116, part 29, pages 39512–39521; volume 116, part 31, pages 41355–41374.*

In the enactment of House Resolution 1306 on December 14, 1970, the House acted decisively to vindicate its constitutional authority. So that the business of the House should not be obstructed on the report while the matter was on appeal, a second report on the same subject matter was filed with the House. The printing and public distribution of the second report was ordered by the resolution which further restrained any and all persons, whether or not acting under color of office, from interfering with its printing and dissemination.

The enactment of this resolution, a landmark occurrence in the history of the relationship between the judicial and legislative branches, thus squarely placed the issue of confrontation as a choice to be made by the court. I am pleased to report to the House that although the second report has been printed and published as ordered, we have not to date

*The first two sentences of the first paragraph of my statement in the CONGRESSIONAL RECORD, vol. 116, pt. 31, p. 41358, should be corrected to read as follows: "I rise to a question of privilege in a matter affecting the rights of the House collectively, the integrity of its proceedings, and the rights of the Members in their *representative* capacity. See House Rule *IX*."

experienced any further interference on the subject by either the district court or the court of appeals. Should any such action be attempted, we are confident that the House will know what to do and will not lack the will to do it.

In my opinion, no useful purpose can be served by continuing the appeal at this stage and at this time. The printing of the first report would now amount only to a duplication of that which has been printed and published. Under the circumstances, I do not think it desirable that we should, by continuing the appeal, appear to give credence to the thought that we in any way acknowledge or submit to any assumption of jurisdiction by the courts in defiance of the constitutional bar of article I, section 6. While the withdrawal of the appeal would, in a sense, permit the decision of Judge Gesell to stand, his action should have no precedential value whatsoever in light of the resolution enacted by the House on December 14 restraining its enforcement.

I have discussed the question of withdrawal of the appeal with the present and former Members of the House who are appellants with me, as well as the Public Printer, and the Superintendent of Documents. We are all in agreement in taking this course, and we have accordingly instructed the Department of Justice to file a withdrawal of the appeal in the U.S. court of appeals.

AMERICAN FARMERS

HON. FRANK E. EVANS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. EVANS of Colorado. Mr. Speaker, probably the hardest fact facing an American farmer today is that he needs capital to be successful, and lots of it.

Recent figures show that farmers' use of borrowed capital has now risen to nearly $60 billion, more than double the amount of 10 years ago. Within this decade, the figure is likely to double again.

It seems clear, therefore, that one of the most critical factors in determining whether individual family farmers will survive and prosper in the years ahead is the extent to which they will be able to obtain adequate financing.

Though it varies by the area and the type of farming, it is generally acknowledged that to achieve an efficient sized farming unit today requires a capital investment of about $200,000. This would be the amount of money needed to purchase sufficient land, equipment, and livestock to return a reasonable income to the producer.

Obviously, a young man just does not walk up to a lender, borrow $200,000 and go out and begin his career as a farmer. It does not work that way.

First, no commercial lender would advance the entire amount needed for a young farmer to get started. That would place all the risk on the lender and none on the farmer.

Second, today's farming is too complicated and sophisticated for an untrained individual to succeed. It takes several years of work as a hired man or in partnership with his father or another farmer for a young man to become knowledgeable enough to make good in today's agriculture with its low profit margins.

There are, nevertheless, a great many capable farmers—particularly young farmers—who are unable to obtain sufficient long-term credit to buy their own farm.

It is essential that we as a Nation find ways to encourage these young men—and that we seek every possible avenue to keep agriculture in the hands of individual family farmers. Adequate financing of today's operators—and of the young farmers coming up—should therefore be a national goal. It would be a sad day indeed if we were to awaken and find that our family system of farming had been replaced by giant corporate entities.

Accordingly, I was encouraged recently to learn of a special, cooperative effort by the Federal Land Bank System and the Farmers Home Administration which adds another dimension to long-term financing of farm real estate.

Under the program, long-term loans for purchasing farm real estate can be made to the same borrower by both the Federal Land Bank and the FHA. The program would work like this:

The Federal Land Bank would make a long-term first mortgage farm real estate loan to a farmer. Simultaneously, the FHA would make an initial farm ownership loan to the same farmer. In doing so, the FHA would subordinate its mortgage to the Federal Land Bank lien.

There are a number of benefits which will flow from this program.

It should be noted that by law the Federal land banks are restricted to advancing not more than 65 percent of the normal value of a given piece of farm real estate. On the average this is about 50 percent of the present market price of the farm. Obviously, with such a restriction, a large down payment is required on the part of the borrower.

But with the FHA financing a substantial share of the total, a far lesser amount of initial cash downpayment is required. This of course is crucial when one considers the large amount of capital required in today's agriculture.

The net result of the program is that there will be more young, capable farmers on the land contributing to their rural community than would otherwise be possible.

A direct byproduct of the program is that with the land banks and FHA pooling their efforts, more funds are left available to FHA to serve other farmers. This is important because FHA is subject to a ceiling on the total amount of farmownership loans it can make. Historically, there has been more demand for these insured loans than money made available.

The Federal land banks, on the other hand, are completely owned by their member-borrowers. Though the banks were initially capitalized by the Government, these funds have been repaid for more than 20 years. The banks received nearly all their loan funds by issuing their bonds on the Nation's money markets.

Both the Federal land banks and the Farmers Home Administration are to be commended for their efforts. It is a prime example of the Government, represented by the FHA, and the private sector, represented by the land banks, of cooperating in a common and worthwhile purpose.

As I stated earlier, the sheer magnitude of financing agriculture in the future is such that no opportunities can be overlooked if the family farming we know today is to survive.

In this regard I applaud the efforts by the entire farm credit system with its indepth look at the future of credit in agriculture as contained in the report of the Commission on Agricultural Credit. That document spells out the importance of the job ahead in agricultural lending and some of the changes which are needed if that job is to be successfully carried out.

I commend these and other efforts to improve upon the financing of today's agriculture—financing with the goal of improving the economic well-being of the family farm unit.

CONGRESS SHOULD INVESTIGATE IMPOUNDING OF FUNDS

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. BENNETT. Mr. Speaker, the question of Presidential impoundment of funds authorized and appropriated by the U.S. Congress is an important one which relates to separation of powers as defined by the U.S. Constitution and basic fair play.

The President has recently stopped a duly authorized and appropriated project, one-third complete, vital to national defense, the economy and environment, although Congress passed laws establishing the project.

In halting construction of the Cross-Florida Barge Canal, the President was apparently misled by his advisers and the action was clearly unconstitutional. Laws can only be repealed by congressional action in which both sides of the question are entitled to be heard, including Members of Congress. This is discussed in an article by James J. Kilpatrick in the Washington Evening Star of April 5, 1971.

I would like to call attention to Mr. Kilpatrick's article and also a bill pending in the House and Senate, cosponsored by Senator SAM J. ERVIN of North Carolina and myself, which would establish a Joint Committee on Impoundment of Funds to look into this important question. Members interested in cosponsoring this resolution—House Concurrent Resolution 244, pending in the Rules Committee—should contact my office, extension 52501. Following is the column by Mr. Kilpatrick which sets out the ap-

parent need to study in depth the question of Presidential impoundment and the resolution:

IMPOUNDING FUNDS: THE QUESTION IS POWER

(By James J. Kilpatrick)

One of these years, I keep telling myself, I will retire to the mountains, feed a last sheet of copy paper into this battered Underwood, and undertake to distill a lifetime of political observation into a single sentence of political truth. The sentence will read: The question is power.

That is what the game is all about. We are seeing it in a new form in Washington these days—actually a very old form—in the inchoate confrontation between Congress and the White House on this matter of the impoundment of appropriated funds. Senator Sam Ervin, D-N.C., has been holding some mild hearings. The White House has dispatched a spokesman to make a mild response. There is not much drama thus far.

Yet the issue is important. One of the fundamental powers of the Congress is the power of the purse. It is the power to raise funds—to lay and collect taxes, to borrow money, to coin money. It is equally the power to say how the taxpayers' money shall be spent. "No money shall be drawn from the treasury," says the Constitution, "but in consequence of appropriations made by law."

It follows from that stricture that appropriations are in fact laws; and the Constitution also says, in defining the powers and duties of a Chief Executive, that the President "shall take care that the laws be faithfully executed."

A specific example may clarify the kind of impasse that develops. Consider, if you please, the Florida barge canal. Critics of the project see it as something more than a mere boondoggle; they see it as an absolute disaster, threatening the delicate ecology of the Everglades. Defenders of the project, such as the Jacksonville Chamber of Commerce, hold a different view; they see the canal as a significant economic benefit, and they regard the environmental arguments as vastly overblown.

Put the merits to one side. The point is that Congress has decided the issue explicitly in favor of the proponents. Congress repeatedly has made appropriations for building the canal. These appropriations are "laws" as surely as the laws appropriating funds to pay a President's salary; they are laws manifesting a specific congressional intent.

But on Jan. 19, by executive order, Mr. Nixon simply nullified the laws appropriating money for the Florida barge canal. Acting on the recommendation of Dr. Russell Train, chairman of his Council on Environmental Quality, the President imposed an effective veto. Does the duty to execute the laws embrace a power to nullify the laws? If so, what dignity and purpose attach to congressional appropriations in the first place?

Consider a different hypothesis. Suppose it were President Proxmire in the White House, he is a steadfast opponent of federal funding of a supersonic transport plane. Suppose the Congress had fought out the question of an SST, and the proponents had won. The fight is over. The appropriation has passed. But instead of vetoing the bill, President Proxmire impounds the money and refuses executive consent to its expenditure. What then? Impeach the President? Sue him? Such remedies have little substance of reality.

The law is unclear. In a major speech to the House on Feb. 10, Florida's Charles E. Bennett cited precedents going back to Kendall v. United States in 1838 to support his conviction that specific appropriations cannot lawfully be impounded. The case involved a small claim of a man named Stokes for carrying mail, and may not be in point. Bennett also cited various law review articles criticizing a President's asserted power to impound.

Manifestly, a President must have some discretion. Existing law permits impoundment to avoid deficiencies, or to effect economies. Custom and commonsense support a President's refusal to expend appropriations when circumstances have changed; after World War II, President Truman reasonably nullified outlays for unneeded military hospitals.

None of these exceptions touches a case such as the Florida barge canal. Congress has said it shall be built. Mr. Nixon, without a formal veto, has said it shall not be built. Never mind who is right or wrong, for the question is not a question of wisdom or of folly. Again, in saecula saeculorum, the question is power.

H. CON. RES. 244

Resolved by the House of Representatives (the Senate concurring), That (a) there is established a joint congressional committee which shall be known as the Joint Committee on Impoundment of Funds (hereafter in this concurrent resolution referred to as the "committee") consisting of five Members of the Senate to be appointed by the President pro tempore of the Senate, and five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. Of the five Members of the Senate appointed under this subsection, three Members shall be from the majority party, and two Members shall be from the minority party. Of the five members of the House of Representatives appointed under this subsection, three Members shall be from the majority party, and two Members shall be from the minority party.

(b) The committee shall expire at the close of the second session of the Ninety-second Congress.

(c) The committee shall select a chairman and a vice chairman from among its members. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and House of Representatives and the chairman shall be selected by members from the body entitled to the chairmanship. The vice chairman shall be chosen from the other body.

(d) Vacancies in the membership of the committee shall not affect the authority of the remaining members to execute the functions of the committee. Vacancies shall be filled in the same manner as original appointments are made.

(e) A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking testimony.

(f) The committee shall keep a complete record of all committee actions, including a record of the votes on any question on which a record vote is demanded. All committee records, data, charts, and files shall be the property of the committee and shall be kept in the offices of the committee or such other places as the committee may direct.

(g) No legislative measure shall be referred to the committee, and it shall have no authority to report any such measure to the Senate or to the House of Representatives.

SEC. 2. (a) It shall be the duty of the committee to conduct a continuing comprehensive study and review of the President's constitutional power to terminate authorized Federal projects for which appropriations have been made or to withhold funds for same and to report to the Congress its findings in a final report before the close of the Ninety-second Congress. The committee may make such interim reports to the appropriate standing committees of the Congress as it deems advisable.

(b) In carrying out its functions and duties the committee shall avoid unnecessary duplication with any investigation undertaken by any other joint committee, or by any standing committee of the Senate or of the House of Representatives.

SEC. 3. (a) For the purpose of this concurrent resolution, the committee is authorized, as it deems advisable (1) to make such expenditures; (2) to hold such hearings; (3) to sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate and of the House of Representatives; and (4) to employ and fix the compensation of technical, clerical, and other assistants and consultants. Persons employed under authority of this subsection shall be employed without regard to political affiliations and solely on the basis of fitness to perform the duties for which employed.

(b) The committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Congress, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee determines that such action is necessary and appropriate.

SEC. 4. To enable the committee to exercise its powers, functions, and duties under this concurrent resolution, there are authorized to be appropriated for each fiscal year such sums as may be necessary to be disbursed by the Clerk of the House of Representatives and the Secretary of the Senate on vouchers signed by the chairman or vice chairman of the committee.

QUIET ENVOY TO ISRAEL

Hon. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. FRELINGHUYSEN. Mr. Speaker, an interesting item appeared in the New York Times of April 3, describing the efforts of one of our most experienced but lesser known diplomats. Ambassador Walworth Barbour, who has represented this country in Israel for nearly 10 years now, seldom makes the headlines, yet there is little doubt but that he is one of the most effective of our spokesmen overseas.

The article follows:

QUIET ENVOY TO ISRAEL

TEL AVIV.—The Nixon Administration's movement toward assuming the role of middleman in negotiations between Egypt and Israel on reopening the Suez Canal has kept Walworth Barbour, the United States Ambassador here, even more busy than usual. But for the quiet, 62-year-old diplomat such occasions have become almost routine. He has headed the smooth-working United States embassy for nine and a half years. Neither in Israel nor in the United States is he a prominent public figure, and that is the way he wants it. In both countries, among the influential group of policymakers who claim his full attention, he is a respected figure.

The post of Ambassador to Israel is a sensitive one for both Governments. The United States Ambassador is vulnerable to political pressures at home, where the influential Jewish community has a particular interest in his actions and attitudes.

APPOINTED BY KENNEDY

It was specifically to take the embassy out of American politics that President Kennedy appointed Mr. Barbour, a career diplomat, instead of a political figure, as had been the custom.

Israelis recall being apprehensive about the change when Mr. Barbour arrived. They feared that he would be a typical representative of what they consider the State Department Arabists—he had served in Cairo and Baghdad earlier in his career—and would be lacking in political clout with the Administration. It did not take long for them to find that they were wrong on both counts.

Mr. Barbour acknowledges that when he arrived he had no particular interest in Israel one way or another. Nor did he have any expectation of staying so long—longer than any American Ambassador currently serving has remained in one post. Asked why he was still here, he replied: "I like it."

KNOWN FOR TERSE REPORTS

His terse reports to Washington, brief and blunt even in the most complex crises, command the attention and respect of his superiors in the Department of State, so accustomed are they to lengthy and erudite dispatches.

In Israel he has become, as a gossip columnist put it, "part of the Israeli landscape." He is on intimate social terms with the leading figures of the Establishment. It is with Israelis rather than with the diplomatic community in Tel Aviv that he chooses to spend his so-called leisure hours, in the evenings, as he moves his large, heavy frame across a golf course.

Mr. Barbour, a shy man who is deceptively diffident in social conversation, has never married and limits his obligatory entertaining to the few months of the year when his sister, Ellen, visits to act as hostess for him.

EXETER AND HARVARD

Born in Cambridge, Mass., on June 4, 1908, he was graduated from Phillips Exeter Academy and Harvard. His first post as a professional diplomat, in 1932, was a vice-consulship in Naples. From then until the end of World War II he concentrated on southern European and Mediterranean affairs, serving as political officer in Cairo during the war years.

In 1949 he became counselor of embassy in Moscow—he was considered for the ambassadorship there by the Nixon Administration, but made it clear that he did not want to change posts. He later served as second man in the embassy in London and as a Deputy Assistant Secretary of State.

His impact here is manifest in his easy relationship with Premier Golda Meir, with whom he has been meeting recently on the Suez Canal issue.

Last year, appearing with Mrs. Meir at the opening of an American school in Tel Aviv, Mr. Barbour complemented the principal on having obtained the Premier's presence. "I wish I knew how to influence the Premier to do what I ask her to do," he said.

Mrs. Meir replied to Mr. Barbour: "I will now reveal the secret to you—you must only ask me to do what I want to do."

UNFAVORABLE PUBLICITY TO THE GAO UNFOUNDED

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ANDREWS of Alabama. Mr. Speaker, recently the GAO had some unfavorable publicity with reference to one of their reports. Our subcommittee—the Legislative Subcommittee of the Appropriations Committee—questioned the Comptroller General about this matter. We were satisfied that the unfavorable publicity was unfounded. I am inserting a letter from Mr. Staats explaining the GAO's position:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., April 5, 1971.

Hon. GEORGE W. ANDREWS,
Chairman, Legislative Subcommittee of the Committee on Appropriations, House of Representatives.

DEAR MR. CHAIRMAN: During the hearings before your Subcommittee on March 30, 1971, on the appropriation request of the General Accounting Office for fiscal year 1972, you requested I furnish you a statement with respect to allegations which have appeared recently in the press relating to a report issued on March 17 on defense industry profits. This study had been requested by the Congress in the Armed Forces Appropriation Authorization Act for 1970. The allegation carried by two columnists were based on a comparison of a preliminary "leaked" draft with a subsequent revision of the draft. While the preliminary draft was available to other members of the press, they did not carry such allegations.

The allegations of the two columnists in several widely circulated news stories implied that the GAO had followed an unusual and improper procedure in obtaining comments from contractor associations and defense agencies, and had altered the facts and conclusions as a result of "pressure" from these agencies and associations. You asked that I supply a statement of these allegations and our response to them.

1. *Allegation.*—GAO followed an unusual and improper procedure in obtaining comments from defense agencies and contractor associations in asking them to review and comment on a preliminary draft of the report.

Response.—It has been the policy of the GAO for many years to refer draft reports of this Office to agencies, organizations, and others specifically affected to obtain their views. With respect to contractors, the written policy establishing this procedure goes back to 1955; the practice had been followed in many cases earlier than that. This procedure is designed to enable GAO to have available any disagreement as to factual accuracy or completeness of the report as well as differences with respect to our findings and conclusions. We believe it important not only that we consider these comments prior to completing our report to provide reasonable assurance that our reports are accurate, fair, complete and objective, but that we also reflect in our reports to Congress such differences as may exist. The procedure followed in this instance is identical to that followed in previous reports.

2. *Allegation.*—GAO was subjected to "pressure" to alter its conclusions and recommendations.

Response.—There was no pressure of any type. Neither I nor any member of our staff received any follow-up communications, oral or written, from the associations or agencies beyond the formal responses to our request of January 5, 1971, for their views. The last response was made available to this Office on February 12.

3. *Allegation.*—The analysis in the report of 146 individual contracts was more "representative" of defense profits than the 4-year review of total contractor profits (1966 to 1969); however the GAO subordinated the first analysis by shifting its location in the report from chapter 2 (first draft) to chapter 5 (final draft).

Response.—The report contained two sets of data to serve two different purposes: (a) The 4-year analysis, reporting on more than 60 percent of all defense procurement for the period, was designed to meet the statutory directive to this Office; (b) the analysis of 146 individual contracts was designed to examine initial profit objectives with profits actually realized, and to determine if it was practical to develop profit data by contract in order to ascertain if there was a wide range of profits as a percent of invested capital. Interest in this type of analysis had been expressed during the hearings which lead to the statutory directive.

We believe it only logical that the final draft have the 4-year analysis placed first and the second analysis clearly identified and differentiated from the first. Since the entire report was only 55 pages and contained a 4½ page summary, we did not agree that there was any "alteration" or "burying" of the data.

The apparent reason for the press interest in the 146 contract analysis was the higher profits reflected. The final draft makes it clear that the 146 contracts was not a valid statistical sample and that this analysis served an entirely different purpose from the 4-year analysis. Had the analysis of individual contracts shown a lower profit rate, it is interesting to speculate whether the two columnists would have found the matter of such great interest.

4. *Allegation.*—The final report was "drastically altered" and "softened" to be less critical and key data was subordinated.

Response.—Aside from the reordering of the chapters mentioned above, the revised draft contains numerous editorial changes of the type which take place in virtually every report issued by this Office. The two columnists neglected to indicate, however, that not a single figure in the report had been altered at any stage in the drafting of the report, and none was added or deleted as result of agency or contractor views. Nor do they mention that the conclusions in the report, which is critical of the way in which profit objectives have been established on defense contracts in the past, remain unchanged.

Our report is critical of the present practice of negotiating contracts whereby profit objectives are based primarily on cost of sales. We believe the policy should be revised to place more emphasis on the total amount of contractor capital required. The report states that "by relating profits to costs, contractors have little incentive to make investments in equipment which increase efficiency and reduce cost." The report also notes that the Department of Defense has been considering this matter since 1962 "and GAO believes that it is time to move ahead."

It was primarily to obtain the views of agencies and contractors on this issue that we requested comments on our draft report. We are pleased to note that many contractors agree with our position and that the Department of Defense officials have been quoted in the press as agreeing generally with our recommendation.

I appreciate this opportunity to set the record straight. This Office plays an important role as an arm of the Congress in assuring that Government programs are managed effectively and economically. It is important that we carry out this responsibility in an effective and impartial manner; it is also important that Members of Congress have the confidence that we have made, and will continue to make, every effort to carry out our responsibilities in this manner.

Sincerely,

ELMER B. STAATS.

EQUAL EMPLOYMENT OPPORTUNITY

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ERLENBORN. Mr. Speaker, in the 91st and again in the current 92d Congress, the House Committee on Education and Labor has considered changes which would grant enforcement powers to the Equal Employment Opportunity Commission. As you know, this Commission has operated since its creation 7 years ago as an agency of conciliation.

It has done well in this role, perhaps better than expected. It has found that a great many businesses want all Americans to have equal opportunities. It has found that a lot of businessmen and unions have discriminated without knowing it; and they have changed their ways when their attention was called to the effect of their policies.

Many of us now believe that EEOC can do a better job if granted enforcement powers. Two bills to accomplish this change have been introduced and have been considered by the General Subcommittee on Labor, of which the gentleman from Pennsylvania JOHN DENT, is chairman and I am the ranking minority leader.

There are many differences between the two bills, but I want to underline one difference today.

The gentleman from California, AUGUSTUS HAWKINS, is the principal sponsor of H.R. 1746, the Equal Employment Opportunities Enforcement Act of 1971. Among other actions, this would transfer the Office of Federal Contract Compliance from the Department of Labor, where it has done an exemplary job, to the EEOC, where I doubt it would do as well.

Throughout the hearings, the unions have urged that we report the Hawkins bill, and they have been particularly urgent in seeking the change of the contract compliance agency, OFCC. I believe, however, that the unions have not been candid with us.

It seems to me that their real goal is to get stern enforcement of equal employment opportunity standards against business, but slap-on-the-wrist enforcement against unions; and this desire to move OFCC from the jurisdiction of the Secretary of Labor is part of the plan.

In keeping with the Labor Department's even-handed program, the Secretary announced a proposed rulemaking in late January, and it probably will go into effect in the next few days. It is a regulation aimed at equal opportunities in apprenticeship and training.

If people of all races and creeds have equal access to apprenticeships, we will have come a long step toward the equality of opportunity on which we Americans have prided ourselves. Because the Secretary of Labor has shown a willingness and an ability to use this power against them, the unions apparently do not want him to have authority in this area.

To those who argue otherwise, I submit the following correspondence: a letter from Edward Arambasich, speaking for Local Union 444, of the Bridge, Structural, and Ornamental Iron Workers, in Joliet, Ill., in the district which I represent; and my response.

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL AND ORNAMENTAL IRON WORKERS,
Joliet, Ill., March 15, 1971.

Hon. JOHN N. ERLENBORN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: We, the members of Iron Workers' Local Union No. 444 of Will, Grundy, Kane and DuPage Counties, Illinois are writing to you protesting the passage of Proposed Rule Making (29 CFR Part 30) U.S. Department of Labor, in its entirety.

We are of the opinion that this ruling is in no way operable. Not only would it be impossible to abide by, the Iron Workers' would refuse—absolutely and unequivocally—to heed this ruling.

It would behoove you to remember that there are approximately eighty-five (85,000) thousand Iron Workers' in the State of Illinois. Not only can this many men tie up a lot of important construction, but that many votes could make a difference at election time—one way or another.

Yours truly,

EDWARD J. ARAMBASICH, B.A., F.S.T.,
Iron Workers' Local Union No. 444.

APRIL 2, 1971.

Mr. EDWARD J. ARAMBASICH, B.A., F.S.T.,
Bridge, Structural and Ornamental Iron Workers, Local Union No. 444, Joliet, Ill.

DEAR MR. ARAMBASICH: It is my understanding that the rule tentatively announced by the Secretary of Labor January 29, 1971, will become effective in the next several days. Its purpose is to promote equal opportunity in apprenticeship.

In his Notice of Proposed Rule Making, Secretary Hodgson noted that, in the past seven years, "some significant equal employment opportunity progress" has been made—some progress, but spotty.

At the February convention in Miami Beach, the Building and Construction Trades Department, AFL–CIO, opposed the rule and made an official statement that "the goal of equal employment opportunity in apprenticeship has generally been achieved . . ."

If that were true, of course, there would be no need to dissent from the proposal, for it is aimed only at unions *not* complying and will have no effect on those which have achieved the goal of equal opportunity in apprenticeship.

Your letter of March 15, however, says, "We are of the opinion that this ruling is in no way operable." You are entitled to that opinion, although it carries a strong implication that the Miami Beach convention was talking through its hat.

You add: "Not only would it be impossible to abide by, the Iron Workers would refuse—absolutely and unequivocally—to heed this ruling."

This is strong language, and I am skeptical of your authortiy to make such a statement. Several other union officials have voiced opinions about this proposed rule. Like you, they have been opposed to its becoming effective, but none has even hinted at a determination to defy the law.

You are not the first group to be saddled with a difficult task in making our United States more nearly equal for all people.

The medical profession was overwhelmingly opposed to Medicare, and individual physicians have done their best to torpedo the program; but it appears that, if Medicare doesn't work, it will be replaced by something even less palatable.

When the Equal Employment Opportunity Commission has urged businesses to open their rosters to Negroes, Indians, Latins, and other minorities, the owners have complained loudly. EEOC demands place an impossible burden on them, they say, but the commission has been adamant and, one by one, businesses have complied.

It is not lost on me that organized labor has been among the leaders in urging the government to bring the medical profession and business into line. You and your union have prospered under protection of the laws of the State of Illinois and the United States. Surely, you do not believe that you are so much better than the rest of us that you need obey only such laws as you like; and may violate with impunity a ruling you don't like!

I cannot believe that your union believes that your threat would deter the United States in pursuing its commitment to equal opportunity.

Forty years ago, labor was oppressed and was denied equality with management in the determination of wages, hours and conditions of work. After a long and sometimes violent campaign, labor's rights were recognized and were protected by law.

Labor sought equality, and has gotten it. Sometimes it has gotten more. Sometimes it has gotten superiority.

Now black people seek equality—equality of opportunity to learn a craft, to develop a skill, to earn a living. So do the red people and the brown people and other minorities.

Your union may resist. It may refuse, and that refusal may be absolute and unequivocal; but that will only postpone the attainment of equal opportunity (as management's resistance postponed labor's advance toward equality).

The 85,000 iron workers in Illinois can try to protect their jobs by denying opportunities to others—and as you threaten in your last paragraph—tie up a lot of important construction. You can try to cast your votes as a block but, in my opinion, you will fail because your cause is not just.

Yours very truly,

JOHN N. ERLENBORN,
Member of Congress.

NO SAVINGS ON THE REJECTION OF THE SST

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ROUSSELOT. Mr. Speaker, Americans have a tradition for doing things in a big way—and our folly in handling the SST program is no exception. After an 8-year commitment, the Congress suddenly reversed itself and literally flushed an $800 million investment by the taxpayers of this Nation down the drain. Of course, the soothsayers of ecological doom rejoiced, and more important, cries for a reordering of national priorities echoed through the Congress. But has this dramatic turn of events provided answers or simply raised serious new questions? For example, would the SST actually pose a serious threat to the environment? If so, then why did the Congress initiate such a program in the first place? If not sure, then why not build the two prototypes and find out for certain, and especially at this late date? And even more important, a larger ques-

tion—why does the Congress continue to set up questionable programs with lavish funding without adequate assurances beforehand that the programs have a reasonable chance for success?

In the case of the SST the recent vote was not a success for the Congress, but rather a serious indictment of failure. Savings in terms of the environment, money, and people are highly dubious to say the least, and more than likely are nonexistent. In some places it will cause unemployment. We have killed the SST bird—now we must pay the cost of the wake. A recent editorial in the Washington Daily News does a good job in summing up the bill by showing that there will be no savings.

The article follows:

A HIGH-PRICED FUNERAL

When Congress recently shot down the big bird—the SST—it reneged on an eight-year commitment Congress itself repeatedly had affirmed by overwhelming majorities. It knocked out the big bird just as it came within sight of its goal.

And it did all this on an emotional binge scrambled by speculation, hypothetical hobgoblins, politics and nonsense, all mixed in with some valid questions.

But the ultimate argument, when both houses of Congress finally reversed themselves, got down to "national priorities." The money would be better used, it was contended, to meet other pressing national needs.

So now where will the money go which Congress allegedly was going to "save" by cancelling the SST?

The appropriation Congress rejected was for $134 million.

As a result of that action Sen. Edmund S. Muskie has proposed that the $134 million be shifted to research on air safety and to urban mass transit. The government has community applications for more than $2 billion in Federal help for mass transit. The $134 million stacks up as a drop in the bucket.

And since the SST was killed, a sudden compassion has developed for workmen being laid off as a result.

Sen. Birch Bayh has introduced a resolution asking the administration to find other jobs for these people.

And Rep. John W. Davis of Georgia, another SST opponent, has proposed an appropriation of $250 million ($116 million more than the cancelled sum) to subsidize other projects for the aircraft industry.

President Nixon has ordered $42 million to promote a retraining and job placement program for technicians and scientists out of work in the whole aerospace industry, not just the SST casualties.

All of these things, of course, would eat up several times over the $134 million Congress decided not to spend on the SST.

But the big catch in this is that no $134 million has been saved. In addition to the $864 million in taxpayer money already invested in the SST, it will take two years and cost around $334 million just to wind down the project—paying off contractors and subcontractors and the like. No savings at all, and no SST!

There is an old saying about chickens coming home to roost. But a dead bird on Congress' doorstep can be a lot more costly to the taxpayers.

THE DRAFT REFORM/ALL VOLUNTEER BILL, H.R. 6531

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. FRENZEL. Mr. Speaker, last week we passed H.R. 6531. This consolidated draft reform/all volunteer force bill contains sweeping, and meritorious, changes in military manpower procurement procedures.

Most importantly it takes the necessary first steps to this country from a selective service system to an all-volunteer military force. Many of us, including me, have serious reservations about a professional volunteer army, but most of us have less objections to it than to the involuntary draft system.

The bill also extends the draft for a 2-year period. In my judgment, 2 years is too long. I believe that a 1-year extension would serve a number of purposes: First, it is a stronger vote of confidence in the volunteer concept; second, it would assert congressional prerogatives to review annually, and control, the military personnel levels; third, it would express more strongly our intention to terminate the draft; fourth, it would provide an incentive now lacking for the Defense Department to implement speedily and successfully the volunteer concept; fifth, it is symbolic of our intention to speed up withdrawal from Southeast Asia.

Since my point of view did not prevail, we now have to hope the volunteer concept is so successful that the need for the draft will wither away prior to its actual expiration. My hopes are higher when backed by a 1-year law, but such hopes can also be fulfilled under a 2-year extension.

The bill also makes a series of improvements in our draft structure and procedures. I heartily endorse the uniform national call, the elimination of student deferments, except divinity students, and the lowering of age requirements for draft boards.

I supported the proposal to equalize conscientious objector service with active military service at 2 years each, and am sorry it, too, failed. I was tempted to support the proposal that, of men drafted after December, only volunteers be sent to Southeast Asia. It is a good idea, but sets up a double standard depending on date of induction.

If there is any one feature of the bill now that is especially unsettling, that feature is the contemplated force level of 2½ million men by June 1972. This target manpower level makes the volunteer concept harder to achieve, the extended use of the draft probable, and budget impossible to balance.

The cost of the volunteer army for the next fiscal year is a dreadful, but necessary $2.6 billion. I am strongly persuaded that we cannot have our cake and eat it too. We will not get, and can hardly afford, a volunteer army at a force level of 2½ million.

We must look for more ways to reduce force levels. The volunteer concept seeks professionalism and reduced turnover, both of which factors should reduce personnel needs. The Nixon doctrine, in my judgment, also requires lower manpower levels, not only in Southeast Asia, but throughout the world. Therefore, I believed the amendment which sought to reduce the 2½ million force level to be a critical one. I supported and voted for that amendment, and felt its loss hurt the bill badly.

As with any complicated, important bill, H.R. 6531's blessings are not unvarnished. Along with those blessings I have tried to point out some of the dangers. Nevertheless, there are too many good things in the bill for me not to vote for it.

FUTURE GROWTH OF WATER TRANSPORT AND THE AMERICAN ECONOMY

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. SAYLOR. Mr. Speaker, one of the unsung sectors of the American economy is the water transport industry. Perhaps because the industry has been vital to the life and economic growth of our Republic from our earliest days, we have overlooked its contributions to the development of our high standard of living. In a recent speech before the Water Resources Associated annual meeting, Mr. Charles E. Walker, president of the Union Barge Line Corp., outlined the past, present, and prospects for the future of the industry. While I do not agree with all the comments of Mr. Walker, I believe you will find his remarks on the "$2 Trillion Economy" enlightening. The speech follows:

WATER TRANSPORT AND THE MAKING OF A $2 TRILLION ECONOMY

(By Charles E. Walker)

It is a particular pleasure to be here today to address Water Resources Associated. I know the last thing we have time for is self-congratulation, but I want to make a point about this organization which we may overlook because we are so close to it.

Our country faces many difficult problems in the years ahead, but water management should not be one of them. The fact is no more water is available today than was available 5,000 years ago. We have a well-thought out long-range program on which we have been working since the first Congress in 1789, with specific plans out ahead 40 and 50 years, to meet foreseeable needs of our economy. If the nation is not diverted from the programs which members of this organization are promoting, the economy's needs will be anticipated in time and severe problems will be prevented.

I have deliberately made that statement tame and somewhat lifeless. We all live with the program of WRA; we're used to thinking ahead 20 and 50 years; we're used to anticipating problems. It doesn't occur to us just how sensational this approach is when compared to the handling of some of the other problems the country faces.

Through this organization many conflicting interests are resolved. The power interests are not necessarily parallel to the interests of navigation. If you store water for irrigation, you can't use it to maintain the stream flow. Different regions compete for available funds for developmental projects. Similarly, different regions have to arrive at a sharing of limited water supplies. There is potential here for bitter controversy. And yet, under the guidance of the members and the leaders of this organization working patiently with others, we achieve a miracle of accommodation and reasonableness.

Analyze any of the major problems facing the country. What stands out in painful clarity is that we have them *not* because we don't know the answers, but because we haven't put the machinery together to anticipate the problems and provide the necessary remedies in time. Our major social problems cannot be solved overnight any more than you could build the presently built network of water management projects overnight. These problems will only yield, in my opinion, to the same kind of public spirited, dedicated work over many years that has been characteristic of this organization. What we have here, after all, is the cooperation of diverse interests, willingness to compromise, willingness to work, sensible long range plans, and patience to accommodate our energies as these plans unfold over a 50-year time span.

We've been successful in the past with this approach and I believe our government would be much more successful with its other problems if it were to adopt the procedures and format which have made so much sense for water management.

I think it is worth taking time to stand off a little bit from the concerns of these few days and try to see Water Resources Associated as a problem solving vehicle which should be copied for other of our national problems.

What about the navigation part of the multi-purpose water management programs? I'd like to give you a progress report on what's going on, an insight into the current controversies and a look ahead.

I won't burden you with a lot of statistics. I'll simply summarize by saying that the barge industry appears to be expanding about a point or two ahead of the long-run growth of the gross national product. We seem to hold steady, as the economy expands, at about 9 to 9.5 per cent of the inter-city freight ton miles. It will interest you to know that we receive for this service in revenues less than one half of one per cent of the nation's total expenditures for freight service.

We're providing capacity through the private enterprise system to anticipate demand and we're operating at an efficiency level unmatched by any other transport mode, except possibly the pipelines.

I mention these facts because I know you are concerned by some of the arguments against water management projects which discount the navigation benefits. The critics say: you don't impress us by talking about all the industrial development along the rivers. All that development would have taken place anyway. It would just have been located differently. Hence, they claim, the benefits of industrial development should be ignored.

I think we all know the answer to that one from our experience of the diverse reasons of water supply, etc. given for the location of industry along the river. Let me limit myself to the navigation aspect. A means of transportation which provides nine per cent of the inter-city freight service for less than one per cent of the freight bill is a major factor in improved efficiency for the agricultural and industrial production of the region. The benefit is not alone in the amount of industrial expansion, and in the new jobs, additional taxes, better spread of population beyond the congested urban areas with their built-in social antagonisms, but, most importantly, in the fact that, for many goods, production and distribution is performed far more efficiently and at lower cost in areas where water transportation exists than in areas where water transportation is not available.

If it were not for the developed rivers, some expansion would take place, but the efficiency of production would be greatly reduced and it is very likely indeed that a great deal of the production which now occurs in the United States would take place instead in foreign countries where cost advantages, including water transportation, are available. Our own country would then have more call for subsidies or tariffs to protect such basic industries as steel and chemicals.

The stimulus to production efficiency comes not just from the low cost of water transportation. It comes also from the interaction of the competition of rail, water, pipelines and trucks, each stimulating each other to become more efficient.

Let me give you an example of a problem of the future which many are beginning to consider. In the past few years, we have seen the development of huge ocean-going tankers and bulk carrying ships of 300,000 tons deadweight and up. There was no port on the mainland of Europe capable of receiving these monsters until Rotterdam built a superport, dredging 27 miles out into the North Sea. The German steel industry was asked whether it could afford to move to a deep water port. The answer came back; we can't afford not to.

There isn't a port on the east coast or on the Gulf coast of the United States capable of receiving one of the big ships today. Only Seattle and Valdez, Alaska have deep water ports. The economies of the big ships are so spectacular that *unless* the United States has at least one deep-water port on the Gulf and one on the east coast some of our basic industries and our agricultural production centers are going to be in deep trouble.

I mention this problem to emphasize that, as water management specialists know, the stakes are always very high. The problems would be much more manageable, but for the rapid growth out ahead of the economy. It's customary in a period of relatively low economic activity for the prophets of gloom to tell us that the magnificent American era of expansion is over, that our industrial way of life should be unrooted. This is nonsense. To the contrary, it is up to you and to me who have a stake in this system, which is still the finest anywhere in the world, to get among the younger generation and the sophisticated academicians in Washington's inner sanctum and, from our years of experience of the practical realities, encourage constructive development. In other words, let's build on what we are richly endowed with rather than give up and let our system be torn apart to the future detriment of our children and children's children.

In the long run, we have been doubling our gross national product about every 20 years. Now we have just reached a $1 trillion dollar economy. We look to seeing that $1 trillion increase to $2 trillion in under 20 years.

Numbers of that magnitude tend to have little meaning. But they have this much meaning. We are going to double in less than a generation all the productive capacity it has taken this nation nearly 200 years to develop. *That's* something worth thinking about.

And of course there is a truly monumental task ahead of all of us, not least for those of us in transportation. We are not expected just to double the transport capacity in place today, but we've got to find the money to improve the productivity of the new capacity we buy or we will be overwhelmed by the forces of inflation.

More intensive use of the navigation facilities and the natural low cost advantages of efficient water transport are essential if we are to increase the efficiency of our rapidly expanding economy. You can take it as fact that without greatly expanded water transport, there will be no $2 trillion economy in 20 years.

Let's take a brief look at the improvements in productivity in barge transportation—and through them—improvements in efficiency of production for American industry and agriculture which lie ahead.

They naturally fall into several categories. I'll take the navigation improvements first. We can count, I think, on the elimination of the existing bottlenecks on the most heavily traveled segments such as the Illinois River, the Alton lock, and the industrial canal at New Orleans. The modernization—deepening and widening—of the Gulf Intracoastal Canal is essential if the Texas coastal industry is to maintain its rate of growth. Other waterways will no doubt be improved and extended, probably sooner than we think as a result of the overall government shifts from inflation and the dollar value problem to economic expansion and encouragement of more job opportunities.

Most important, I think, is the improved productivity in barging which will result from the natural deepening of the Mississippi channels which is a direct result of the bank stabilization program. As the river is shortened and straightened, the current digs deeper. So very soon we are going to be able to load barges to 12 feet instead of 9 feet; indeed we are already doing so on some reaches of the Ohio River. When the Ohio redevelopment program is completed later in the decade, a 12-foot channel will be available from Pittsburgh to the Gulf. An increase in channel depth of one-third will have a tremendous impact on the productivity of water transportation.

Turning to improved productivity in the motive power—the towboat—we find our engineers and researchers opening wide vistas in their future planning. The diesel engine, they tell us, may well be superseded by gas turbines or nuclear energy engines at great savings. Even something as prosaic as counter-rotating propellers—two propellers on the same shaft rotating in opposite directions—may give us needed additional and more economical thrust for the heavier loads of tomorrow. But, of course, in engineering, the future productivity improvements involve many seemingly small developments. Automatic controls and warning devices will improve the productivity of our crews. Greater reliability will eventually make us think of marine engines as we now do of truck engines—feed them fuel and leave them alone except at regular maintenance periods. Generally such duties as tightening packing glands on water pumps and continual greasing will be eliminated in favor of built-in alternatives. New searchlights have increased our night vision by 70 percent and improved safety and reliability of operations. Such navigation equipment as automatic pilots, depth finders, ship-to-ship radios, gyroscopic compasses which give us early warning when tows begin to swing and bow thrusters—propeller units at the head of the tow—have greatly improved efficiency. It appears that there is a great potential for doppler sonar speed indicators.

We continually ask the question: how can horsepower be applied more efficiently and effectively? We are continually getting new and better answers.

What of the barges? Many developments are coming to improve efficiency, most nota-

ble of which I think I mentioned—the larger capacity barges for the deeper channels. But the trend is also to higher cost speciality barges for new and sometimes exotic commodities—chemicals whose names we can't even pronounce. Barges are available and being developed which keeep products hot or extremely cold or under pressure. Such seemingly minor changes as fiberglass or reinforced plastic barge covers may save us important money.

We haven't changed the method of lashing barges together much in recent years although a great deal of study has been devoted to efficiency improvements. There may be a breakthrough toward a practical automatic coupling device, but we can't see our way to it now.

Finally, of course, we should not forget the shore-side control of the barge system. Sophisticated long-range formalized plans—five years ahead in our company—computer controls, market research radio communications, engineering research, training, and better management information systems all contribute to improved efficiency.

Entirely new on the river are the LASH and SEABEE type barges which reach inland up the American rivers, are loaded at ports far from the ocean, then are towed down the river and hoisted aboard great mother ferry ships for transport to the other side of the world, where they slip into foreign rivers for delivery to final destination. This development may well be as important for improved efficiency in the handling of commodities adaptable to LASH and SEABEE barges as the new container systems have been for the general commodity trades. Areas far inland and away from the rivers will feel the impact of this innovation in floating containers if we don't let artificial cost increases eat up the potential savings to the public.

Let me mention one more breakthrough that I am sure lies just ahead. For some years now we have been actively trying to sell the railroad industry on combining the best efficiencies of water transportation and rail transportation. The "willing partner" program of the Water Transport Association has had some limited success, but it needs a big push from the ICC. When that comes and rail-water coordination becomes a commonplace, overall savings of 10 to 30 per cent in transportation charges can be accomplished and both modes can get a better return on their investment and better utilization of equipment that is in short supply. In the years ahead, the competition for capital will be so intense that there just won't be any money to invest in any but the most efficient combinations of transport services.

I hope I have given you some small insight into the many opportunities ahead for improved efficiency in barging and greatly improved service to the economy. Navigation is one of the most reliable and predictable benefits of the water management program. It is distressing to find that it has such a low reputation in the Office of Management and Budget. It should be an important task of this organization to clear away some of the misconceptions which plague navigation among the theoretical advisers to the government.

I suppose the most common is the misconception that there is something unfair about water competition in relation to the other modes. The Water Transport Association met this issue head on last year with an economic study of the public costs associated with rail transport all documented in ICC Docket 34013, Sub. 1. You will be interested to know that, *not* counting the land grants, Federal assistance to railroads has been so extensive that if you were to count navigation outlays against the benefits for railroads, the railroads would come out ahead or at the very least on balance the benefits would cancel each other out.

So many of us believe the railroad propaganda on the subsidy question that it is good to have an economic study of the relative subsidy and subsidy-effect programs of the government to demonstrate that this old substitute for thinking—unfair subsidy of navigation—is indeed a myth. Our study was entered in a formal ICC proceeding and was not rebutted either by the Department of Transportation or the railroad industry. I strongly urge you to read this public record.

I have one last point to make. I think those of us in the water management program make a mistake in not coming to grips directly with our critics in the Office of Management and Budget. The whole attempt to increase the interest rates on the water management programs stems from fancy mathematics founded on extremely vulnerable assumptions. How can you determine 50 years ahead and reflect in precise interest rate terms the benefit of today's water management projects in a six trillion dollar economy—the size of our economy in 2020 if we maintain our traditional growth? The answer is you can't and yet we allow ourselves to be hypnotized by the numbers produced. Our answer is usually unresponsive—you can't do that to us. Well, perhaps, we can stop them in the Congress, but how much better to beat them on their own grounds before they get started?

The sponsors and beneficiaries—industry, agriculture, recreation and all the rest—must not permit themselves to be led around by the nose by faulty theorizing masquerading as higher economics. We are warned by leaders in Congress that the present advisers to the budget makers, if allowed to put their theories into effect, would bring the nation's water resource management program to a halt. These theorists believe they can justify such a sharp rise in the interest rate—or more properly the discount rate—applied to water management projects as to stop future projects. I hope this Association will devote itself in the coming year to demonstrating the unsoundness of the theories of the proponents of such a rise. At the best, such theorists are crystal ball gazing and in my view they are vulnerable and ought to be tackled on their own theoretical grounds.

The country can't afford long periods of delays in essential water management projects. We should be able to reach the minds of those government officials in the Office of Management and Budget and elsewhere who apparently need assurance—as if the record of the performance of the water projects in the past were not enough—as to the validity and wisdom of the guidelines used to determine the size and shape of the water management program of the nation.

TWELFTH MEETING OF THE PANEL ON SCIENCE AND TECHNOLOGY WITH THE COMMITTEE ON SCIENCE AND ASTRONAUTICS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MILLER of California. Mr. Speaker, some of the world's greatest scientists from this country and seven foreign nations participated in the 12th meeting of the Panel on Science and Technology with the Committee on Science and Astronautics. The meeting took place this year on January 26, 27, and 28 and was devoted to "international science policy."

The committee has just published the complete proceedings, and I feel that they will serve as a valuable source book for decisionmakers and scholars during the coming decade.

The Panel on Science and Technology was established in 1959 for the purpose of developing authoritative and timely information of a technical and scientific nature for the Committee on Science and Astronautics and the Congress. It is composed of 16 prominent American scientists and engineers. Fourteen guest panelists joined them and the committee in exploring "international science policy."

This year's panel meeting has been the most successful that I can recall, and wide attention has already focused on its results. It has served as a valuable adjunct to the traditional sources of information to the Congress, and has brought important policy issues before the public as well.

Secretary of State William P. Rogers delivered the keynote address, and issued the first comprehensive review of the U.S. position regarding international science policy since the space age began. He also announced a general policy of exchange of unclassified scientific information with all nations, regardless of their form of government.

The environmental dangers facing the world's oceans were forthrightly catalogued by guest panelist Capt. Jacques Cousteau.

Dr. James Watson, who shared the Nobel Prize for medicine and physiology in 1962 with two British biophysicists, brilliantly outlined the ethical, moral and legal dilemmas we face in genetic and biomedical research.

Two prominent parliamentarians presented papers, the Honorable Allister Grosart of the Senate of Canada and the Honorable Staffan Burenstam Linder of the Parliament of Sweden.

At this point, I insert in the RECORD a list of the members of the panel on science and technology, the participants in the panel meeting, and the program for the 1971 meeting on International Science Policy:

MEETING ON INTERNATIONAL SCIENCE POLICY

MEMBERS OF THE PANEL ON SCIENCE AND TECHNOLOGY

Ivan L. Bennett, Jr., New York University (medicine)

Harrison S. Brown, California Institute of Technology (geochemistry)

A. Hunter Dupree, Brown University (history)

David M. Gates, Missouri Botanical Garden (ecology)

Martin Goland, Southwest Research Institute (applied mechanics)

Walter J. Hesse, LTV Aerospace Corporation (aircraft and missile systems)

Herbert E. Longenecker, Tulane University (biochemistry)

Thomas F. Malone, University of Connecticut (meteorolgy)

J. Roger Porter, University of Iowa (microbiology)

William F. Pound, Massachusetts Institute of Technology (management)

Roger Revelle, Harvard University (geophysics)

H. Guyford Stever, Carnegie-Mellon University (aerospace engineering)

Athelstan Spilhaus, Woodrow Wilson International Center for Scholars (oceanography)

James A. Van Allen, University of Iowa (physics)

Fred L. Whipple, Smithsonian Astrophysical Observatory (astronomy)

John T. Wilson, University of Chicago (psychology)

KEYNOTE SPEAKER

Hon. William P. Rogers, Secretary of State, Washington, D.C.

MODERATOR

Dr. Adriano Buzzati-Traverso (Italy), Assistant Director General for Science, United Nations Educational, Scientific, and Cultural Organization (UNESCO), Paris, France.

GUEST PANELISTS

Dr. Viktor A. Ambartsumian (U.S.S.R.), President, International Council of Scientific Unions, Rome, Italy, and President, Academy of Sciences of the Armenian SSR, Yerevan, U.S.S.R.

Hon. Staffan Burenstam Linder (Sweden), Member of Parliament, Stockholm, Sweden.

Capt. Jacques Yvees Cousteau (France), Centre d'Etudes Marines Avancees, Marseilles, France.

Hon. Emilio Q. Daddario, Senior Vice President, Gulf & Western Precision Engineering Company, Manchester, Conn.

Hon. Allister Grosart (Canada), Special Committee on Science Policy, The Senate of Canada, Ottawa, Canada.

Dr. Franklin A. Long, Director, Program on Science, Technology, and Society, Cornell University, Ithaca, N.Y.

Prof. Thomas Odhiambo (Kenya), Director, The International Centre of Insect Physiology and Ecology, Nairobi, Kenya.

Mr. Herman Pollack, Bureau of International Scientific and Technological Affairs, Department of State, Washington, D.C.

Dr. Walter Orr Roberts, President, University Corporation for Atmospheric Research, Boulder, Colo.

Prof. Thomas Odhiambo (Kenya), Director, International Centre of Theoretical Physics, Trieste, Italy.

Dr. James D. Watson, Professor of Biochemistry, Harvard University, Cambridge, Mass.

Mr. James E. Webb, Treasurer, National Academy of Public Administration, Washington, D.C.

PROGRAM—THEME FOR 1971: INTERNATIONAL SCIENCE POLICY

International science policy, viewed as a summation of national policies, international agreements, and voluntary associations between groups of scientists and engineers, plays an increasingly important role in our technological society. These sessions will explore the nature of our present policies, how they can be improved, and ways to more effectively harness them for meeting worldwide problems.

TUESDAY, JANUARY 26, 1971—10:00 A.M.

Call to Order:

Hon. George P. Miller, Chairman

Opening Remarks:

Hon. Carl Albert, Speaker, U.S. House of Representatives

Hon. Gerald R. Ford, Minority Leader, U.S. House of Representatives

Hon. James G. Fulton, Ranking Minority Member

Hon. John W. Davis, Chairman, Subcommittee on Science, Research, and Development

The Keynote:

Hon. William P. Rogers, Secretary of State

Moderator: Dr. Adriano Buzzati-Traverso (Italy), UNESCO

2:08 P.M.

International cooperation in the environment sciences

Chairman: Hon. Earle Cabell

Moderator: Dr. Thomas F. Malone

Paper: Dr. Walter Orr Roberts, University Corporation for Atmospheric Research

International cooperation in the physical sciences

Chairman: Hon. Thomas N. Downing

Moderator: Dr. James A. Van Allen

Paper: Prof. Abdus Salam (Pakistan), International Centre for Theoretical Physics, Trieste

New mechanisms for scientific cooperation in the future

Chairman: Hon. Charles A. Mosher

Moderator: Dr. Roger Revelle

Paper: Dr. Viktor A. Ambartsumian (U.S.S.R.), International Council of Scientific Unions

Science, technology, the military and arms control

Chairman: Hon. John W. Wydler

Moderator: Dr. Walter J. Hesse

Paper: Dr. Franklin Long, Cornell University

WEDNESDAY, JANUARY 27, 1971—10:00 A.M.

Call to Order:

Hon. George P. Miller, Chairman

Address: Hon. Emilio Q. Daddario, Gulf & Western Precision Engineering Company

Address: Mr. James E. Webb, National Academy of Public Administration

Moderator: Dr. Adriano Buzzati-Traverso (Italy) UNESCO

2:00 P.M.

International cooperation in the social and life sciences

Chairman: Hon. Henry Helstoski

Moderator: Dr. Ivan L. Bennett, Jr.

Paper: Prof. Thomas Odhiambo, (Kenya), International Centre of Insect Physiology and Ecology, Nairobi.

Legislative role in science policy

Chairman: Hon. Larry Winn, Jr.

Moderator: Dr. H. Guyford Stever

Paper: Honorable Allister Grosart (Canada), Senate Committee on Science Policy, Ottawa

Science, techology and the developing countries

Chairman: Hon. Robert Price

Moderator: Dr. Fred L. Whipple

Paper: Dr. Harrison S. Brown, National Academy of Sciences

Role of science policy in solving social problem

Chairman: Hon. James W. Symington

Moderator: Dr. Athelstan Spilhaus

Paper: Hon. Staffan Burenstam Linder (Sweden), Member of Parliament Stockholm.

THURSDAY, JANUARY 28, 1971—10:00 A.M.

Call to Order:

Hon. George P. Miller, Chairman

Address: Captain Jacques Yves Cousteau (France), Centre d'Etudes Marines Avancees, Marseilles

Address: Dr. James D. Watson, Harvard

Summary Views and Comments:

Mr. Herman Pollack, Department of State

Moderator: Dr. Adriano Buzzati-Traverso (Italy) UNESCO

Closing Remarks:

Hon. George P. Miller, Chairman

Let me cite a specific example of how the 1971 panel meeting has performed its important function of informing the Congress and the public.

On March 24, Senator MONDALE and 17 other Senators introduced a joint resolution to provide for a study and evaluation of the ethical, social, and legal implications of advances in biomedical research and technology.

In his introductory statement Senator MONDALE noted:

When I reintroduced the resolution in the last Congress, the first succesful test-tube fertilization of a human egg had just been reported. Now, just two months ago. Nobel Prize Winner Dr. James D. Watson told the House Committee on Science and Astronautics that we will soon see the day when a baby will be conceived in a test tube and placed in a woman who will bear the child. As you may recall, Dr. Watson's reported prediction was that when such an implantation is successfully made, "all hell will break loose."

Senator MONDALE cited Dr. Watson's presentation to the panel meeting, together with news and editorial comment on it, at the end of his introductory statement.

All of us in the Congress realize the difficulty which we have in keeping informed on the important issues facing our Nation.

I am happy that the panel on science and technology, through its annual meetings with the Committee on Science and Astronautics, helps provide the Congress with information in those areas in which public policy impinges on scientific and technical issues.

I should like to submit for the RECORD a representative group of editorials and news articles concerning this year's panel meeting. They too, I believe, illustrate the effectiveness and importance of this unique source of information for every Member of Congress:

[From the Biomedical News, March 1971]

CAPITOL LIFE

The House Committee on Science and Astronautics' Panel on Science and Technology was treated to Nixon Administration views on international science policy at its annual meeting in Washington late in January.

In the keynote address, Secretary of State William P. Rogers outlined three major steps being taken by United States "to put science and technology at the service of human—and humane ends." These include:

Emphasis on science and technology in our aid to developing countries;

Encouragement of international effort in preserving the quality of the world's environment;

Stress on international cooperation in science to enhance the benefits of technology and to curb its dangers.

On the matter of aid to developing countries, Rogers supported the recent proposal by President Nixon for the establishment of a US International Development Institute. The Secretary said he believes the UN Conference on the Human Environment, scheduled for 1972 in Stockholm, will establish policy on the international environment. To facilitate cooperation in science the Secretary emphasized America's bilateral and multilateral agreements on the exchange of scientific information, fellowships and training programs, weather forecasting, and medical knowledge.

[From the Washington Post, Jan. 27, 1971]

ROGERS OFFERS PEKING SCIENCE DATA EXCHANGE

Secretary of State William P. Rogers offered Communist China yesterday the exchange of unclassified scientific information, saying "We have as much to gain as anybody from cooperation."

Rogers told members of the House Space Committee, "It is the general policy of this administration to permit the exchange of unclassified, scientific and technical information with the scientists and institutions of any country, regardless of the state of our diplomatic relations with that country."

The secretary did not mention China by name, but a high ranking State Department

official made clear that Rogers had Peking in mind.

An aide to Rogers told reporters American scientists already have been exchanging such information on a small scale with Communist China, East Germany and Cuba, even though there are no diplomatic relations with them.

The official said the Kitt Peak Observatory in Arizona exchanges its astronomical observations by mail with Chinese Communist observatories in Nanking, Kunming and Peking. He said the National Academy of Sciences also exchanges publications with Red Chinese scientists.

The aide said that oceanic data has been exchanged with East Germany and Cuba since 1957.

Rogers observed that the U.S. Space Agency and the Academy of Sciences of the Soviet Union recently reached agreement on further cooperation in space activities.

Rogers also said the U.S. would like to see international lending institutions encourage adequate concern for environmental matters through projects they finance.

He said pollution carried dangers for developing countries as well as rich nations

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[From the Washington Star, Jan. 26, 1971]

SCIENCE FOREIGN POLICY IS OUTLINED BY ROGERS

Secretary of State William P. Rogers today issued the first comprehensive review of international science policy since the beginning of the space age, in an apparent effort to move the United States closer toward cooperation and exchange of knowledge with all nations regardless of the state of diplomatic relationships.

Rogers outlined the policy in a speech to the panel on science and technology of the House Committee on Science and Astronautics.

In it, he officially opened the door for exchange of unclassified information with countries like Red China, East Germany and Cuba, although some of the cooperative gestures he described already have taken place.

"We are convinced that it is in everyone's interests, including our own, to do everything we can to facilitate the widest possible spread and exchange of scientific information," Rogers said. "Thus it is the general policy of this administration to permit the exchange of unclassified scientific and technical information with the scientists and institutions of any country regardless of the state of our diplomatic relations with that country."

U.S. officials indicated this applies to mainland China and cited exchanges that already have taken place on astronomical data between the Kitt Peak Observatory in Arizona and Chinese astronomers in Peking, Kunming and Shanghai. Oceanic data also has been exchanged with East Germany and Cuba, officials said.

Rogers said it is U.S. foreign policy to take three major steps to put science and technology at the service of humanity:

Increasing emphasis on science and technology in U.S. aid to developing countries.

Encouraging an international effort to preserve the quality of the world's environment.

Seeking greater international cooperation to enhance the benefits of technology and to curb its dangers.

[From the Christian Science Monitor, Feb. 13, 1971]

BIOLOGISTS WARN PUBLIC: 'TEST-TUBE BABY' ISSUE RAISED

(By Robert C. Cowen)

LONDON.—Biologists have begun to warn loudly of an imminent moral crisis raised by the advancing art of human embryo manipulation.

They know this crisis may be upon us this year or next. So they are adding the trumpet blasts of dramatic public statement to the more-muted notes of research reports.

Nobel Prize winner James Watson of Harvard University gave the warning loudly when he recently spoke to the science subcommittee of the United States House of Representatives.

He noted that, within a year, a baby very likely will be conceived in a "test tube" in British experiments. The resulting embryo then will be implanted in a human mother who will bring it to term. Then he warned, "All hell will break loose"—morally and politically.

Now, almost as though on cue as a complementary refrain, comes the report of yet another successful test-tube fertilization of a human egg. This time it was done in Dr. Watson's own country by L. B. Shettles of Columbia University.

IMPLANTATION NEXT STEP

Like Cambridge University's R. C. Edwards, to whose work Dr. Watson referred, Dr. Shettles envisions implanting an embryo conceived in this way in a human mother.

When such experiments succeed, when such a baby is born, deeply serious questions will arise. They will concern the relations and mutual attitude of parents and child. They will concern society's attitude to such a deviation from the normal course of conception.

What may be most important, they will concern the individuality and rights of the fetus. At what point does it cease to be merely a developing mass of biological material to be manipulated as experimenters of society see fit? At what point does it become an incipient human being with individuality and rights of its own?

Here is no remote challenge to face in 10 years' time or at the century's end. It is already upon us.

PREDICTION SHUNNED

Because their work is well advanced, Dr. Edwards and his colleagues may well be the first to demonstrate the implantation technique successfully. They may well do it within a year, as Dr. Watson suggests, although Dr. Edwards himself makes no specific prediction. He prefers to carry out the work without publicity and announce it afterward.

But like Dr. Watson, he too tried to face up to the moral challenge. For some time now, he has been discussing it from the public platform and with the press.

As reported here, Dr. Watson told the congressional committee that the technique would not long remain purely an experiment. Many infertile women would be eager to have babies this way. Beyond that, he foresaw lazy women hiring surrogate mothers, perhaps needy women, to bear their babies for them In that case, the fetuses would be conceived in vitro from the natural mother's eggs and the father's sperm.

He further warned that some less-scrupulous couples and their physilcans might inspect such fetuses for sex and destroy those of an unwanted gender.

RIGHTS OF FETUS QUESTIONED

Dr. Edwards has also repeatedly expressed concern about such implications. But he stresses that the problems of the rights of the fetus will likely raise the first really difficult questions. He says that he and his associates "recognized when we started the work that fertilizing human eggs in vitro raised ethical issues we couldn't duck."

As far as parents directly involved are concerned, he says he and his colleague, Patrick Steptoe, have gone out of their way to explain everything in order to get truly informed consent. Dr. Steptoe, a surgeon, has developed the relevant techniques of operation.

But this scarcely begins to get at the deeper ethical issue Dr. Edwards sees. "When does a fetus begin to have rights," he asks, "and what are those rights?"

He points out that, at this stage of the experiments, mistakes will be made. Faulty embryos will develop. This may happen after as well as before implantation.

ABORTION OR INFANTICIDE

If spotted in the test tube, at this stage of moral thinking they would be destroyed. How long can we go on doing this thoughtlessly, Dr. Edwards asks. Discussing this at a public meeting late last year, he observed that, in Britain, "We are accepting abortion at seven months. This is close to infanticide."

Society must face this situation squarely, Dr. Edwards says, and face it now. Dr. Watson warned of fetuses being destroyed in the test tube because they were not of a desired sex. Dr. Edwards observes that they could be destroyed at a much later stage under legalized abortion.

He says he abhors the notion of abortion for sex control. It is alien to the humanitarian reason for which medical abortion has been developed. Yet this is the kind of thing society lets itself in for when it approves of medical techniques in the field of embryo development without thinking through all the implications and the safeguards needed.

Dr. Edwards defends the motives of himself and his colleagues. "Our work," he says, "stems from a fundamentally humanitarian point of view. We want to improve the quality of human life. We want to do it by developing better means of contraception and by preventing some forms of malformation. A second stimulus to our work is that we want to know as much about ourselves [as biological entities] as we can.

GOALS DESCRIBED

"At first, we may help the infertile. Later, we may help [those susceptible to conception of genetically malformed children]. . . . Probably we will understand the processes of conception itself and will work out better means of contraception."

But as in the case of abortion today, Dr. Edwards knows that praiseworthy motive on the part of researchers won't prevent bad use of their results. "We must accept we have a right to investigate anything that might benefit the human species, provided we protect the patients' interest," he says. He adds that society has a responsibility to grapple with the moral and legal problems that arise, too.

This is what Dr. Watson was trying to impress on Congress. He urged it to take the lead in establishing an international commission to tackle the moral and legal questions of test-tube conception.

The warning he gave may sound "sensational." But Dr. Watson and Dr. Edwards both are among biologists who have met together to think out ways of informing the public responsibly, without exaggeration, of the implications of advances in their field. It is significant, then, that Dr. Watson spoke to Congress in the urgent terms he used.

[From the Washington Post, Jan. 29, 1971]

NOBEL BIOCHEMIST WARNS HILL ON IMPENDING TEST-TUBE BABIES

(By Victor Cohn)

"Within a year" a scientist will conceive a baby in a test tube and successfully place it inside a woman who will bear the child, Dr. James D. Watson, noted biochemist, told the House Science Subcommittee yesterday.

"Then all hell will break loose," politically and morally, all over the world, he predicted. "The United States," he said "should take the lead now in forming an international commission to ask, 'Do we really want to do this?' " and perhaps "take steps quickly" to make it illegal.

"If we do not think about that matter now," Watson argued, "the possibility of our

having a free choice will one day suddenly be gone."

Watson—Nobel-prize-winning co-discoverer of the shape of DNA, the heredity molecule and author of "The Double Helix," a popular best-seller—spoke near the close of three days of testimony on international science policy.

He is not the first scientist to warn of coming biological engineering. But the time has arrived, he emphasized, to speak not of mere theory but of a feat that could occur any day now in a British laboratory.

Only last month, Patrick C. Steptoe, the surgeon who intends to perform the critical operation, disclosed in Washington that he and his scientific collaborator—Dr. Robert G. Edwards of Cambridge University—have joined a female egg cell and a male sperm cell, then grown the resulting embryo to the 10-or-more-cell blastocyst stage.

This is the point where it is ready to attach itself inside the womb.

This means difficult decisions "may soon be upon us," Watson said, for "thousands of infertile women," once such an operation is successfully done, will want to have babies the same way.

Then the next steps, as he saw it, could include:

Hiring needy women as surrogate mothers to have a baby while the unharried biological parents merely look on.

Determining while an embryo is still in the test tube whether it is a boy or a girl. If the baby were then unwanted, an unscrupulus doctor might wash it down the sink.

Genetic engineering of various kinds, with many good purposes—like detecting and preventing hereditary defects—but also, possibly, "all sorts of bad scenarios."

"Cloning" human beings, that is, test-tube production of a limitless number of duplicate embryos—perhaps by some dictator or experimenter who decided this was desirable.

"If the matter proceeds in its current nondirectional fashion," Watson warned, "a human born of clonal reproduction most likely will appear" within 20 to 50 years, but perhaps within five.

Before the committee and in an interview, the Harvard University biochemist emphasized that laboratory growth and fusion of human cells could have many good results. One might be understanding the genetic basis for cancer and other diseases.

But with laboratory growth of human embryos, he said, "the nature of the bond between parents and their children" and everyone's values about their individual uniqueness could be changed beyond recognition.

"Certainly, to many," Watson added, "our most sensible course would be to de-emphasize all forms of research which would circumvent the normal reproductive processes.

"Prohibition of such research would most certainly put off the day" of test-tube creation. "Even more crucial," he said, "would be to take steps quickly to make illegal, or reaffirm the illegality of, any experimental work with human embryos. With both these actions taken, our current value system might survive somewhat longer."

[From the Evening Star, Feb. 8, 1971]

THE BREATHROUGH SYNDROME

In 1962, Dr. James D. Watson was awarded the Nobel prize for his part in determining the structure of DNA, the molecule that transmits the complex hereditary code from one generation to the next. That discovery unlocked a door to the mysteries of human development and growth, opening a vast new area of scientific exploration. Last week, Dr. Watson urged that the door should be slammed shut.

Testifying before the House science subcommittee the Nobel laureate portrayed the coming era of biological engineering as an age of horrors. Test-tube babies will be a reality within a year. Conception will take place in a laboratory nurtured through the blastocyst stage and then implanted in a woman who will give birth to the child. Then, he said, "all hell will break loose."

Thousands of infertile women will demand that the technique be used to enrich their lives. Wealthy couples will hire surrogate mothers to carry out the bothersome details of childbirth. Genetic tinkering will create all sorts of evil potentials, including the possibility of the mass production of human clones, a limitless number of identical beings descended asexually from a single common ancestor. The answer, according to Dr. Watson, is to make any experimental work on the human embryo an international crime.

The reaction is not unique. Others who have opened the doors to lead mankind into new ages have suffered similar tortured second thoughts. Some of the scientists who led the way across the atomic threshold came to see their accomplishment only as a contribution to men's destructive capability. Genetic engineering possesses the potential for abuse, and it is vital that man should be aware of the possible misuses to which the recent discoveries can be put. But Dr. Watson's thesis that the techniques should be forgotten and outlawed is both wrong and impossible.

The dawning science of genetic control offers all the disturbing possibilities seen by Dr. Watson. It also offers the probable end of a wide variety of birth defects and the possibility of a cure for cancer. Test tube conception can mean surrogate mothers and clones. It will mean a proper, wholesome solution to a problem for some childless couples.

The potential for evil should not be forgotten. But neither should it be allowed to overshadow the greater good that may result. Man cannot turn away from his discoveries or destroy the results of his probe of life's mysteries. He must instead, learn to live with them.

[From the Washington Post, Feb. 4. 1971]

DNA AND THE SORCERER'S APPRENTICE

Man has come to be where he is in part because—at least until Hiroshima—he has considered anything that seemed possible by way of scientific discovery and technological capability to be *ipso facto* desirable. Lately, however, an increasing number of scientists has become increasingly worried that man, like the Sorcerer's Apprentice, may be unable to control the forces he keeps unleashing—that progress in science and technology is coming far faster and more easily than progress in our ability to deal with the social, political and moral implications of our discoveries.

One such worrier is Dr. James D. Watson, the Nobel-prize-winning co-discoverer of the structure of DNA, the heredity molecule and the author of "The Double Helix," a book that gave thousands of laymen a fascinating and human glimpse of these awesome scientific endeavors. Dr. Watson told the House Science Subcommittee a few days ago that any day now British scientists may produce a human embryo that can be placed inside a woman who will bear the child. "Then all hell will break loose," he said. For the next logical step will be to engineer biologically a human being by screening out "undesirable" characteristics and otherwise manipulating the female egg cells and male sperm cells before they are joined.

Scientists can see much obvious good resulting from these experiments. One might be an understanding of the genetic basis for cancer and other diseases. But Dr. Watson and others also have no difficulty imagining fearful abuse, not the least of which would be a drastic change in the nature of the bond between parents and their children and in the values we now attach to man's individuality. And worse. The "scientific" experiments in Hitler's concentration camps—the biological engineering for other than research purposes—are still too fresh on many minds to dismiss as mere nightmares. There is enough of what George Orwell called "double-think" even in our own, open society, to make it at least feasible that, once test-tube production of an unlimited number of duplicate embryos become possible (Dr. Watson deems this likely in 20 or 50 or perhaps 5 years) someone will set out to produce a master race or supermen.

Dr. Watson and a number of his colleagues, at any rate, fear that if we do not think about these matters now, "the possibility of our having a free choice will some day suddenly be gone." He suggested that the United States take the lead in forming an international commission to make this kind of biological engineering illegal.

Illegal? At first thought, a good many people will surely feel that this could only dangerously tempt another Sorcerer's Apprentice to invoke governmental control over some other quest for knowledge; international control, furthermore, seems a naive hope at best. So we share these first tentative thoughts. But we also urge second thoughts. And third and fourth ones, because the issue is incredibly complex, and therefore much too important to be allowed to become polarized between wishful thinkers and "realistic," first-thought-only thinkers. It is going to take broad, as well as hard, thinking, by which we mean, if you will pardon the cliche, that the application of these bio-medical developments is far too serious a matter to be left to the bio-medical scientists alone. This is why Dr. Jonas Salk is inviting philosophers as well as physical scientists to his Institute in La Jolla and why the Committee on Life Sciences and Social Policy of the National Research Council and the Institute of Society, Ethics and Life Science seek to draw lawyers and scientists in a variety of disciplines into their search for a middle ground between statutory limitations on certain research and pragmatic laissez-faire.

We desperately need this search. And to spur it along, we need broad discussion on the ever more urgent question of whether we dare continue to let material progress be our only guide.

[From the Washington Post, Feb. 24, 1971]

EXPERIMENTS ON HUMANS

In your most thoughtful editorial of Feb. 4, you discuss many of the matters which I talked about recently before the House Science and Astronautics Committee. The International Commission on Genetic Engineering that I proposed be set up, however, would not have as its purpose the outlawing of human embryo experimentation. Instead its task would be to assess the state of the art, and so be in a position to advise the world's governing bodies of the particular consequences of any given techniques in genetic engineering.

Some governments, upon thoughtful consideration, might wish to ban certain manipulations (e.g. human cloning). But in other cases, there may be general agreement that certain procedures (e.g. test-tube conceptions to overcome infertility due to oviduct blockage) are in the national interest and should be actively promoted. In any case, I think the matter is much too important to be left in the hands of the scientists whose careers might be made by the achieving of a given experiment. In no case should we forget that the products of these experiments will be human beings, which we must afford the same opportunities for a meaningful life that are now given to children born of "God's" will.

J. D. WATSON,
Professor, Molecular Biology, Harvard University; Director, Cold Spring Harbor Laboratory.
CAMBRIDGE.

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

TEST TUBE BABIES? SOME COMMENT ON CONTROLLING SCIENTIFIC PROGRESS

Your Feb. 4 editorial, "DNA and the Sorcerer's Apprentice," was most appropriate as well as very timely. Too often we permit scientific and technological advances to dictate our next move—we react rather than act. Considering the nature of the American political process this often results in hasty decisions based all too often on inadequate information.

This time, however, the stakes are too high for this "crisis-oriented" incrementalism.

A recently issued annual report of the National Institute of General Medical Studies declares that the impact of biomedical engineering "will be realized rather gradually over the next 10 to 15 years." Thus we have a golden opportunity to avoid past errors and to approach these problems with better insight into their magnitude and into the consequences they hold for society. Hopefully, a greater public awareness of such problems will generate a national commitment to solve them.

MARK S. FRANKEL.

Graduate Student and Research Assistant with the Program of Policy Studies in Science and Technology, The George Washington University.

Washington.

I share the concern of Nobel Prize winner James D. Watson and of The Washington Post about the production of human embryos in test tubes. What is not clear to me is *why* The Washington Post should be concerned. Since you have for years supported the proposition that fetuses before the 20th week of pregnancy may be destroyed, I do not see why fetuses of less than 20 weeks may not be created. Presumably our abortion laws tell us that before the 20th week, or "viability", or some other arbitrary line, the fetus is not a human being. Why should it then be improper for scientists to create such "blobs of tissue", "blue prints", "tissues with potential", or other euphemism, in text tubes, if no human life is involved? Surely it should be alright to do so providing the "tissue" is destroyed prior to the 20th week or some other arbitrary time at which it supposedly becomes human. And why should philosophers be consulted in this creation when our abortion laws are just concluding that the destruction of such "tissue" is a matter strictly between a woman and her physician? Or have we now reached the interesting position that fusing a sperm and an ovum in a test tube creates human life, but doing so by intercourse does not?

I agree with your editorial that further thought is in order—about a lot of things.

ANDRE E. HELLEGERS, *M.D.*,

Professor, Obstetrics and Gynecology, Physicology and Biophysics, Georgetown University Hospital.

Washington.

Nobelist James Watson's recent proposal before the House Science Subcommittee to outlaw the production of duplicate human embryos is ironical in view of his own pioneer work in genetics. His testimony reminds us again that expertness is no guarantee of historical perspective.

Dr. Watson is apparently afraid that some dictator will mass-produce outstanding physical specimens and send them marching across the world in a war of conquest. To those who know him such rampant hyperbole is as predictable as it is boring; it is theatre, not science. We should not take it too seriously.

We do not yet have the capability Dr. Watson envisions and may not have it for a generation, by his own admission. That should be quite long enough, if we start now, for a sensible projection of the major social consequences of genetic engineering.

Eventually, however, when the public realizes it can enjoy an asymptotic advance in longevity and intellectual power, the demand for genetic services may prove irresistable. A similar shift of attitudes happened in the 19th Century as vaccination, anaesthesia, and antisepsis won favor despite fanatical opposition by reactionary physicians.

To connect the supreme achievements of biology to the mindless savagery of Hitler's SS, as The Post did on February 4, is inimical to science. Those who admire the paper's courage on other issues will expect it to lead on this front as well. We need a mature, well-informed analysis of the controls which must be placed upon some aspects of genetic medicine; for example, we cannot indulge parents whose choices for their offspring would unbalance the ratio of males to females.

The advent of eugenics will teach us not to take a parsimonious attitude toward our stirps, but instead dedicate them to the common welfare of mankind. Our grandchildren will not be goosestepping legionaires, but true individuals, superbly endowed, god-like in their powers, continually creating a society whose excellence, wholeness, justice and beauty are incomprehensible to us, the last of homo sapiens.

DON BRONKEMA.

Washington.

Like you, I viewed with some concern the recent testimony by the noted biochemist, Dr. James D. Watson, concerning the imminence of "test tube" babies. I fully agree with the thoughts expressed in your recent editorial. This new development raises the most profound questions of law and ethics in our society.

Three years ago, stimulated principally by the new breakthrough in heart transplants, I introduced legislation to provide for a national commission to study the legal, ethical and social issues posed by biochemical advance. Although the proposal was supported by the Johnson Administration, there was sufficient opposition from the medical profession to any outside "interference" with its activities that the measure died in the 90th Congress.

I introduced similar legislation in the 91st Congress, S.J. Res. 48. Despite a written promise by the Department of Health, Education, and Welfare for a prompt report in 1969, the 91st Congress adjourned without benefit of any views from the Nixon Administration on this proposal. I intend to introduce this legislation again this year. Surely, the time has come for a thoughtful and deliberate review of the implications of these challenging medical advances. The alternative, I fear, is hasty and ill-considered legislation to deal with the problems which will, nevertheless, be thrust upon us if we do not seize the opportunity to prepare ourselves.

WALTER MONDALE,
United States Senator.

Washington.

[From the Washington Post, Feb. 25, 1971]

NIXON AIDE HITS LIMITS ON SCIENCE

"We must not place limitations on biological experiments," including those that could produce test-tube babies, Dr. Edward E. David, Jr., President Nixon's science adviser, said yesterday.

He disagreed with Dr. James E. Watson, the Harvard Nobelist, who told a House committee last month the U.S. should help form an international commission to ponder test-tube birth—and perhaps "take steps quickly" to make it illegal.

Dr. David argued, too, for experimentation on the SST—building flying prototypes to see what they really do, without committing the country yet to an SST fleet.

"A limitation on experimentation in whatever cause is the beginning of a wider suppression," he told a seminar at the National Academy of Sciences sponsored by the Council for the Advancement of Science Writing.

"Already we see timidity in new undertakings. If these trends progress our society will become dull, stodgy and altogether stagnant."

[From the Washington Post, Mar. 21, 1971]

LAB GROWTH OF HUMAN EMBRYO RAISES DOUBT OF "NORMALITY"

(By Victor Cohn)

A New York obstetrician has reported growing a human embryo in the laboratory to the point, at five days of life, that it is ready for the womb. This is an essential step in creating test-tube life—life started by mating a female egg cell and male sperm in a lab dish—and nurturing it.

The report by Dr. Landrum B. Shettles of Columbia University is the first in the United States. In England, Dr. Robert G. Edwards and surgeon Patrick Steptoe still apparently lead the world in such techniques. Many others are trying.

Dr. Martin Clyman of Mount Sinai Hospital in New York said recently that he has unsuccessfully tried to implant laboratory-fertilized ova or egg cells in four women in the past two years, most recently eight months ago.

Shettles, Edwards and Steptoe likewise want to implant a laboratory embryo in a womb—to try to give a baby to a woman who can produce normal ova but is infertile because her Fallopian tubes are blocked or absent.

Two Buffalo geneticists have favorably answered an all-important question: Can any mammalian mother who produces a baby after such implantation have normal offspring?

Drs. Anil Mukherjee and Maimon Cohen of the State University of New York and Buffalo Children's Hospital implanted test-tube embryos into mice. These mice then had normal-looking litters, which later had their own normal litters.

In all measurable ways, including gene studies, reported Mukherjee, "We now have three normal generations." Many other workers have their doubts, however.

"It is my feeling," said Dr. Luigi Mastroianni of the University of Pennsylvania, "that we must be very sure we are able to produce normal young by this method in monkeys"—close in physiology to human beings—"before we have the temerity to move ahead in the human."

What New York's Dr. Shettles has reported—in a recent article in Nature based on his work at Columbia-Presbyterian Hospital—is growing an embryo to the five-day-old blastocyst stage.

The British team last December disclosed raising several embryos to this point. Though it is only a dot barely visible to the unaided eye, the embryo then has undergone enough cell divisions to become a mass of more than 100 cells.

It has completed the growth that usually takes place in the oviducts or Fallopian tubes, where sperm and egg cells normally meet. Only at this stage is the embryo mature enough to embed itself in the womb and establish its first direct link with a mother.

There is this difference between the Edwards-Steptoe and Shettles methods. Edwards and Steptoe raise their embryos in a chemical mixture supplemented with human or fatal-calf blood serum. Shettles uses fluid from the human cervical canal, the passage into the womb, "to stimulate the natural environment."

But Shettles, who has worked for nearly 20 years in reproductive biology, and the British are equally optimistic. Though he did not transfer his embryo to a mother (but did try it in 1963), Shettles sees "no discernible contraindication for a successful transfer and continued development."

Steptoe predicts that "we will be able" to solve "certain problems" and one early day give "a particular couple" a baby.

It is here that many American workers differ—some on the ease of a speedy solution; some on the wisdom of moving with speed.

Many scientists are unconvinced that any of the lab fertilizations of human ova so far have been true ones. They feel they may be either cell proliferations without fertilization, or abnormal fertilizations that will not produce an embryo capable of clinging and maintaining itself in a womb.

"Recent claims are encouraging," said Dr. Horace Seitz at the University of Pennsylvania, "but whether or not the cell division is due to fertilization or some abnormal situation has yet to be documented."

"So far as I am concerned," said Dr. Joseph Kennedy at Johns Hopkins, "no one, including myself, has demonstrated that a normal human embryo has been produced."

A key word is "normal." Clyman fears what may happen to make a fertilized cell abnormal during the five or six days outside the womb needed for development to blastocyst stage. "The longer it is outside the womb," he said, "the more chance of cellular damage—from heat, light, maintenance of a proper nutrient medium."

He wants to implant the ova at the four- or eight-cell stage, but the timing has to be very precise, at the 18th or 19th day of the woman's cycle. That's very difficult to hit—unless you stimulate the womb artificially with a hormone, which he eventually hopes to do.

Will "eventually" be within 10 years? "I think so." Inside five? "It depends on how many people work at it and how hard."

The British reports have been far more optimistic, though Steptoe—in Washington in December—refused to give any timetable and said: "I think that before we replace an embryo, we must learn a great deal more."

Mastroianni—head of obstetrics and gynecology at Pennsylvania—thinks one "must" is observing the whole process first in nonhuman primates. So far no one has successfully fertilized ova, though success goes and implanted monkey back years in rabbits and is more recent in mice.

"In our laboratory," Mastroianni explained, "our position is, 'Let's explore the thing thoroughly in monkeys and establish the risk.' Then we can describe that risk to a patient and obtain truly informed consent before going ahead.

"We must be very careful to use patients well and not be presumptuous with human lives. We must not be just biologic technicians."

A like attitude, or even a more conservative one, made Nobelist Dr. J. D. Watson tell a House science subcommittee that nations ought to look hard at the advisability of such experimentation and even consider whether some steps should be legal.

[From Alameda Times Star, Mar. 30, 1971]

MILLER RELEASES SCIENCE FINDINGS

Representative George P. Miller (D-Calif.), chairman of the House Committee on Science and Astronautics has released the complete proceedings of the Twelfth Meeting of the Committee with its Panel on Science and Technology. The meeting was devoted to "International Science Policy". Participants included some of the world's great scientists not only from the United States but from seven foreign countries.

Much attention has been focused on the results of this year's meeting. The keynote speaker, Secretary of State William P. Rogers, presented before Miller's Committee the first comprehensive review of international science policy since the beginning of the space age. His comments before the Panel reflected United States policy for closer scientific cooperation and increased exchange of scientific knowledge with all nations.

The proceedings contain Nobel Laureate James Watson's warning of potential danger in genetic engineering: The ramifications of "test tube babies" were carefully analyzed during discussions at this year's Panel Meeting. As a result they have become a public policy issue.

Chairman Miller stated that, "This year's Panel Meeting has been the most successful that I can recall. I have conceived of this Panel since its inception more than a decade ago as a valuable adjunct to the traditional sources of information available to the Congress. Forthright discussion of important issues related to scientific discovery and public policy provides a unique manner of informing Members of this Committee and the entire Congress.

"I feel that the Proceedings on International Science Policy will serve as a valuable source book for scholars and decision makers during the coming decade. The increasing importance which science and technology plays in our world today means that efforts to coordinate and control their effects must occur at the international level. Governmental and private groups working together can and must develop framework of international science policy which will permit the solution of the environmental and technological problems facing mankind.

"For the first time this year I have asked the Panel on Science and Technology to submit a report to the Committee regarding the results and conclusions of their deliberations. I view that as a valuable step forward in my continuing attempts to incorporate the services of this outstanding group of scientists and engineers into the Congressional decision-making process."

WELCOME TO MAPLEWOOD, N.J.

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. MINISH. Mr. Speaker, I am pleased to insert into the CONGRESSIONAL RECORD an article which appeared in the March 1971 issue of Response. Response is published periodically by the Office of Civil Defense as a forum for the exchange of information and ideas about peacetime emergencies.

The article that will follow shortly was prepared by Director A. Dombey Wadsworth of civil defense and disaster control in Maplewood. I believe that the Maplewood civil defense effort under Director Wadsworth sets a most impressive example, and I am therefore reproducing his article for the benefit of my colleagues.

WELCOME TO MAPLEWOOD

MAPLEWOOD, NEW JERSEY—If you're planning to move up to this northeastern New Jersey community and you want to find out something about local Civil Defense, relax. Don't call them. They'll call you.

Every new family is contacted by A. Dombey Wadsworth, Director of Civil Defense and Disaster Control for Maplewood, and is provided with information on the Civil Defense program, an invitation to participate in one of the local emergency services, and a request for information on any invalid in the family who would need special attention in an emergency.

And Mr. Wadsworth doesn't stop there. At a minimum of once a year, every one of the 7,200 families in Maplewood receives some item of Civil Defense information delivered to the family home.

A recent action? A gimmick that will disappear once the initial enthusiasm wanes? Not on your life. Mr. Wadsworth is no "fair weather soldier." He's been carrying out this people-to-people project in Maplewood for the last 13 years.

He started the project in 1957 when it became apparent that more information was needed on the families in Maplewood, especially those families with a bedridden person or one who uses a wheelchair. Serious injuries and deaths had resulted when local fire and rescue departments were unaware of invalid persons, Mr. Wadsworth said. A survey was conducted to gather this type of information, and now names and addresses of invalids in Maplewood are maintained on a current basis by the Maplewood Fire Department and Rescue Squad and are checked on every emergency call.

COST OF INFLATION

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, for several months the Nixon administration has tried to convince the American people that its economic policies have been successful and that inflation has effectively been curbed. But, in reality, during the last few months we have experienced continued inflation and substantial unemployment. While the President may have succeeded in convincing himself of the success of his economic plan, he has not been able to convince the American public.

For example, in February I mailed a questionnaire to the residents of my district requesting that they list the three most important issues facing this country. An overwhelming majority of them believed that inflation is by far the most serious problem.

I received one letter from an auto worker in my district which provides an especially revealing example of how deeply the Nixon administration's "game" plan has affected the average American citizen. I would like to insert this letter into the RECORD for it points out very clearly the difficulties that the average citizen has in maintaining his standard of living in this inflationary economy.

MARCH 3, 1971.

Congressman WILLIAM D. FORD:

Just a break down of an Auto Worker's pay for a family of 5 with three school children. For 40 hours work, $145.00 take home pay weekly, without overtime, after taxes and social security.

For $11,500.00 house payment	$127
Groceries ($95 five years ago)	160
Cheap car payment	80
Gas/expenses for car	40
Electricity	17
Gas	18
Phone	8
Water	9
Car insurance	30
Children's lunch money	20
School Supplies	4
Total	$513
Total take home pay	$580
Expenses	—513
Left over for clothing, doctor, dental care, entertainment and vacation if we are careful every month	$67

GEORGIA EDUCATIONAL TV NETWORK

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. STUCKEY. Mr. Speaker, I would like to take a couple of moments to commend the Corporation for Public Broadcasting and the Georgia Educational Television Network for their outstanding contribution to the government and people of the State of Georgia during the past year.

We have witnessed in recent years a breakdown in respect for the democratic processes of government. And, everyday there are new charges that government is becoming less and less responsive to the wishes of the people.

There has been a definite communication gap between the people and their elected representatives in the government at all levels. This breakdown in communication has not necessarily been the fault of either the people or the representatives. As Members of Congress, we all realize the difficulty of keeping in touch with the vast numbers of constituents we are here to serve. And, by the same token, how many Americans have the time to spend observing their State and Federal legislatures?

One cause, of course, which is pointed out so often, is the news coverage of the Nation's mass media. But, radio and television producers and newspaper publishers say that it is not entirely fair to place the blame on their shoulders. They claim, and I believe justifiably so, that they lack the space and have insufficient air-time to give in-depth coverage of legislative proceedings.

Recognizing, however, that public broadcasting can afford to give more complete coverage of the government process, the Corporation for Public Broadcasting gave a grant to the Georgia Educational Television Network this past year to enable that network to provide extensive coverage of the Georgia Assembly.

The results have been nothing short of amazing. Members of the Georgia Assembly, like the Members of this Congress, were long reluctant to let television cameras into the legislative chambers. However, to a man they have been convinced of the wisdom of their decision to allow coverage of their committee hearings and floor debates.

Demonstrating their appreciation, the assembly unanimously passed joint resolutions March 10 commending the Corporation for Public Broadcasting for providing the funds and the Georgia ETV Network for providing its extensive coverage of the 1971 general assembly.

As the assembly resolution stated, such coverage of the operation of the legislative process both contributes to responsiveness of the Government to the people, and strengthens the people's faith in that Government.

For the benefit of my colleagues, I am including at this point in the RECORD an article from the Atlanta Journal and Constitution Magazine, "State-Owned TV Covers the Legislature," and several editorials from Georgia newspapers commending the legislature coverage. Also included are the two joint resolutions passed by the assembly.

A RESOLUTION

Commending the Corporation for Public Broadcasting; and for other purposes.

Whereas, the Corporation for Public Broadcasting recognizes the need to inform the public on a regular basis of the work of this legislative body; and

Whereas, the Corporation for Public Broadcasting provided the funds to make possible the Georgia Educational Television Network's extensive coverage of the 1971 General Assembly; and

Whereas, the Corporation for Public Broadcasting recognizes that providing conscientious coverage of the operation of the legislative process contributes to responsiveness of the government to the people; and

Whereas, the General Assembly looks forward to having again the opportunity to participate in this service to the people of Georgia. Now, therefore, be it

Resolved, by the General Assembly of Georgia That the members of this body do hereby commend the Corporation for Public Broadcasting for its participation in the efforts of the Georgia Educational Television Network to provide continuing coverage of the 1971 Georgia General Assembly as a service to the people of Georgia. Be it further

Resolved, That the Clerk of the House of Representatives is hereby authorized and directed to transmit an appropriate copy of this Resolution to the Corporation for Public Broadcasting.

A RESOLUTION

Expressing appreciation to the Georgia Educational Television Network; and for other purposes.

Whereas, The Georgia Educational Television Network, a service of the Department of Education, renders an outstanding service to the people of Georgia by its excellent, continuing coverage of the 1971 Session of the Georgia General Assembly through its program called "The Lawmakers"; and

Whereas, "The Lawmakers" provides an opportunity for all Georgians to witness the actual proceedings of the General Assembly and to become better informed of the complex operations of the legislative process; and

Whereas, "The Lawmakers" also provides in-depth analyses by legislators of the week's activities in a weekly "wrap-up" show; and

Whereas, this program brings a one-hour show on the legislature six nights a week, which provides far more information of public interest than is provided in the few minutes allotted to legislative matters on most news programs; and

Whereas, the Georgia Educational Television Network also produced six instructional programs on the legislative process for high school students in an effort to educate the voters of the future; and

Whereas, the Georgia Educational Television Network obtained funds from the Corporation of Public Broadcasting so that it could provide its services at no cost to the taxpayers of Georgia; and

Whereas, over 5,000 man-hours have been utilized in this extensive legislative coverage; and

Whereas, the engineers of the Georgia Educational Television Network have devised numerous technological innovations to provide the best coverage possible under existing conditions; and

Whereas, the Georgia Educational Television Network has begun the first extensive legislative news coverage of its kind in the United States; and

Whereas, these efforts of the Network have been widely accepted and acclaimed by the people of Georgia. Now, therefore, be it

Resolved, by the General Assembly That the members of this Body do hereby express their appreciation to the Georgia Educational Television Network, a service of the Department of Education, for its continuing coverage of the 1971 Georgia General Assembly. Be it further

Resolved That the Clerk of the House of Representatives is hereby authorized and instructed to transmit appropriate copies of this Resolution to Bill Johnston, Producer-Director; John Haney, Executive Producer; Jim Whipkey, Reporter; Richard Ottinger, Director, Georgia Educational Television Network; and Honorable Jack Nix, State School Superintendent.

[From the Atlanta Journal and Constitution Magazine, Feb. 14, 1971]

STATE-OWNED TV COVERS THE LEGISLATURE

(By Margaret Shannon)

It was opening day of the 1971 session of the Georgia General Assembly. Outside the capitol, to one side of the front steps, stood a big green and white bus. It bore no identification, but a tiny metal label showed that it came from the same place most school buses in this state come from.

This was no conventional school bus, however, even though it does belong to the State Department of Education. It was the Georgia Educational Television Network's mobile unit, there to cover the legislature.

This is something new. For the first time in any state, state-owned television, manned by state employes and advised by state officeholders, is presenting to the public its version of what goes on in the legislature.

There is a purpose. It is stated as follows in the State Board of Education's application to the Corporation for Public Broadcasting for a grant of $32,500:

"The purpose of this series of programs is to provide an in-depth coverage of the state legislature during the 1971 general session. It would provide citizens a different and more intensive view of legislative activities than is normally reported in the newspapers, and would attempt to change the image of the legislature in the eyes of the citizens from 'a bunch of politicians having fun in Atlanta and spending money' to that of a group of hardworking lawmakers coping with the problems and policies of operating state government."

So, in the green and white bus, some of the image-changers were at work. In a small, dark room occupying the front part of the bus, four television screens glowed with views of the House of Representatives. An intent young man in a brightly striped shirt, with tie loosened, sat there watching the screens, flipping switches, giving instructions to three cameramen in the House chamber. One camera is on the House floor; two are in the gallery.

"Three," Johnston says via his hookup with the cameramen, "give me some senators. No, farther back. Now come in closer. That's good. Hold it."

The image on camera three's monitor screen has been changing as the operator followed instructions, swinging around, zooming in. Naturally he didn't find any senators. Members of the House bear the title of representative. Members of the Senate are senators.

Never mind. Bill Johnston, producer-director of the educational television (ETV) series called "The Lawmakers: 1971," might be getting their titles mixed up, but he was very sharp on the switches. He got the camera where the action was.

Johnston is one of the key men in the project. Others include John R. Haney, director of programming for the state-owned ETV network; State Representative Larry Thomason of DeKalb County, a 29-year-old

lawyer in his third year as a legislator, and House Speaker George L. Smith II, architect of the House's new independence.

The idea for "The Lawmakers" was planted at a meeting in the speaker's office one day not long after last year's regular session ended. ETV had done a program on the legislative intern project, which Thomason had headed, and Smith, Thomason and Haney were talking about it.

The speaker, a Swainsboro lawyer who has been in the House since 1945, remarked that he wished something could be done to change the public's image of the House. Obviously the news media weren't seeing the legislature as Smith saw it.

Not long afterward Haney came up with a plan for ETV to provide full coverage of the General Assembly. There was a good possibility that a grant for such a program could be obtained from the Corporation for Public Broadcasting, a quasi-government agency three-fourths funded by federal tax money.

Haney went to Thomason with his plan and Thomason went to Speaker Smith. Since the ETV network is part of the State Education Department, Haney also went to Jack Nix, state superintendent of schools, and Nix, too, went to see Smith.

Smith gave the go-ahead. Nix and Richard E. Ottinger, executive director of the ETV network, signed the application for a grant on April 20.

The state government is the biggest owner and operator of television stations in Georgia. No privately owned chain can match the ETV network. The State Education Department's eight TV stations and the University of Georgia's one station supply statewide coverage. The department's television facilities are valued at $8,165,000 and ETV has a budget of $3,064,000 this fiscal year.

Two of the education department stations—at Pembroke-Savannah and at Waycross—and the university's station at Athens-Atlanta are regular VHF channels. The others—at Chatsworth, Wrens-Augusta, Cochran-Macon, Pelham, Dawson and Warm Springs-Columbus—are UFH.

The ETV people who set out to provide "an in-depth coverage" of the General Assembly hadn't ever covered the legislature before and didn't know much about it. Their experience with the legislature in past years had been mainly in connection with ETV's providing the pool feed for the governor's annual State of the State address. That means that ETV supplied the camera work and engineering to relay the telecast to commercial as well as educational stations throughout the state.

As ETV staffers started preparations last fall for the legislative series, Representative Thomason, then completing his freshman term as a member of the House, became their mentor. The television milieu exhilarates him. "I always thought law was the most fun I'd ever had, and then politics, but I've never enjoyed anything more than this," he said.

Bill Johnston, producer-director of "The Lawmakers," and some of the other ETV staffers attended the seminar for new legislators held at the University of Georgia. It's a three-day course in how not to get lost in the legislative labyrinth.

Somewhere along the way it occurred to Thomason, Haney and others that "The Lawmakers" might just be criticized as a propaganda vehicle for the General Assembly. After all, ETV is a creature of the legislature, depending on it (and the federal government) for most of its funds. Would it bite the hand that fed it?

"Our whole approach is to cover the legislature in as much detail as possible," John Haney said. "We're trying not to take a two-minute item out of context and put it on the air.

"Commercial television does an excellent job and is very adept, but it can at best devote only a very short amount of time to coverage of the legislature. I don't think that a three-minute film clip of the activities of the legislature really tells the whole story.

"We're not down there to do hard news in that sense," Haney said. "In the process of covering the full extent of each day, we hope that not only will the people see that their representatives are doing a lot of hard work and representing them, but also that they'll learn a little bit about the processes of government."

Haney scheduled the program for 10 p.m. showing so that it could run longer than an hour if the day's activities warranted that much coverage. The maximum length was flexible, but an hour and a half was considered about as much as viewers could be expected to bear.

"The first week when we went over an hour, I found I flipped back to the commercial channels to catch the 11 o'clock news," Haney said. "We have to assume that a lot of viewers are going to do this."

On the opening day of the session, Bill Johnston and his crew wound up with four hours of videotape—and there wasn't even much doing that day. It was a foretaste of the editing problems ahead when House and Senate and their committees would consume videotape like mad.

Editing—that is, the selection of what is to be shown and what is to be discharded—is a matter of judgment. John Haney said the hard decisions about what to leave out probably would be his and Representative Thomason's as the daily legislative sessions got longer.

"I think he'll be able to determine what can be taken out without losing context a little better than I would be," Haney said, "and he's willing to come out to the studios in the evening and look at the whole thing and say, 'This I think you can take out.'"

All concerned regard the grant from the Corporation for Public Broadcasting as a cushion against criticism that state-owned television is being used, as the grant application says, to "attempt to change the image of the legislature" from a bunch of playboy politicians to a group of hardworking lawmakers.

House Speaker Smith assigned Thomason as a one-man liaison committee to work with the ETV people. Thomason expresses confidence in his own and others' ability to maintain objectivity in what is essentially an official effort to remold the public's view of the General Assembly.

Thomason said he wouldn't have any part in turning "The Lawmakers" into a propaganda vehicle. He said that if the occasion arose, he'd resist any legislator who might try to make such use of the program. "In fact," he said, "I'm not even obligated to the speaker."

The DeKalb legislator said he'd ruled himself out of appearing on the Friday night wrap-up program, which features interviews with legislators. Thomason gets a nightly credit line as the General Assembly's liaison representative.

Thomason says he wouldn't have favored doing the show with state funds. He thinks further grants can be obtained to finance "The Lawmakeres" after this session. If no money is forthcoming from the outside, he says he'd oppose state funding.

John Haney isn't sure outside money will be available after this year, although he naturally hopes it will. The Corporation for Public Broadcasting is almost as dependent on politicians for its funds as the Georgia ETV Network is, so its resources are subject to fluctuation. Grants could be sought elsewhere, of course.

But Haney isn't against state funding. "I would hope personally that if the program is successful, I would see any reason why the State Department of Education wouldn't want to continue it," Haney said. "I would propose it. The decision would be made on up the ladder someplace.

"I would hope we're creating a demand that would have to be met. I think it's something that rightfully could be done by state money and by the Department of Education. If they feel that way, then I don't think there'll be any problem funding it on the state level."

But that's a question for the future. The more immediate question is the day-to-day coverage. One thing that John Haney and Bill Johnston didn't claim was prior expertise in the workings of the legislature, and they're the two ETV staffers chiefly responsible for the program.

Johnston, for instance, was asked what he'd do if several committees were meeting at once—a situation not uncommon when the House and Senate really get down to business. He has only one portable unit available, so that means only one committee meeting at a time can be covered.

"These determinations will be made by the speaker as to what he feels will be the most important to the people that day and we will cover that," Johnston said.

"In the same way, this is how we handle the interview situation. We ask the speaker who he feels should be there to handle a particular bill. It's not up to us to decide who's going to be on the program. It's up to the speaker or Larry Thomason."

ETV hired one extra person for the program, Jim Whipkey, a WSB–TV newsman. Whipkey, who is covering the legislature for his station, has taken on the side job of narrator-moderator for "The Lawmakers" on a paid basis with his employer's approval.

"I wouldn't have believed we could come up with anyone of Jim Whipkey's caliber," Representative Thomason said. "He knows the legislature, and he's will-liked by the members. He knows the state, too."

The ETV network didn't have enough equipment to cover both the House and the Senate, so it bought a portable unit with two cameras for $13,800 to use in the Senate. When not in use at the legislature, it will be available for other educational television projects.

Except for Whipkey and the portable unit, ETV is using people already on the payroll and equipment already on hand. It is "renting" both personnel and equipment to "The Lawmakers." The ETV network has two production crews. One of them was pulled away from other duties to handle the legislative program.

"We started our logistics planning in November," Haney said. "Pulling one full crew out of our studios for as long as the legislative session lasted involved readjustments for a great deal of the other programs we're producing, primarily instructional programs that we had to maneuver around so they could continue to be produced at the studios."

The capitol crew headed by producer-director Bill Johnston includes five engineers and five cameramen. At the studio where the tapes are edited, Johnston has the help of another staffer. Programming director John Haney is spending a lot of his time on the project. Two legislative interns are assigned to help the ETV people.

In the first week of the 1971 session, ETV fed three events live to commercial stations—Jimmy Carter's inauguration as governor and his State of the State and budget addresses to the General Assembly.

ETV has no mobile color equipment. Last year when it provided the pool feed for Gov. Lester Maddox's State of the State address, there was some complaint to commercial TV stations that Maddox was being discriminated against because the program was in black and white instead of color.

This year ETV worked out an agreement with WSB–TV to lease its mobile color unit for $1,800 for the three events the first week

of the new administration. The State Democratic party as usual paid the line charges for transmission of the telecasts to commercial stations that wanted them on this basis.

Producer-director Johnston has a degree in radio and television from Northwestern University. He was a TV producer at Fort Gordon while in the Army, stayed on there another year as a civilian and went to work for the ETV network three years ago.

He and his crew arrive at the capitol a couple of hours or longer before the legislators arrive. The TV men hook up their equipment and are ready to grind away when the action begins. In late afternoon Johnston gathers up the tapes and heads for the $2 million ETV center on Stewart Avenue in southwest Atlanta to edit them for that night's show.

The most important decisions are, first, what to cover and, second, what to air. "This is the hard part, because we could get into politics, if we're not careful, just in the nature of what we select;" Johnston said. "So it's kind of a group effort as to what goes on the program—Larry Thomason, John Haney and myself. I'm sure there are times when somebody doesn't get on who feels he should get on, but we really think that overall an objective picture of the legislature will emerge."

The Georgia network is the largest state-owned interconnected educational television system in the United States. It produces and broadcasts instructional programs which go out from 8:30 a.m. to 3 p.m. on school days. Last school year 503,829 individual students were reached by at least one instructional series.

Programs for teachers are aired from 3 to 4:30 p.m. The evening hours are given over to public broadcasting—programs of more or less general interest. This is where "The Lawmakers" comes in.

An offshoot of "The Lawmakers" will be development of an instructional series of six programs, which will be used in high schools. House Speaker Smith and the state school superintendent, Jack Nix, came up with this idea.

The estimated cost of "The Lawmakers," according to the budget proposal submitted to the Corporation for Public Broadcasting, was $39,759, some $7,250 more than the grant sought. The largest single item in the budget proposal was $8,000 for publicity and advertising.

Legislator Thomason was just sure that "The Lawmakers" would help the Georgia General Assembly. If nothing else, just having those TV cameras around would make them more careful of their image.

[From The Atlanta Constitution, Jan. 18, 1971]

AIRING POLITICS

The era of the smoke-filled room fades into the past. In our age of electronic communication, politicians conduct their campaigns under the steady stare of the TV cameras. Now in Georgia they will be on the air even as they hammer out the legislation that affects us all.

In a remarkable first, Georgia's State Department of Education's educational television network will present every weeknight the highlights of that day's work in the general assembly. The cameras will enter committee hearings, caucuses, lobbies, legislative councils (costs underwritten by the Corporation for Public Broadcasting).

Good idea. If the strength of democracy depends on citizen interest and knowledge and involvement, these programs can only do good. Perhaps the day is near when millions of Americans will participate in a nationwide equivalent of the democratic old New England town meetings.

[From Wayne County Press]

VIEW OF THE LEGISLATURE

Perhaps 75 percent of Georgia's voters have never been to Atlanta to see the Georgia Legislature in action. They need not feel far removed from the law-making halls of the state now, because of a grant from the Corporation for Public Broadcasting and funds from the State Board of Education.

The reason for this new insight into state legislative circles is a television program seen each night at 10 p.m. on the educational television channel. "The Lawmakers: 1971" is a one-hour wrap-up of the day's events in the House of Representatives and in the Georgia Senate.

It lets the average voter see what's going on.

Those viewing the program for the first time, and never having seen the Legislature in action, may be shocked and appalled at the manner of the two deliberative bodies.

The rules seem more bizarre than the British game of cricket. The methods seem high-handed, off-handed, and slick-handed. It reminds us of the hawker at sporting events, who says: "You can't tell the players without a program." We Georgians who are in the dark on the legislative process certainly need a program to watch these goings-on.

However, there's the quiet commentary from Newsman Jim Whipkey, who gives the gist of what's going on. He tries to make sense out of what sometimes seems a real circus.

We commend the State Department of Education for providing this touch of realism for the average person to the Legislature. We are concerned because no commercial television station has realized the importance (and probably interest by the people) in this area of televiewing. Again it shows that if private industry will not pick up the ball, the government will step in.

For an interesting hour of viewing, turn to the Educational Channel at 10 p.m. these days. It'll open your eyes.—EEB

[From the Macon (Ga.) News, Dec. 8, 1970]

EYE ON THE ASSEMBLY

One of the complaints frequently heard as America has grown larger and more impersonal is that government has become too remote and mysterious, too far removed from the people it is sworn to serve.

The 1971 Georgia General Assembly, recognizing the validity of such criticism and seeking ways to correct the situation, has joined forces with the state's educational television network for a first-of-its-kind series of live telecasts of legislative proceedings.

The ETV network will cover important floor debates, committee and public hearings and broadcast approximately one hour each night over some 18 stations. There will also be a one-hour legislative roundup each week.

In case you're wondering what this is going to cost the state's taxpayers, the answer is nothing. The broadcasts have been made possible through a $32,500 grant from the Public Broadcast Corporation.

The idea of telecasting legislative proceedings is such a good one it's a wonder it wasn't done long before this. What better way to explain to school children, college students and private citizens the workings of the government in which each of us has so vital an interest?

In the words of Rep. Larry Thomason of DeKalb County, one of those who worked closely with the ETV network in formulating plans for the program: "The people of Georgia will have an opportunity to judge for themselves the successes and pitfalls of government in this state. It should lead to a better understanding between the citizens of Georgia and their government and, hopefully, it will bridge the 'confidence gap.' There will be no staged interviews and it will be objective."

The ETV telecasts will give Georgians an unparalleled chance to gain first-hand knowledge about how their state government operates. The progress of Georgia's pilot program also will be closely observed by those who may wish to establish similar ones elsewhere. For the sake of a better informed electorate, we hope the telecasts of General Assembly sessions are enormously successful.

[The Daily Citizen-News, Dalton, Ga., Jan. 14, 1971]

EDUCATIONAL TELEVISION AIRS GENERAL ASSEMBLY

Actual proceedings of the 1971 Georgia General Assembly will be shown on the state's educational television network this year in a first-of-its-kind-in-the-nation program.

State Rep. Larry Thomason of DeKalb County, who has done much of the legislative work in preparation for the unique effort, explained that it is a joint product of an interim legislative committee working with the Georgia ETV Network.

"This is the only state in the nation that has any such program as this," Thomason said. "Several states have public TV and Georgia has the largest publicly owned TV network in the United States.

"This is the first use of TV to show the process of government to both school children, the university system and citizens in their homes," he continued.

The ETV network will cover important floor debates, committee and public hearings and broadcast approximately one hour each night over some 18 stations.

Additionally, each Thursday at 7 p.m. there will be a legislative roundup which will have as frequent participants the speaker of the House, the lieutenant governor, authors of major legislation, committee chairmen and the majority and minority leaders of both houses.

After the session a film or films will be put together and made available to all colleges and universities throughout the state.

"We've all agreed that our goal is going to be public education and public information about the actual legislative process and the actual personalities involved," Thomason said.

"The people of Georgia will have an opportunity to judge for themselves the successes and pitfalls of government in the state," he continued. "It will lead to a better understanding between the citizens of Georgia and their government and, hopefully, it will bridge the confidence gap. There will be no staged interviews and it will be objective."

Veteran TV news reporter Jim Whipkey, of WSB–TV in Atlanta, will introduce and explain each program, possibly conduct some interviews and make brief concluding statements after the live action is shown.

Thomason said the Public Broadcasting Corporation approved a grant request that will cover all expenses so that the program will cost the state nothing.

"The idea originated with John Haney of the ETV network and myself after we both supervised a program that was done on the House internship program last session," Thomason said.

"The speaker (of the House, George L. Smith of Swainsboro) made the comment that it would be wonderful if the actual proceedings could be shown to all the people of Georgia, so we got to work on it."

Thomason said the grant application was made for "a broad, incisive program to be shown throughout the state covering all the important proceedings of the General Assembly" and had no idea whether funds would be forthcoming.

"They thought it was unique and had confidence in us, and granted us exactly what we

asked for—$32,500—and it won't cost the people of Georgia a penny," he added.

Staffing for the unique setup will be headed by WSB–TV which feels the educational programs are compatible with their regular news coverage, Thomason said.

Thomason will be legislative coordinator for both houses of the Legislature and Bill Johnson of the ETV network will be the director.

The ETV network at present handles the governor's two primary addresses to the Legislature (his State of the State and budget talks) for the commercial networks, Thomason said.

[From Southside Neighbor, Atlanta, Ga., Jan. 7, 1971]

UNIQUE PROJECT

When the 1971 session of the General Assembly gets underway Monday Jan. 11, a unique project begins in Georgia. A project which we highly recommend to southside citizens.

Monday through Friday, at 10 p.m., the Georgia Educational Television Network will carry an in-depth look at the procedures and actions of the legislature. This will provide an exceptional opportunity for citizens to become better informed on the legislative process. Each Friday evening at 10, a summary of the week's important events will be televised and this program will be rebroadcast on Sunday at 10 p.m.

Since the framers of the program wish to keep the information to the public as timely as possible, they are not predicting exactly what will be carried on the series, however, they have offered a schedule of the first week's program.

Monday, Jan. 11 the convening of the 1971 General Assembly and the swearing in of its members will be aired, as well as an initial presentation of legislation.

On Tuesday, Jan. 12, a rebroadcast of the entire inaugural ceremonies for Gov. Jimmy Carter will be carried in color.

Wednesday, Jan. 13, there will be a rebroadcast, in its entirety, of the State of the State address by the governor.

Thursday, Jan. 14, there will be coverage of the house chambers as new legislation is proposed.

And Friday, Jan. 15, the week in review will include a welcome and explanation of the series' goals by Gov. Carter, excerpts from the inauguration, State of the State address and budget message. Also there will be an interview with Lt. Gov. Lester Maddox and House Speaker George L. Smith about possible activities of the 1971 General Assembly. Color. This show will, of course, be rebroadcast Sunday, Jan. 17.

Remember the time on all of these programs is 10 p.m.

Georgians will now have an opportunity to know what the people they have elected to public office are doing, how well they are carrying out the wishes of the people and how effectively and efficiently they are operating.

If we are not informed, we will have only ourselves to blame. We strongly urge our readers to take advantage of this exceptional opportunity.

VETERANS' TESTIMONY ON VIETNAM—NEED FOR INVESTIGATION

HON. MARK O. HATFIELD

OF OREGON

IN THE SENATE OF THE UNITED STATES

Monday, April 5, 1971

Mr. HATFIELD. Mr. President, the moral sensitivity of the Nation has been aroused by the conviction of Lt. William Calley. More clearly than before, this incident has focused the fundamental moral questions that our Nation must confront regarding our conduct in Indochina.

The Department of Defense said in its recent statement relating to the Calley conviction:

> The Department of the Army has had a moral and legal obligation to adopt a continuing policy of investigating fully all substantive allegations or violations of the laws of war involving American personnel.
>
> Every allegation of misconduct on the battlefield—regardless of the rank or position of the person purportedly responsible—must be thoroughly explored.

There has recently been brought to my attention testimony relating to the policy and conduct of American forces in Indochina which has grave and very serious implications.

The testimony is given by honorably discharged veterans who had served in Vietnam, and was conducted by Vietnam Veterans Against the War. Three days of testimony were conducted in Detroit, Mich, on January 31, February 1, and 2 of this year. This group, which represents 11,000 veterans, plans to send several thousand to Washington the week of April 19 to petition Congress for full congressional hearings.

I, of course, have no way of ascertaining the veracity of all the testimony given, and I am not in agreement with certain of the statements and judgments made by those who testified.

However, I believe that the allegations made by these Americans, who served their country in Vietnam, are so serious and so grave that they demand the full study by the appropriate committees of Congress as well as by the executive branch.

The testimony and allegations raised by the experience of these veterans includes charges regarding: the torture and murder of suspects and prisoners of war captured by Americans and South Vietnamese forces; the wanton killing of innocent, unarmed civilians; the brutalization and rape of Vietnamese women in the villages; military policies which enabled indiscriminate bombing and the random firing of artillery into villages which resulted in the burning to death of women, children and old people; the widespread defoliation of lands of forests; the use of various types of gases; the mutilation of enemy bodies, and others.

A recurrent theme running throughout the testimony is that of institutionalized racist attitudes of the military in their training of the men who are sent to Vietnam—training which has indoctrinated them to think of all Vietnamese as "gooks" and subhuman.

Further, the thrust of the allegations made in the 3-day testimony is that such actions were the consequence of reasonable and known policy adopted by our military commanders and that the knowledge of incidents resulting from these policies was widely shared.

Several of the allegations made in this testimony would place the United States in violation of the Geneva Conventions and other international agreements relating to the conduct of war which have been ratified by our Government.

Therefore, the necessity for investigating fully these alleged actions, and all evidence that bears on our actions in Indochina and the international agreements we have ratified cannot be overstated.

Therefore, first I ask unanimous consent that the testimony presented by over 100 honorably discharged veterans in Detroit be placed in the CONGRESSIONAL RECORD.

I realize that the testimony is very lengthy, but its full force and content must be made available so that it can be read and judged on its own merits.

Second, I will transmit this testimony to the Department of Defense and the Department of State and urge, in accord with its stated policy, that the evidence and allegations it contains be fully investigated.

Third, I urge the appropriate committees of the Congress to conduct hearings on the policies governing the use of military force in Indochina and their relation to international agreements our country has ratified.

Fourth, I recommend consideration be given to forming a special commission that would investigate in full these matters and would provide a forum to assess the moral consequences of our involvement in Indochina to us as a Nation and a people.

We as a Nation must find the proper way to honestly confront the moral consequences of our actions, and to corporately turn ourselves from the thinking and the policy that has degraded our moral posture and to recognize that out of contrition and self-examination can come a genuine rebirth of the ideas we hold as a people.

The testimony that follows and the steps I have advocated are presented with this hope.

I ask unanimous consent to have the testimony printed in the Extensions of Remarks.

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

WINTER SOLDIER INVESTIGATION TESTIMONY

(Testimony given in Detroit, Michigan on January 31, 1971, February 1 and 2, 1971—Sponsored by Vietnam Veterans Against the War, Inc.)

1ST MARINE DIVISION

Opening statement

William Crandell, 26, 1st Lt., 199th Light Infantry Brigade Americal Division.

Moderators

Jonathan Birch, 24, Cpl. (E–4) "B" Co., 3rd Shore Party Bn., 4th Marine Regiment, 3rd Marine Division (May 1965 to June 1966)

Scott Shimabukuro, 21, L/Cpl. (E–3), "C" Btry., 1st Bn., 13th Marine Regiment, 3rd Marine Division (October 1967 to November 1968)

Veterans testifying

Robert S. Craig, 23, Pfc., (E–2) 2nd Bn., 5th Marine Regiment, 1st Marine Division (August 1966 to December 1967)

Ernie Sachs, 27, Captain, Medium Helicopter Squadron 362, Marine Air Group 36, 1st Marine Division (August 1966 to September 1967)

Scott Camile, 24, Sgt., (E–5) 1st Bn., 11th Marine Regiment, 1st Marine Division

Kenneth Campbell, 21, Cpl. (E–4) "A"

Btry., 1st Bn., 11th Marine Regiment, 1st Marine Div., scouted for "B" Co., 1st Bn., 1st Marine Regiment, 1st Marine Division (February 1968 to March 1969)

Christopher Simpson, 21, Cpl., (E–4), "E" Co., 2nd Bn., 5th Marine Regiment, 1st Marine Div. (1967–1968)

Paul Olimpieri, 23, Cpl. (E–4), "D" Co., 1st Bn., 5th Marine Regiment, 1st Marine Division (1967–1968).

Fred Nienke, 21, Sgt. (E–5), "D" Co., 1st Bn., 5th Mor. Reg., 1st Marine Division (July 1967 to February 1968); 1st Prov. Rifle Co., Mag 36, 1st Marine Air Wing, 1st Marine Div. (January 1969 to August 1969).

David Bishop, 21, L/Cpl.., "H" Co., 2nd Bn., 5th Marine Regiment, 1st Marine Division.

Joe Bangert, 22, Sgt. (E–5), VMO–6, PMAG–39, 1st Marine Air Wing, 1st Marine Division (October 1968 to October 1969).

Jack Bronaugh, 21, Pvt. (E–1), "E" Btry. 213, 2nd Bn., 27 Marine Reg.; H & S Bn., 7th Marine POW Compound; 1st Bn., 5th Marine Regiment; MAC–11, H & MS–11, 1st Marine Air Wing, 1st Marine Division (February 1968 to October 1969).

Michael Kenny, 20, 2nd Bn., 26th Marine Regiment, 1st Marine Division.

Kevin Delay, 20, Cpl., H & S Co., 3rd Bn., 1st Marine Regiment, 1st Marine Division, (October 1969 to March 1970).

Ted Eckert, 21, Sgt. (E–5), MAG–16; Support Group–17, 1st Marine Air Wing, 1st Marine Division (July 1969 to August 1970).

Opening statement of William Crandell

"Over the border they send us to kill and to fight for a cause they've long ago forgotten." These lines of Paul Simon's recall to Vietnam Veterans the causes for which we went to fight in Vietnam and the outrages we were part of because the men who sent us had long ago forgotten the meaning of the words.

We went to preserve the peace and our testimony will show that we have set all of Indochina aflame. We went to defend the Vietnamese people and our testimony will show that we are committing genocide against them. We went to fight for freedom and our testimony will show that we have turned Vietnam into a series of concentration camps.

We went to guarantee the right of self-determination to the people of South Vietnam and our testimony will show that we are forcing a corrupt and dictatorial government upon them. We went to work toward the brotherhood of man and our testimony will show that our strategy and tactics are permeated with racism. We went to protect America and our testimony will show why our country is being torn apart by what we are doing in Vietnam.

In the bleak winter of 1776 when the men who had enlisted in the summer were going home because the way was hard and their enlistments were over, Tom Paine wrote, "Those are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from the service of his country, but he that stands it now deserves the love and thanks of man and woman." Like the winter soldiers of 1776 who stayed after they had served their time, we veterans of Vietnam know that America is in grave danger. What threatens our country is not Redcoats or even Reds; it is our crimes that are destroying our national unity by separating those of our countrymen who deplore these acts from those of our countrymen who refuse to examine what is being done in America's name.

The Winter Soldier Investigation is not a mock trial. There will be no phony indictments; there will be no verdict against Uncle Sam. In these three days, over a hundred Vietnam Veterans will present straightforward testimony—direct testimony—about acts which are war crimes under international law. Acts which these men have seen and participated in. Acts which are the inexorable result of national policy. The vets will testify in panels arranged by the combat units in which they fought so that it will be easy to see the policy of each division and thus the larger policy. Each day there will be a special panel during the hours of testimony. Today, a panel on weaponry will explain the use and effects of some of the vicious and illegal weapons used in Vietnam. Tomorrow there will be a panel on prisoners of war composed of returned POWs, parents of a POW, American POW interrogators and Vets who served in our own military stockades. Every witness throughout the three days will be available for cross-examination by the press after their initial statements and questioning by their fellow-vets who are acting as moderators.

We had also planned to present a panel of Vietnamese victims of the war who would testify by closed circuit television from Windsor, Canada. Last Wednesday, after we had spent a great deal of time and money arranging to bring these people to Windsor so that they could tell the people of the United States and Canada what we are doing to their country, the Canadian government denied them visas. We need not speculate upon the motives and policies of the Canadian government as our primary concern is with the motives and policies of our own government.

In addition there are two evening panels. Tonight at 7:30 a panel which includes Sid Peck and John Spellman will discuss what we are doing to Vietnam. Tomorrow night at 7:30 two psychiatrists, a lawyer, and three vets will discuss what we are doing to ourselves.

It has often been remarked but seldom remembered that war itself is a crime. Yet a war crime is more and other than war. It is an atrocity beyond the usual barbaric bounds of war. It is legal definition growing out of custom and tradition supported by every civilized nation in the world including our own. It is an act beyond the pale of acceptable actions even in war. Deliberate killing or torturing of prisoners of war is a war crime. Deliberate destruction without military purpose of civilian communities is a war crime. The use of certain arms and armaments and of gas is a war crime. The forcible relocation of population for any purpose is a war crime. All of these crimes have been committed by the U.S. Government over the past ten years in Indochina. An estimated one million South Vietnamese civilians have been killed because of these war crimes. A good portion of the reported 700,000 National Liberation Front and North Vietnamese soldiers killed have died as a result of these war crimes and no one knows how many North Vietnamese civilians, Cambodian civilians, and Laotian civilians have died as a result of these war crimes.

But we intend to tell more. We intend to tell who it was that gave us those orders; that created that policy; that set that standard of war bordering on full and final genocide. We intend to demonstrate that My Lai was no unusual occurrence, other than, perhaps, the number of victims killed all in one place, all at one time, all by one platoon of us. We intend to show that the policies of Americal Division which inevitably resulted in My Lai were the policies of other Army and Marine Divisions as well. We intend to show that war crimes in Vietnam did not start in March, 1968, or in the village of Son My or with one Lt. William Calley. We intend to indict those really responsible for My Lai, for Vietnam, for attempted genocide. General Westmoreland said in 1966, "I'd like to say that let one fact be clear. As far as the U.S. Military Assistance Command in Vietnam is concerned, one mishap, one innocent civilian killed, one civilian wounded, or one dwelling needlessly destroyed is too many.

By its very nature war is destructive and historically civilians have suffered. But the war in Vietnam is different; it is designed by the insurgents and the aggressors to be fought among the people many of whom are not participants in or closely identified with the struggle. People more than terrain are the objectives in this war and we will not and cannot be callous about those people. We are sensitive to these incidents and want no more of them. If one does occur, mistake or accident, we intend to search it carefully for any lesson that will help us improve our procedures and our controls. We realize we have a great problem and I can assure you we are attacking it aggressively."

We need not judge Westmoreland's bland assurances nor need we pass responsibility for these crimes. You who hear or read our testimony will be able to conclude for yourselves who is responsible.

We are here to bear witness not against America, but against those policy makers who are perverting America. We echo Mark Twain's indictment of the war crimes committed during the Philippine insurrection: "We have invited our clean young men to soldier a discredited musket and do bandit's work under a flag which bandit's have been accustomed to fear not to follow. We cannot conceal from ourselves that privately we are a little troubled about our uniform. It is one of our prides; it is acquainted with honor; it is familiar with great deeds and noble. We love it; we revere it. And so this errand it is on makes us uneasy. And our flag, another pride of ours, the chiefest. We have worshiped it so and when we have seen it in far lands, glimpsing it unexpectedly in that strange sky, waving its welcome and benediction to us, we have caught our breaths and uncovered our heads for a moment for the thought of what it was to us and the great ideals it stood for. Indeed, we must do something about these things. It is easily managed. We can have just our usual flag with the white stripes painted black and the stars replaced by the skull and crossbones."

We are ready to let the testimony say it all.

MODERATOR. I'd like to welcome you all. This is the First Marine Division. It landed in South Vietnam in 1965 and is still there. You've probably all heard the quotation "Ask a Marine". So after these gentlemen have finished their testimony, you'll be allowed to ask a Marine and find out what really went on over there.

CRAIG. My name is Stephen Craig. I'm 23 years old. I entered the service about two weeks after graduation in 1965. I entered the service after high school in 1965. Went to Vietnam in 1966 to serve with Second Battalion, 5th Marines and served there from September '66 to September '67. When I got out of the service I worked as a laborer. My testimony basically covers the maltreatment of prisoners, the suspects actually, and a convoy running down an old woman with no reason at all—no provocation or anything. And bounties were put on our own men in our own companies if they were inadequate in the field. And they were either disposed of, or wounded, or something to this effect just to make sure they were taken away. I was a Pfc. in the service.

MODERATOR. We're going to allow everybody to speak first and after that the press will be allowed to ask questions.

SACHS. My name is Rusty Sachs. I entered the Marine Corps in 1964 after working as a news broadcaster for a network radio station. I was a helicopter pilot. I came out as a Captain. I was in Vietnam with Marine Medium Helicopter Squadron 362 as a MEDIVAC pilot from August of '66 to September of '67 and my testimony concerns the leveling of villages for no valid reason, throwing Viet Cong suspects from the aircraft after binding and gagging them with copper wire, and racism in the assignment of priorities

to medical evacuations where white people were given priority over nonwhite people.

CAMILE. My name is Scott Camile. I was a Sgt. attached to Charley 1/1. I was a forward observer in Vietnam. I went in right after high school and I'm a student now. My testimony involves burning of villages with civilians in them, the cutting off of ears, cutting off of heads, torturing of prisoners, calling in of artillery on villages for games, corpsmen killing wounded prisoners, napalm dropped on villages, women being raped, women and children being massacred, CS gas used on people, animals slaughtered. Chieu Hoi passes rejected and the people holding them shot, bodies shoved out of helicopters, tear-gasing people for fun and running civilian vehicles off the road.

CAMPBELL. My name is Kenneth J. Campbell. I'm 21. I'm a Philadelphia resident. I was a Corporal in the Marine Corps. I was an FO, Forward Artillery Scout Observer. I FO'd for Bravo Company, First Battalion, First Marine Regiment, First Marine Division. I was in Vietnam from February of '68 to March of '69. I went straight into the Marine Corps from high school and I am now a student at Temple University in Philadelphia. My testimony will consist of eyewitnessing and participating in the calling in of artillery on undefended villages, mutilation of bodies, killing of civilians, mistreatment of civilans, mistreatment of prisoners and indiscriminate use of artillery, harassment and interdiction fire.

SIMPSON. My name is Chris Simpson. Age 21; of New York. I was a corporal in the U.S. Marine Corps from '66 to '70. I was in Vietnam from '67 to '68. I'll be talking about maltreating of prisoners, destruction of villages, crops and animals. I was attached to Echo Company, Second Battalion, 5th Marines.

OLIMPIERI. My name is Paul Olimpieri. I entered the Marine Corps about nine months after graduating high school. I was in 1st Battalion, 5th Marines in Vietnam and my testimony is on killing civilians and killing livestock and destroying villages.

NIENKE. My name is Fred Nienke. I joined the Marine Corps shortly after graduating from high school in 1966. I went to Vietnam and was assigned to Delta, 1st Battalion, 5th Marines. My testimony includes killing of non-combatants, destruction of Vietnamese property and livestock, use of chemical agents and the use of torture in interpreting prisoners.

BISHOP. My name is David Bishop. I was attached to Hotel Company Two Five. Before I went into the Marine Corps I was a lab technician. I'm still a lab technician. My testimony is going to consist of my skipper, or my captain, killing prisoners. Throwing heat tablets or Trioxylene gas to children, four NVA nurses that were captured—were POWs—were raped, tortured and then were completely destroyed—their bodies were destroyed—and free fire zones and health problems in Vietnam.

BANGERT. My name is Joe Bangert. I'm a Philadelphia resident. I enlisted in the Marine Corps for four years in 1967. I went to Vietnam in 1968. My unit in Vietnam was Marine Observation Squadron Six with the First Marine Air Wing and my testimony will cover the slaughter of civilians, the skinning of a Vietnamese woman, the type of observing our squadron did in Vietnam and the crucifixion of Vietnamese either suspects or civilians in Vietnam.

BRONAUGH. My name is Jack Bronaugh. I joined the Marine Corps about six months after getting out of high school. I was 18 years of age at the time. I enlisted for four years. I went to Vietnam in February of '68. I served with Echo Battery 213 attached to 2nd Battalion, 27th Marines. Mainly my testimony is about the indiscriminate murder of, in a sense, civilian women and children, torture of prisoners for fun and other reasons.

KENNY. Michael Kenny. Joined the Marine Corps at the age of 17 in '68. Served in Vietnam '69–70, Second Battalion, 26th Marines. My testimony mainly concerns the maltreatment and murder of Vietnamese non-combatants and the general maltreatment of the civilian population.

DELAY. My name is Kevin Delay. I entered the Marine Corps shortly after graduating from high school. I served in Vietnam with 3rd Battalion, 1st Marines from October, 1969 to March, 1970. My testimony concerns the falsification of body count reports.

ECKERT. My name is Ted Eckert. I'm 21 years old and I'm a resident of Las Vegas, Nevada. I entered the Marine Corps in March, 1968 and was sent to Nam July of the following year. I was attached to Marine Wing Support Group 17, 1st Marine Air Wing. My testimony deals with harrassment fire from the air, burning of villages from the air, and black marketeering in De Nang itself.

MODERATOR. We'd like to ask a few questions of the gentlemen up here. Mr. Craig, on that thing with the convoy, the people you saw a convoy run down an old man—it was an old woman—okay, who is the, or did the convoy commander—what was his rank and did he do anything about it? Did he try and slow the convoy down or did they just run right over her?

CRAIG. The convoy was moving pretty slow and the old woman, like, most of the civilians over there sort of ignore the military people going down the road. And it didn't seem—like he didn't beep the horn or like do anything—like, he just moved up to the old woman and started nudging her and then I saw her fall out of the way. When the convoy had completely passed, like she was on the road, really like squashed.

MODERATOR. How many—was it a large convoy?

CRAIG. No, it was about five trucks, maybe six.

MODERATOR. Five or six trucks. Did anybody stop from the convoy and see . . .?

CRAIG. No, they kept moving. They were loaded.

MODERATOR. They kept moving. Also, did you you ever see the mistreatment of prisoners that we had taken? Viet Cong suspects or NVA?

CRAIG. Yes, I did. These people were only suspects taken from a village after we had a mine sweep team that was wiped out and I guess people more or less went out to pick up these suspects on a grudge basis. When they brought them back in they were loading them on a truck to take them to (?) and they were making a game out of it by grabbing their feet and their hands and swinging them up in the air to see how high they could throw them and land in the back of a duce-and-a-half truck which had a steel bed.

MODERATOR. Okay. Were there any senior NCO's present?

CRAIG. There was a Staff Sergeant present.

MODERATOR. Staff Sergeant—that's a staff NCO?

CRAIG. Yes, sir.

MODERATOR. Okay. Mr. Olimpieri, I wish you could . . . there's some testimony here . . . you witnessed a 70-year-old man wounded about 20 miles southwest of Da Nang. Could you elaborate on this, please?

OLIMPIERI. Yeah. We were in a sweep in a rice paddy and the flank man spotted somebody and told him to halt and he started running and I fired an M79 over the trees. It went off and the man went down and our Lt. told us to go over there and check and see if he had an I.D. and find out if he was dead or what was happening with him. We went over there and he was still alive. He was about 70 years old. I believe he was some sort of religious, like a monk or something like that, from his dress. He had an I.D. card and he was in pretty bad shape so they didn't want to call in a MEDIVAC Chopper so they told us to kill him. And the person who did the killing fired about six rounds in him and I had to tell him to stop. Right after that we told the Lt. what the situation was and he called in and said "Get rid of the . . .". He told us to get rid of the I.D. card before we killed him. He called in one V.C. body count.

MODERATOR. So this man who was killed wasn't even a suspect. He was civilian.

OLIMPIERI. Right. He didn't halt when he was told so they shot him.

MODERATOR. Mr. Nienke, I understand you were in the same unit with Mr. Olimpieri. Were you present when this happened?

NIENKE. Yes. Paul Olimpieri was my squad leader and I was in the same squad.

MODERATOR. So you can in fact substantiate this. He did tell the person who did the shooting to stop afterwards.

NIENKE. Correct.

MODERATOR. When you did take POWs were they tortured or what was the procedure or if you did take prisoners?

NIENKE. We took a lot of prisoners. Some of them were suspected V.C., N.V.A., and they were usually brought to the compound, when we took prisoners, and turned over to an interpreter usually a South Vietnamese or Korean interpreter, and if the information couldn't be extracted from them they were tortured and sent back to the C.P., the Command Post.

MODERATOR. What type of torture was used? Would you know?

NIENKE. Well, we were basically on the lines and we could hear screaming. I didn't see any torture, but we could hear screaming and somebody was being beaten.

MODERATOR. Mr. Sachs, you testified that there was prisoners thrown out of a helicopter. Could you elaborate upon that subject? SACHS: This was one of the big games. Whenever any prisoners were taken, the crewmen in the helicopters were in charge also of loading, in addition to maintenance on the aircraft would blindfold the prisoners, holding the blindfold on with heavy wire, safety wire. They'd bind their hands, bind their feet and maybe bind them into a fetal position and upon landing, rather than releasing them so they could walk off the aircraft, they'd throw them out—get the grunts to mark how far they could throw them and have little contests. This was done with officers observing, at least all company grade officers. There may have been a Major present too.

The general attitude of the officers was (I was a Lt. at the time) "Well, there's somebody senior to me here and I guess if this wasn't S.O.P. he'd be doing something to stop it and since nobody senior ever did anything to stop it, the policy was promulgated and everybody assumed that this was what was right. We'd never had any instructions in the Geneva Conventions. When we were given our Geneva Convention cards the lecture consisted of "If you're taken prisoner, all you gotta do is give 'em your name, rank, serial number, and date of birth. Here's your Geneva Convention cards. Go get 'em, Marines." We were never told anything about the way to treat prisoners if we were the capturers rather than the captee and this was very standard.

MODERATOR. Mr. Delay, on your testimony on the 24th of December, 1969, twenty-five people were killed. Could you elaborate on this subject?

DELAY. Yeah. Christmas Eve shortly before midnight, a group of Marines from India Company had set up an ambush in Arizona territory and they killed twenty-five people. To my knowledge, it was never determined whether they were civilians or were, in fact, the enemy, but in examining the bodies they discovered one weapon. It was a 9-millimeter pistol. The next day, on Christmas day, the battalion commander sent an order all about the battalion area, Hill 37,

requesting any enemy weapons that were in the hands of individual Marines. A friend of mine from Delaware, ——— ———, had bought an AK47 from another Marine when he came in the country. I was ordered to take this weapon down to the command bunker and give it to Major ———, the executive officer of Third Battalion, 1st Marines. When I gave this to him he gave it to another Marine and told him to go smear some mud on it. There were several other weapons acquired in this manner and they were all sent in to regimental headquarters as being captured Christmas Eve with those bodies to make the group of people appear to be a heavily armed enemy force.

MODERATOR. Do you remember if there was a Christmas truce announced at that time?

DELAY. Yes, there was.

MODERATOR. So it could be said that at least on this level that the Christmas truce was broken?

DELAY. Yes.

MODERATOR. All right. Mr. Camile, you were in Artillery, F.O. You were attached to the 1st Battalion, 12th Marines.

CAMILE. I was in the 1st Battalion, 11th Marines, attached to the 1st Battalion, 1st Marines.

MODERATOR. You have some testimony here on the burning of villages, cutting off of ears, cutting off of heads, calling in artillery on villages for games, women raped, napalm on villages, all sorts of testimony of crimes against the civilians. Could you go into just a few of these to let the people know how you treat the Vietnamese civilian?

CAMILE. All right. The calling in of artillery for games, the way it was worked would be the mortar forward observers would pick out certain houses in villages, friendly villages, and the mortar forward observers would call in mortars until they destroyed that house and then the artillery forward observer would call in artillery until he destroyed another house and whoever used the least amount of artillery, they won. And when we got back someone would have to buy someone else beers. The cutting off of heads—on Operation Stone—there was a Lt. Colonel there and two people had their heads cut off and put on stakes and stuck in the middle of the field. And we were notified that there was press covering the Operation and that we couldn't do that anymore. Before we went out on the Operation we were told not to waste our heat tablets on food but to save them for the villages because we were going to destroy all the villages and we didn't give the people any time to get out of the villages. We just went in and burned them and if people were in the villages yelling and screaming, we didn't help them. We just burned the houses as we went.

MODERATOR. Why did you use the heat tabs? Did you just light off the villages with matches or just throw the heat tabs in so it would keep burning?

CAMILE. We'd throw the heat tabs in because it was quicker and they'd keep burning. They couldn't put the heat tabs out. We'd throw them on top of the houses. People cut off ears and when they'd come back in off of an operation you'd make deals before you'd go out and like for every ear you cut off someone would buy you two beers, so people cut off ears. The torturing of prisoners was done with beatings and I saw one case where there were two prisoners. One prisoner was staked out on the ground and he was cut open while he was alive and part of his insides were cut out and they told the other prisoner if he didn't tell them what they wanted to know they would kill him. And I don't know what he said because he spoke in Vietnamese but then they killed him after that anyway.

MODERATOR. Were these primarily civilians or do you believe that they were, or do you know that they were actual NVA?

CAMILE. The way that we distinguished between civilians and VC, VC had weapons and civilians didn't and anybody that was dead was considered a VC. If you killed someone they said, "How do you know he's a VC?" and the general reply would be, "He's dead", and that was sufficient. When we went through the villages and searched people the women would have all their clothes taken off and the men would use their penises to probe them to make sure they didn't have anything hidden anywhere and this was raping but it was done as searching.

MODERATOR. As searching. Were there officers present there?

CAMILE. Yes, there were.

MODERATOR. Was this on a company level?

CAMILE. Company level.

MODERATOR. The company commander was around when this happened?

CAMILE. Right.

MODERATOR. Did he approve of it or did he look the other way or——

CAMILE. He never said not to or never said anything about it. The main thing was that if an operation was covered by the press there were certain things we weren't supposed to do, but if there was no press there, it was okay. I saw one case where a woman was shot by a sniper, one of our snipers. When we got up to her she was asking for water. And the Lt. said to kill her. So he ripped off her clothes, they stabbed her in both breasts, they spread eagled her and shoved an E-tool up her vagina, an entrenching tool, and she was still asking for water. And then they took that out and they used a tree limb and then she was shot.

MODERATOR. Did the men in your outfit, or when you witnessed these things, did they seem to think that it was all right to do anything to the Vietnamese?

CAMILE. It wasn't like they were humans. We were conditioned to believe that this was for the good of the nation, the good of our country, and anything we did was okay. And when you shot someone you didn't think you were shooting at a human. They were a gook or a Commie and it was okay. And anything you did to them was okay because, like, they would tell you they'd do it to you if they had the chance.

MODERATOR. This was told you all through your training, then, in boot camp, in advanced training, and so forth and it was followed on then, right on through it?

CAMILE. Definitely.

MODERATOR. Mr. Campbell, you were, I believe, in the same unit that Mr. Camile was. There was a period of perhaps two months separating the time that he left and the time you came. Was this same unit type policy, was this carried on?

CAMPBELL. Some of the policy was not carried on because of an incident that happened in Quang Tri Province that Scott Camile witnessed and there was a big stink about it. There was some kind of investigation into it and I heard about it when I got to Nam and all the guys that were there before me talked about it and things were kind of cooled down and so a lot of this stuff when I first got there wasn't actually carried out. Bravo Company was to cool it for a while. The whole Battalion, actually, because we had a bad mark against us from the incident previous to the time I got there.

MODERATOR. One more question on that. The training—What did you consider the Vietnamese? Were they equal with you?

CAMPBELL. The Vietnamese were gooks. We didn't just call the VC or the NVA gooks. All Vietnamese were gooks and they were slant eyes. They were zips. They were Orientals and they were inferior to us. We were Americans. We were the civilized people. We didn't give a ——— about those people.

MODERATOR. Mr. Eckert, you stated that you witnessed an old Vietnamese woman shot by security guards in Quang Tri Province. Could you elaborate and tell us if she was a VC or a civilian?

ECKERT. I was up in Quang Tri visiting a friend of mine who was on security, which is like a rat patrol. They go out in these little jeeps and patrol the perimeter. We were out about five o'clock in the morning, just about coming in, when they spotted this old woman about—she looked about fifty but she was probably about twenty-five—and she was running across some trees and everyone in the jeep—no one was supposed to be out there, of course, it was not a free fire zone but from the hours from dusk to dawn there's not supposed to be anybody out there, and if there is, you're supposed to stop them, check them out, and eliminate them if you have to. So these guys decided that they would kind of play a little game and they let her run about fifty yards and they'd fire in front of her so she'd have to turn around, and then they'd let her run another direction and then they'd cut her off. This went on about a half hour until the time the sun started to come up. So then they decided it best to eliminate her as soon as possible, so they just ripped her off right there, and then the guy, the corporal that was in charge, he decided that they'd better check her out for an I.D. card just to be safe about it and they went over and, of course, she didn't have an I.D. card; she didn't have anything. Her only crime was being out probably tending to her buffalo before the time she should have been. These guys just took it upon themselves to waste her.

MODERATOR. What was the general attitude of the men in your unit toward the Vietnamese? Was this a common experience?

ECKERT. I think the feeling was pretty wide spread that these people were inferior to us and based on the training we received these people were not looked upon as even humans. If they had slanted eyes they were the enemy and the only good one was a dead one. And that was for the majority of the people in my unit, that was the only way they looked at it.

MODERATOR. Mr. Bishop, you've stated in your testimony that you witnessed your commanding officer killing a prisoner. Could you go into that a little bit, please?

BISHOP. Right. This would have been on Operation in Quang Nam Province between August and September of '69. We had just gone on a search and destroy mission in the mountains and we made no contact. We were on our way back and we knew of enemy in the area. There was a lot of rock formations where we were and we were checking out the bunkers and the holes and everything in the rocks and we came across a wounded prisoner who was a wounded Vietnamese. He appeared to be VC or NVA. He didn't have a weapon. There were a few grenades and rounds laying around him. He seemed to have been in this hole for quite a few days. One of his legs was broken in half and the maggots had already gotten into one of his legs and they were living inside his leg while he was still alive.

Well, we dragged him out and we had quite a distance to go down the mountain to get back to the base camp and the squad that found him had to report him to the skipper. The skipper came down to where they had found the prisoner, had asked the people around him to get going and that he would tend to the prisoner. I was machine gunner at the time and I had to set up some security around him and I came up over a rock to watch what he was doing and he took out his 45 and he blew his head off. This, like, wasn't really the first time this ever happened.

This happened quite a few times during this operation because we were working in the mountains and any POWs that we had it was really hard to get them back down the mountains and it was the general consensus of everyone that there would be no POWs. That any people that we did find

would be KIAs and they were reported as such. They weren't reported as POWs.

MODERATOR. Do you know of many instances where, say, MEDIVAC Choppers were called in to bring out wounded Vietnamese, be they NVA, VC, or civilians?

BISHOP. Very few times. I hardly saw any MEDIVACS at all taking out wounded Vietnamese civilians or Vietnamese prisoners. Usually we didn't have any prisoners. The prisoners were exterminated.

MODERATOR. Mr. Sachs, you were a helicopter pilot. Did you fly many MEDIVAC missions?

SACHS. I flew probably 500 MEDIVAC missions in the course of 13 months. I can't recall ever evacuating a Vietnamese civilian. Allied with this, there were times at night in bad weather during the monsoon season we would not launch a night MEDIVAC unless it was an emergency. There were instances where a frag would come in; my copilot would go out to start the aircraft while I took down the numbers to get to the zone correctly and the major, the operations officer of the squadron, would say "Now hold it a minute. It's bad weather out there and you're going to get your ——— killed and these are only ARVNs. There aren't Americans. These are gook Marines. We don't need 'em. We're not going to risk ourselves for them". We would try to fly the mission anyway. But it was a squadron policy, unwritten, not to launch for gooks if you could possibly avoid it.

MODERATOR. Mr. Bangert, there's an incident here where you found crucified bodies hanging on barbed wire fences and in the same incident you witnessed South Vietnamese civilians shot without provocation on Highway 1. Could you go into this and kind of see how they are related?

BANGERT. I can cover a couple of these at the same time. The first day I got to Vietnam I landed in Da Nang Air Base. From Da Nang Air Base I took a plane to Dong Ha. I got off the plane and hitchhiked on Highway 1 to my unit. I was picked up by a truckload of grunt Marines with two company grade officers, 1st Lts.; we were about 5 miles down the road, where there were some Vietnamese children at the gateway of the village and they gave the old finger gesture at us. It was understandable that they picked this up from the GIs there. They stopped the trucks—they didn't stop the truck, they slowed down a little bit, and it was just like response, the guys got up, including the lieutenants, and just blew all the kids away. There were about five or six kids blown away and then the truck just continued down the hill. That was my first day in Vietnam. As far as the crucified bodies, they weren't actually crucified with nails, but they would find VCs or something (I never got the story on them) but, anyway, they were human beings, obviously dead, and they would take them and string them out on fences, on barbed wire fences, stripped, and sometimes they would take flesh wounds, take a knife and cut the body all over the place to make it bleed, and look gory as a reminder to the people in the village.

Also in Quang Tri City I had a friend who was working with USAID and he was also with CIA. We used to get drunk together and he used to tell me about his different trips into Laos on Air America Airlines and things. One time he asked me would I like to accompany him to watch. He was an advisor with an ARVA group and Kit Carson's. He asked me if I would like to accompany him into a village that I was familiar with to see how they act. So I went with him and when we got there the ARVSs had control of the situation. They didn't find any enemy but they found a woman with bandages. So she was questioned by six ARVNs and the way they questioned her, since she had bandages, they shot her. She was hit about twenty times. After she was questioned, and, of course, dead, this guy came over, who was a former major, been in the service for twenty years, and he got hungry again and came back over working with USAID, Aid International Development. He went over there, ripped her cloths off, and took a knife and cut, from her vagina almost all the way up, just about up to her breasts and pulled her organs out, completely out of her cavity, and threw them out. Then, he stopped and knelt over and commenced to peel every bit of skin off her body and left her there as a sign for something or other and that was those instances.

MODERATOR. Okay, there were American officers present when this happened or?

BANGERT. There were two super-secret, I know they were field grade officers, who were with MACV in Quant Tri Provinces in the area. They knew about it.

MODERATOR. Mr. Bronaugh, I believe you mentioned something earlier of the massacre of women and children in late March, early April of 1968. Could you go into that a little bit, please?

BRONOUGH. Yes. Well, I was with the 2nd Battalion, 27th Marines, attached to them with Battalion FSEC.

MODERATOR. Which is the Fire Control Center?

BRONAUGH. Right. It co-ordinates everything for the Battalion Artillery and troop movement and everything. I had some spare time this particular day so I left the compound and went to a bridge where people usually go and swim and they had a detachment on this bridge, in total about two platoons of people. A 2nd Lt. in charge of the bridge and a gunnery Sergeant that was staff NCO of the bridge. There were people from mortars platoon, weapons platoon, there was a tank, there were a couple of mules with 106 recoilless rifles, two snipers, and assorted machinegun crews. This particular day I was going to go swimming and I was at this bridge and they had sent a patrol out from our battalion CP. They had gone north of the CP for about a half a mile or a mile. There was a few huts that comprised a small village north of the compound.

The bridge got a radio call that they had supposedly received a sniper round from this village. So the Lt. on the bridge told them to sweep the ville. They swept the ville and they called back that there was nothing found. There was nothing found, I mean, there were just people in the ville and so the Lt. told them to burn the ville. From my position, which was about 150 to 200 yards away, and there was a tree line in the way, smoke started coming up over the tree line and about this time, I guess about three minutes after the smoke started showing, there was a lot of screaming and just chaos coming from the direction of the village and a lot of people started running out of the tree line. From where I was standing, I saw maybe two or three male villagers and the rest were women and children—some of the children walking and some of them young enough to be carried, I would say under a year, maybe. The last thing I heard as a command was the gunnery sergeant told them to open fire to keep them back. Their village was on fire and they were in panic; they didn't stop, so they just cut down the women and children with mortars, machine guns, tank, snipers were. . . .

MODERATOR. There was a tank there also?

BRONAUGH. Yes. Well, the tank, the 90 millimeter gun wasn't used because, I mean, it was too close a range, but they used the .50 and the .30 off the tank and all the troops that were at the bridge with M16s. The officer, a Lt., a few got close enough to where he used his .45. They used a few frag hand grenades.

MODERATOR. The fifty caliber. That was used specifically against the people?

BRONAUGH. Yes . . . Yes.

MODERATOR. Right. Just for general information, the .50 caliber machine gun is specifically forbidden to be used against people. It's an anti-vehicular weapon.

BRONAUGH. Yes, it was used in automatic and single fire, against human beings.

MODERATOR. There are many different types of ways that we have heard of people being mutilated, of villagers being killed, but there is one way that affects the people afterwards. They don't physically shoot them or hurt them at the moment and this is the use of chemicals. And Mr. Bangert, I think, has a good example here where he shows twenty deformed babies resulting from Agent Orange Defoliant Spray. Could you tell us what Agent Orange is and the type of deformity that was the result?

BANGERT. I used to work with the pacification program in Vietnam and I traveled extensively through Quang Tri Province. Specifically in the area of Quang Tri City and west, Trieu Phong District, I saw approximately, during my tour, twenty deformed infants under the age of one. It never made sense to me, I thought it was congenital, or something, from venereal disease, because they had flippers and things. I didn't understand what I saw until approximately six months ago I read a report that was put out by Stamford which talked about the thalidomide content within Agent Orange and it was common knowledge that Agent Orange was sprayed in the area and we used to see it about every three to four days where I was in Quang Tri Province. If I could get back to the Vietnamese woman I saw that was mutilated so horribly by that person, it didn't really shock me because I think I talked about my first day in Vietnam.

You can check with the Marines who have been to Vietnam—your last day in the States at staging battalion at Camp Pendleton you have a little lesson and it's called the rabbit lesson, where the staff NCO comes out and he has a rabbit and he's talking to you about escape and evasion and survival in the jungle. He has this rabbit and then in a couple of seconds after just about everyone falls in love with it, not falls in love with it, but, you know, they're humane there, he cracks it in the neck, skins it, disembowels it, just like I testified that this happened to a woman—he does this to the rabbit—and then they throw the guts out into the audience. You can get anything out of that you want, but that's your last lesson you catch in the United States before you leave for Vietnam where they take that rabbit and they kill it, and they skin it, and they play with its organs as if its trash and they throw the organs all over the place and then these guys are put on the plane the next day and sent to Vietnam.

MODERATOR. Mr. Camile, you have testimony here of napalm being dropped on villagers. Could you go into this and kind of let us know what napalm is and how it was used and any of the results?

CAMILE. I really don't know that much about what it is or what it's make of. I just know that when it gets on you it burns and when they drop it from the planes, they usually drop two big cannisters of napalm at a time. It just burns everything up, including the people. Many times we've called in air before we'd go into a village, or if we had a village where we'd lost people because of booby traps, we'd call in napalm and it just burns down the village and the people.

MODERATOR. Wasn't it usually normal, or so-called operating procedure, you don't fire until fired on, and on these villages, did you usually receive a lot of fire from them of the type that would say, we can't take the village, you'll have to call in napalm?

CAMILE. No, most of the time it was for safety. We'd napalm it first before we'd even go in just to make sure we wouldn't lose any men without any fire whatsoever. It was just for our protection, supposedly.

MODERATOR. Mr. Nienko, it says here that you used CS grenades clearing bunkers and hootches. Could you tell us if these were enemy bunkers or hootches or if they were civilian bunkers or hootches? Just exactly what was the incident?

NIENKE. I think every person who was in Vietnam who was in the Infantry used CS, which is a gas, chemicals, Willie Peter—that's White Phosphorus—and we used these sometimes to clear bunkers and other times to destroy a hootch. We used to think that was kicks; there would be people in a hootch or something like this and we'd throw in a gas grenade and they'd cough and then we'd leave. And other times we used to use—we had mortar squads in the infantry used to avoid going into a village or something if we thought it might be VC infested or something like this, we'd send in Willie Peter mortars, 60 millimeters, and this would burn up the hootches—that explode—throwing white phosphorus on different hootches in the village. Start the hootches burning and also kill people. It's probably one of the worst sights I've ever seen is a person that's been burned by Willie Peter, because it doesn't stop. It just burns all completely through your body. The only way you can end this burning is to cut off the air. It's very difficult.

UNIDENTIFIED PANELIST. I'd like to add that white phosphorus is not supposed to be used for personnel. It's supposed to be used for marking and in artillery for spotting. But as you know, these rules are not too well followed most of the time.

MODERATOR. Mr. Olimpieri, you were in the same unit. You were Mr. Nienke's squad leader. Who was in charge of calling in on the mortars or ordering of the throwing of the CS grenades?

OLIMPIERI. Well, it was usually the officers, but I can remember times where we'd be sitting up on a hill, Nick and myself, and they used to have these things called "Pop-ups". You hit them on the bottom and it shoots like a green star cluster up in the air. It's used for location when somebody wants to find out where you are and we used to shoot them down into the village that was below and watch the people run around and we used to get big kicks out of it.

MODERATOR. Were there usually any officers present around this or was it usually known that this was done, wasn't it?

OLIMPIERI. Yeah, it was pretty well accepted. I mean, everybody did it.

MODERATOR. But nothing was said about it. The Vietnamese were considered. . . . They were goods, right?

OLIMPIERI. Right, nothing was said about it at all.

MODERATOR. Mr. Bishop, we were told that you were in Vietnam from '68 to '69. I believe this was before President Nixon said we had any troops in Laos or Cambodia at all. It says here that you entered Cambodia in pursuit of enemy between '68 and '69. Is this a true fact?

BISHOP. That's correct. We were on Operation Taylor Common. We were up in the mountains. We were operating just above the Laotian border where Laos and Cambodia meet. We were making heavy contact up there. We had quite a few losses and most of the operations we were holding were usually squad type or platoon type because the area was so thick and we couldn't send big units in there. We were very close to the border and very many times we were fired upon and we would chase the enemy back and you wouldn't know really how many grid squares you would go. We would come back to the unit and even though we knew we were close to Cambodia, we'd come back and the skipper would kind of get us all together and say like. "That was really a far out thing we did today and just for your own information we were in another country". This was general knowledge at the time that we were going back and forth into Cambodia.

MODERATOR. So you could say in effect that Mr. Nixon might possibly have been guilty of untruths in a matter that it was your company commander or platoon commander who told you that you had been in another country.

BISHOP. That's correct. The platoon commander didn't really tell us to go in there but once he found out that we were in there, because we report grid squares and our operations as we're moving, it was kind of a neat thing to do because we were in Cambodia and I'll admit that about the Nixon thing, really.

MODERATOR. Was there no distinction between the borders?

BISHOP. No, there's no distinction at all. It's on your map. You can't tell, like your border could be a tree line away and you just don't know. You can't tell.

MODERATOR. So you could have gone into Cambodia more than once then?

BISHOP. Oh, that's correct. We could have held patrols there and if we weren't informed about exactly where we were, then we wouldn't have known.

MODERATOR. Mr. Kenny, you mentioned earlier that shooting of unarmed civilians. You weren't supposed to shoot civilians at all unless you found that they were armed. Could you go into this and explain how they explained the dead bodies if there were no arms on them?

KENNY. Yes, in many instances, particularly Operation Brave Armada which took place in Quang Ngai Province in the summer of '69, circumstances would come up where there would be a patrol walking along, a single person or a small group of persons would be sighted at a distance of anywhere from, like, one to maybe five hundred meters. The standard procedure was to holler "Dong Lai!" which is "Stop". A lot of times the civilians or Vietnamese couldn't hear at that distance and if they didn't respond immediately, the procedure was to have the squad or platoon open up on these people. Upon approaching the bodies it was usually found that these people had no weapons at all; that the only reason they hadn't stopped was that they hadn't heard or were frightened, and in order to explain these civilian bodies it was standard procedure to carry several extra fragmentation grenades in the field and these would be planted on the bodies in order to make them a Viet Cong rather than a civilian.

MODERATOR. Do you know whether this went on in other units besides yourselves? I realize this is hearsay, but from things that other people have told you.

KENNY. Yes, I understand from other people I have talked to that this was fairly standard operating procedure.

MODERATOR. And usually the platoon commander was present when this happened?

KENNY. That's correct. On several instances, the platoon commander, a Lieutenant, actually ordered this to be done.

MODERATOR. All right. Was anything ever said to you about civilians? What defined a VC? When they were dead, when it was just a body count?

KENNY. When a body was found, the general procedure was that if the body didn't have a weapon it was a Viet Cong suspect. If a weapon could be planted on it, it became a Viet Cong and if the body had any other equipment other than a weapon, that is any piece of uniform or other equipment, it became a North Vietnamese and this was the general criterion that our battalion used to discriminate.

MODERATOR. There's a program in Viet Nam called the Chieu Hoi program where they leaflet and they pass out these passes where the enemy, the NVA, or the VC with these passes can get safe conduct and be treated as respected human beings, not as POWs, but we have an instance, Mr. Camile, could you go into this, where Chiou Hois were shot and their passes were rejected?

CAMILE. We understood what the Chieu Hois were for, but we were told why should these people be able to shoot at us and then run and when they got close to being captured, come out with it and get away with it.

MODERATOR. Was this on orders or . . . ?

CAMILE. It was on orders.

MODERATOR. And what was done with the Chieu Hoi pass after the person was killed?

CAMILE. Anytime a person was killed, if they had any identification or passes or anything that would get us in trouble, they were destroyed.

MODERATOR. The platoon commander was present when this happened?

CAMILE. Definitely.

MODERATOR. Mr. Nienke, it says here there was torture of POWs. Did you ever run into any Chieu Hois or any type of prisoners trying to surrender?

NIENKE. Yes, I ran into some prisoners that tried to surrender but we were a roving battalion in Vietnam and we went to a lot of different places, mostly way out in the bush, up in the mountains, not close to any major Army or Marine bases such as this, and we didn't believe in Chieu Hois. We didn't take prisoners. When we did take prisoners, like, we'd come into a village and there might have been somebody that we thought could have possibly been a prisoner or a POW or a VC, whether it might be an old lady or a young kid or something like this, they were always brought back to our local platoon or CO position where we set up that night and interrogated.

MODERATOR. Did you ever witness any of this interrogation?

NIENKO. Like I said before, we were mostly on the lines and I walked back, I'm not sure what province this was in, I walked back to talk to the captain because I was going on a listening post that night and I saw a young man and he was being beaten by an ARVN interpreter that came along with us. He was being beaten and I was told to leave the area.

MODERATOR. Okay, thank you very much. Before we open up for questions, these Marines are seated in chronological order of when they were in Vietnam. Mr. Craig was in Vietnam in '66 and at the end Mr. Eckert ends it with 1970. So we're trying to show that the policy that was carried out wasn't by one man when we first got there, wasn't by the next man when he got there, but it was standard operational procedure that was carried through from when we've been in Vietnam and it's still going on now. These are not isolated incidents. It happens in the Army and in the Marine Corps. I guess we could open up questions to the press or anybody who had questions.

QUESTION. I'm ——— of WBAX News and I have a couple of questions. First were there any GIs or people in your battalions that objected to these kind of atrocities or made any effort to stop it when they saw them?

MODERATOR. Is this a general question? Would anybody like to answer that? Mr. Camile.

CAMILE. When people first got there they were pretty idealistic about what you're supposed to do and what you're not supposed to do. The first time you see your buddies get killed, then that changes your mind and the group pressure, like, if people wouldn't do things, people would beat up other people and say "You either do it the way we do it or else you're going to get shot".

REPORTER. Did anyone actually ever stop an act of terrorism that he witnessed?

CAMILE. Only when the press was around and that would usually be Lt. Colonels or Majors.

REPORTER. How did they do that?

CAMILE. They would tell them that the press was there and not to do it and that was it.

REPORTER FROM AP. Question for Mr Delay. What was the unit involved in the ambush you described?

DELAY. That was India Company, 3rd Battalion, 1st Marines.

AP REPORTER. Was it ever established who the people who were ambused were? Where they came from?

DELAY. Not to my knowledge.

REPORTER FROM WJR: One of your men who was here before mentioned in your opening statement generally something about fellow Marines who didn't do their job would be purposefully wounded or something. Could you be more specific?

VET RESPONSE. Excuse me, would that be in reference to like fragging that's been in the newspapers lately where they throw hand grenades at their own officers and staff NCOs?

VET RESPONSE. The question was if some sort of value was put on men who were inadequate in the field. What I was basically familiar with was newer personnel coming in country and taking the place of somebody who was more experienced in the field and maybe causing unnecessary deaths in the field or something like this and the men felt that if they put a little money together somebody would have the guts to wound them or something so they'd be drawn out of the outfit.

QUESTION. Did you actually ever witness that happening?

VET RESPONSE. Yes, I have.

MODERATOR. Any of you gentleman here on the panel, could you release any incidents of fragging that you ever heard of or saw? Mr. Campbell.

CAMPBELL. In January of 1969, a couple of miles northeast of An Hoa, in the Arizona territory, my unit was temporarily assigned to Operation Taylor Common. We moved out, we waited until dark and moved out into a very heavily booby-trapped area. The lead platoon hit a booby trap. The word was passed back that it was the platoon commander that hit it and then the CO went up to check to see how the platoon commander was and there was another explosion. The initial word came back that the CO hit a booby trap.

Now from the first blast, the first booby trap that was hit, the platoon commander's radio man was also hit. He went to the hospital and was back to the unit about two weeks later. He told me and several other people, two or three other people privately, that the second booby trap was not a booby trap but that one of the men from the platoon of the commander who hit the first booby trap fragged the company commander because he was very upset about the platoon commander hitting the booby trap. He was upset about the CO waiting until dark to move out. He thought it was a stupid move and figured that got his platoon commander, and the men in that platoon were pretty tight with that platoon commander. I witnessed the explosion. I witnessed the flash, but it was dark. I couldn't see the guy throw the grenade. I didn't know that he threw it until the platoon radio man explained this to me.

MODERATOR. Mr. Bangert, you said you had an incident of this.

BANGERT. I guess the majority of us had been in country for about nine or ten months and this new guy came. The new guy was a lifer. A lifer was in charge of the mail. He stopped the mail for about three days because he wanted his troops to shine their shoes or something or clean up or shave or get a haircut and he stopped the mail. So someone told him if we don't get mail by noon on a specific day before midnight, that night you're going to be offered. But since he was hard and he was in the Korean War, he thought that what happened in the old Marine Corps is happening in Vietnam, he persisted and the mail wasn't gotten out and before midnight he was fragged. And the mail did come through the next day.

(Question and answer period continued)

QUESTION. A couple of people on the panel mentioned brutalities to women. Is rape and other sexual brutalities to women—brutality involving the vagina in particular—is that a usual feature of people on tour in Vietnam?

SIMPSON. Me myself, I think it's pretty usual over there. Cause you'll be out in the bush and you'll meet women out on the trails. And the Marines over there, just like the Army and the Navy, are human. But they just don't go about it the right way—they might stick a rifle in a woman's head and say, "Take your clothes off." That's the way it's done over there. Cause they're not treated as human beings over there, they're treated as dirt.

QUESTION. Another question was: In your training is anything ever said about women in particular? Is there anything besides just being "gooks?" Are you encouraged to rape women in any way? Or think of them in any particular way?

PANELIST. Yes, in ITR in the Marine Corps you go through Infantry Training Regiment. They have a class on when you interrogate a POW or a villager what to look for—where they hide things. They stress over and over that a woman has more available places to hide things like maps or anything than a male. So it took about twenty minutes to cover where to search for a male suspect, and about an hour on a female. It was like everyone was getting into it pretty heavy like, you know, wishful-thinking, you know. But it seems to me that the philosophy over there is like somehow or another we're more afraid of females than we are of males, because, I don't know why, but the female was always like you never knew where you stood, so you went overboard in your job with her in all your daily actions. You doubled whatever you would do for a male. Because we always heard these stories that, like, the fiercest fighters were the females over there. You know, we didn't want to be embarrassed by getting our asses kicked by a bunch of females. So that's about it.

QUESTION. In terms of practice does that mean that women were treated especially rudely? You said "double everything."

PANELIST. Yes, I would say so. Because it makes a lasting impression on some guy—some "zip"—that's watching his daughter worked over. So we have a better opportunity of keeping him in line by working her over.

MODERATOR. Mr. Bangert did you have something to add?

BANGERT. Yeah, I think that in regards to women in Vietnam, first of all, you get this feeling sometimes when you're over there that you don't even think of their sex. This is really disgusting. You don't even think of them as human beings, they're "Gooks". And they're objects; they're not human, they're objects. The general rule was a Vietnamese who is dead is confirmed Viet Cong and one who is living is a Viet Cong suspect. And that's the way it was. Back to this specific instance where I talk about the dis-embowlment of the women—I think the person involved was a freaked out sexist, if that's what you're trying to get at. I think maybe he had problems. He had to be—he was in the army for 20 years.

QUESTION. You were talking about mutilation of bodies and, in general, murder. I was wondering—how did you get rid of all these mutilated bodies?

CAMPBELL. A particular way that the people I was with got rid of bodies was on Operation Meade River in November '68. There were some mutilated bodies. The Engineers blew them with C-4. They put 40 pounds of C-4 underneath the bodies and blew them. This was done for kicks; not just to dispose of them, but for kicks, to watch them go up. Another thing, I wasn't given a chance to make this clear earlier and I'd like to make this clear now. When we were showing the policies within the same unit changing—from when Scott Camil was there to when I was there a few months later—I mentioned the fact that things cooled down after the incidents that he explained. But they picked up again about three or four months later. And then came the blowing away of vills and the mutilation of bodies and stuff. All the incidents that I described earlier.

QUESTION. Was there discrimination between the black soldiers and the white soldiers in the service, or were the white soldiers supposed to be superior to the black soldiers? I mean, did they tell you anything about that over here before you went over there, or was it put into practice anyways over there?

PANELIST. I went to Boot Camp at Paris Island and we had a lot of brothers from Philly there and the common term used in discussing the brothers amongst the DI's, the drill instructors, was they were "niggers." "Come here nigger, do this nigger." I think this had a carry-over effect throughout the entire training. It always seemed to be that the brothers were always looked down upon.

QUESTION. I just wondered if there were any correspondents, or any newsmen, or any of the media that was present during these brutalities that these men know of and just ignored reporting any of these things?

BANGERT. I testified to the fact of the bodies outside Quang Tri City. Sometimes people from the press would drive through there, specifically women journalists who were readily welcomed into the unit. There was always this whitewashing thing. Well, sometimes these people would go right past the bodies and come into our base to get a story. They were kept away from the enlisted men, away from the people who were involved. The typical thing was to take them down to the Officers Club, get them soused, get them in a flight suit, and take them out and fly them through Quang Tri Province. And if they wanted to, they could see what it's like to shoot a gun. That happened a couple of times when I was there.

QUESTION. My impression is that it doesn't sound like even if the newsmen had gotten to you that any of you would have been willing to talk about these things at that time. Is that true?

CAMILE. That's very true.

MODERATOR. On Tuesday when the 25th Division gives their testimony, there are former PIO men from MACV who will talk about the civilian press at length. These questions will be answered then.

QUESTION. Mr. Sachs, you told about a prisoner being pushed from a helicopter. It wasn't clear whether or not that helicopter was on the ground or not.

SACHS. The incident I was talking about when they were making to see who could throw the gooks farther? It was done on the ground because it's hard to mark them from 3000 feet. However, it was an official policy that after every mission you fly, you have to fill out an Aftet-Mission Report to show them all the good stuff you did during the day. Like, how many pounds of rice you carried, and how many Americans and how many gooks you carried. Well, we were given very specific oral orders from the Colonel on down: When you are carrying VCS, Viet Cong Suspects, you don't count them when you get in the airplane, you count them when they get out of the airplane because the numbers don't always jibe. And if one of them happens to get scared of heights and decides to get out, or something like that, or if he looks like maybe he's going to try and raise some —— in the belly of the aircraft and the crewman has to kick him out, that's none of your business; it didn't really happen because you counted the men when they got off.

QUESTION. Did you ever witness anyone being thrown from a helicopter in the air?

SACHS: I'm a pilot and they're below you and behind you and you can't see.

PANELIST. Another method they used in regard to helicopters is sometimes when they captured three suspected enemy people they might take them for a joy-ride. They usually tie them up and put a blindfold on them and they'll put maybe three guys in a C–53 and fly off. They'll ask the guys in the air, "What is your unit?" and all this jive, and if they don't cooperate, they just might take one of them and say, "Okay, take off the blindfold," and just shove him right out. Now this gives us a psychological edge because apparently it works. When the other two guys come down to the ground, they're scared and they cooperate more readily than they ever would before.

MODERATOR. Mr. Camile, you had some actual instances of observing Vietnamese being thrown out of helicopters.

CAMILE. On Operation Stone, I was on the ground and I didn't see this Vietnamese pushed out, but I did see him come flying out and land over where we were.

MODERATOR. Perhaps he decided to take a little walk or something. Any more questions?

QUESTION. Mr. Bishop, could you elaborate some more on the circumstances of the killing of the four NVA nurses?

BISHOP. I didn't say it in the testimony, but it's written on my testimony sheet. The operation was Meade River, a very large scale operation. ROK (Korean) Marines were involved, U.S. Marines and Army were involved, and the ARVNs were involved. A cordon was set up outside of Da Nang and a big squeeze was put on right outside the airport. There were quite a few body counts as far as the enemy went. It was something like 1,300. The allies had something like 700 or 800 so called dead—we never knew. On part of the operation, we had just gotten through making heavy contact and we went through a bunker system. It was a large bunker system and we found hospitals. We came across four NVA nurses that were hiding out in one of the bunkers. They were nurses, we found medical supplies on them and they had black uniforms on. The ROK Marines came up to us and one of their officers asked us if they could have the NVA nurses, that they would take care of them because we were sweeping through the area, and that we couldn't take care of any POWs. So, I imagine, that instead of killing them, we handed them over to the ROK Marines. Well, we were still in the area when the ROK Marines started tying them down to the ground.

They tied their hands to the ground, they spread-eagled them; they raped all four. There was like maybe ten or twenty ROK Marines involved. They tortured them, they sliced off their breasts, they used machetes and cut off parts of their fingers and things like this. When that was over, they took pop-up flares (which are aluminum canisters you hit with your hand; it'll shoot maybe 100–200 feet in the air)—they stuck them up their vaginas—all four of them—and they blew the top of their heads off.

MODERATOR. Any further questions?

QUESTION. It was stated by one veteran, I don't know which, that on the last day, and I believe it was at Camp Pendleton, they were given a briefing by a sergeant, apparently, where they skinned a rabbit, disembowled it, and he told them or instructed them that this is how it's done. Can anybody else corroborate that?

MODERATOR/SHIMABUKURO. How many guys in Marine Staging saw this—the last day in Staging Battalion? I saw it myself in Staging Battalion. All those who saw it please raise your hands again.

MODERATOR/BIRCH. The question for those who didn't hear it was in reference to the skinning of a rabbit as an example of "this is how it's done in Vietnam" or "this is what happens in Vietnam". In answer to the question, most of the Marines here did see it.

QUESTION. This is still part of Basic Training? Are we to understand that this is part of the course before combat in Vietnam?

MODERATOR/BIRCH. This is part of the Staging Battalion which is the last day before you go to Vietnam. Could we have the show of hands again?

(Note: A majority of hands were raised.)

QUESTION. Are there officers present at this?

PANELIST. Yes. It usually was a company formation. They made quite a spectacle of this. They made a moccasin out of the skin. A couple of dudes were playing with the organs. It was a really cool thing, I guess.

MODERATOR. We'll now show Mr. Camile's slides and he'll narrate them.

CAMILE. (First Slide) This particular picture is what the houses generally look like when we go through and throw our heat tablets in. They catch on fire very quickly and there are people in these houses. The houses are made of grass. Sometimes if the people don't get out before we throw the heat tabs in, they don't get out at all. (Next slide) We carried aces of spades and it was kind of like a game. When we killed someone, you plant an ace of spades on him and you'd pose with the body because it was something really cool to do, to show everybody how many people you'd killed. (Next Slide) These are bodies that attacked us at a place called Alpha North and after we killed them, they were inside our position, we threw them on trucks and took them to the middle of the village. We dumped them out in the middle of the village. We dumped them out in the middle and left them there like that. We don't treat any bodies like they were human bodies. It was just like throwing out garbage.

The foregoing almost completes the testimony of the 1st Marine Division and is representative of the remaining testimony.

The rest of the testimony (composed of some thirty reels of tape of approximately 800 feet each) is given by the: 1st Air Cavalry, Third Marine Division, Miscellaneous Units, 5th Special Forces, 101, 82, 173 Airborne, 25th Infantry, 1st, 4th, and 9th Infantry Divisions.

The panels are: Weapons Panel, Prisoner of War Panel, Medical Panel, "What we are doing to Vietnam," "What we are doing to Ourselves."

A glossary of military terms and expressions is also available as well as a brief summary of the testimony to be given by each veteran.

Moderator

Michael Hunter, 24, Sgt. (E–5) "B" Co., 5/7 Air Cav. Reg., 1st Air Cav. Div. (from February 1968 to February 1969) "H" Co., 75th Rangers (Att. to 1st Air Cav. Div.), "I" Co., 75th Rangers (Att. to 1st Inf. Division) (September 1969 to March 1970)

Veterans testifying

John Mallory, 24, Captain, 1st Sq., 11th Arm. Cav. Reg., 1st Air Cav. Division (from May 1969 to May 1970)

James Mackay, 20, Sgt., E–5, HHQ 3rd Brigade, 9th Inf. Div., (from October 1968 to August 1970)

Douglas Craig, 22, SP/4, "D" Co., 2nd Bn., 8th Brigade, 1st Air Cav Division (from December 1968 to August 1969)

Robert Wiktorski, 22, SP/4, (E–4), "C" Co., 2/12 Air Cav. Reg., 1st Air Cav. Div. (from May 1968 to May 1969)

David Stark, 25, SP/5, (E–5), 524 Military Intelligence Detachment (from October 1967 to October 1968)

James Duffy, 23, SP/5, (E–5), 228 Avn. Bn., 1st Air Cav. Div. (from February 1967 to April 1968)

Kenneth Ruth, 26, E–4, HHQ Co. 2/12 Air Cav Reg., 1st Air Cav Div. (from February 1966 to February 1967)

MODERATOR. Brothers and sisters, or sisters and brothers, I'd like to present to you the veterans from Vietnam who will be testifying about the atrocities that took place and were created by American troops with the 1st Air Cav. Division in Vietnam. To give you a little history on the 1st Air Cav. Division, it is an air-mobile division; it was the first created and the 1st Air Cav. was the first Air-mobile Division to ever take place, or to function, in Vietnam. It arrived in Vietnam in 1965, in Qui Nhow. Now I'd like to introduce to you the first testifier, former Captain John K. Mallory. Mr. Mallory?

MALLORY. I'm Jack Mallory and I served as a captain with the Eleventh Armored Cavalary Regiment, which during most of my time in Vietnam from May, 1969 to May, 1970, was under the operational control of the 1st Air Cavalry Division. I served as Regimental Assistant Civic Action Officer and Civic Action Officer for the 1st Squadron, 11th Armored cav. I'd like to say a few words about treatment of Vietnamese civilians by members of the 11th Armored Cavalry Regiment. The destruction of crops and killing of domestic animals was common whenever the 11th Armored Cavalry Regiment operated in populated areas. Crops were destroyed in the building of defensive positions and animals were run over when the tracks—armored cars, tanks—ran through the villages. Civilian deaths were quite frequent, Vietnamese civilians were killed accidently when tracks and tanks running through their villages, often at excessive speeds, struck them, ran off the road, ran into their houses, hit their bicycles, etc. On at least one occasion, the village of An Phu, in Binh Hong Province, was struck by artillery fired from Quan Loi Base Camp causing several casualties. A civilian riding on an ox-cart, just south of Quan Loi base camp, was intentionally struck by an American air-craft which came in out of the sky, hit him in the head, and travelled on. The man was killed; the aircraft was never identified. A helicopter, also never identified, dropped two white phosphorus grenades (they're incendiary grenades) into the village of Sa Troc, also in Binh Long Province, burning down several buildings and two small Montagnard children. In Loc Ninh, a young boy about twelve years old was attacked by two American soldiers, severely beaten, resulting in a broken arm. There is no reason known for this attack. On one occasion, a North Vietnamese Army nurse was killed by 11th Armored Cavalry troops; subsequently a grease gun of the type used in automotive work was placed in her vagina and she was packed full of grease. On several occasions, enemy graves were violated, their skulls taken out of the graves and used as candle-holders and conversation pieces. CS gas, better known as tear-gas, was often used on civilians to chase them away from our positions where they came to sell, or to look for valuable American trash, in our trash dumps. On one occasion, this gassing of Vietnamese civilians was done by an American Army major. On another occasion, Vietnamese selling their wares in the area had their wares taken and destroyed by American troops led by two captains. One of them was myself. In August, in Binh Long Province, north of An Loc, six Vietnamese (friendly Vietnamese soldiers or civilians or regular Defense Group soldiers) were killed by helicopter gun-ships from the 11th Armored Cavalry Regiment. Although the CIDG area of operations was clearly marked on our tactical map in our tactical operations center, sheer carelessness of the duty officer from the 11th Armored Cav. led him to give our gunships permission to fire at armed Vietnamese in the area, although it was quite well known that there were friendly armed Vietnamese in that immediate vicinity. In general, U.S. attitudes towards Vietnamese civilians were not inhumane per se, but they were certainly not human. The Vietnamese civilians were regarded much as

America regards her own minorities—a pat on the head for a trick, a kick in the . . . for an imagined fault, and invisible the rest of the time.

MODERATOR. O.K. The next speaker or testifier is James Mackay, former E–5. James?

MACKEY. My name is James Mackay. I served with Headquarters Third Brigade of the Ninth Division from October '68 to August '69, and I served with the First Cav. from August '70 to December '70. Our A.O. was from Song Be north to Cambodia. During this time our helicopters, our Cobra gunships, and small observation helicopters would go out on search and destroy missions more or less where they'd go out and they'd shoot anything, any structures they saw. They'd shoot all structures; they'd shoot all people, be they men, women, or children—old men, children, whether they had arms or not. They'd shoot all livestock, destroy all food. They'd destroy everything they saw that was man-made. Also, to prove that they'd been getting body counts, the troop commander had given the order (not given an order, but let it be known) that the next time Vietnamese were killed, the body would be taken and dumped from two-hundred feet right to Brigade TOC, right in front of the TOC, and this was done, and there was no reprimand to the officer. Explosives have been put in the dumps for the purpose of exploding and injuring men, women, and children while they're going through the trash—while they're going through this valuable trash. Consequently, one of my friends was blown and burned on the upper portion of his body due to the carelessness of the discarding of trash and purposely planting booby-traps.

MODERATOR. James, you stated that on the first time that an A-troop, recon missions, right?—the Cobra and the Loach—when they fired on any moving target that meant men, women, and children? Right?

MACKEY. Right, this meant, anybody they say whether they were men, women, or children, or whether they had arms or not. One kind of joke that went between the pilots was if they fired or not, upon anybody they saw, it was whether they waved or not. This was a kind of joke going between the pilots, but it didn't count, because they just shot anything they saw, any structures.

MODERATOR. Could you clarify on the booby-traps set into the fire-dump? They were charges from the artillery battery—excessive charges from the artillery battery?

MACKEY. Right, excessive charges were thrown in the dump, and then fires were set so that they would burn people. At this time, when my friend was injured at the dump it was artillery charges that had been thrown away and set to go off. How they were going off, I don't know. I found that they were set there.

Question from floor: The fires were set?

MACKAY. Oh. I heard, I had a lot of friends in artillery, and they told me many times when we were sitting around talking that they put charges out there. The excessive charges they don't use during their midnight missions, they'd put in the dump, and these are all supposed to be destroyed in a certain point through EOD and they were thrown in the dump for the purpose of going off.

MODERATOR. They were deliberately set-up, so that the children or the young men, could walk into the dump, get close to the charges, and then they were set on fire and they'd go up relatively fast. Is that correct?

MACKAY. Right, and the dumps were all supervised. There was a supervisor there, but he was never there; he was supposed to be there. He was supposed to make sure that no ammunition was thrown away. There was not supposed to be any ammunition or any kind of explosive or inflammable material thrown in the dumps except trash, and consequently, when they were thrown in there, they were thrown in with the knowledge that someone might get hurt, and would probably get hurt when these burned or exploded grenades, etc.

MODERATOR. Thank you. The next testifier is former Spec. 4 Craig.

CRAIG. One incident I'm referring to is the Second Batallion, Eighth Brigade—their policy of mortaring the local dump every night. My statement reads: I was stationed in LS St. Barber, roughly between the months of March and August 1969. And it was battalion-originated policy to mortar the neighboring dump on the pretext "the gooks are scavenging food." It was proven that it was civilians from the town of Loc Minh. Roughly two a week were killed and occasional injury was often treated at the battalion first-aid hootch.

MODERATOR. All right. Craig, let me ask you a question. How many black personnel, and when I say black personnel, how many black men, were assigned to your company?

CRAIG. Company strength varied between 80 and 120 and it was usually about a third.

MODERATOR. A third?

CRAIG. A third of all personnel, yes.

MODERATOR. Let me ask you this. When you point, it's well known to all us vets that when initial fire takes place usually the first five people are the ones that got hit, is that correct?

CRAIG. That's true.

MODERATOR. How are blacks used as far as walking point? Explain that for me, O.K.?

CRAIG. They're considered to be more adept at walking point. Plus the added factor, blacks came under a lot of blame for some of the so-called fragging that goes on. Anybody under suspicion found himself on point, usually pretty fast.

MODERATOR. Thank you. The next speaker, testifier, is former Spec. 4 Robert Witorski.

WITORSKI. All right, my first complaint would be on August, or in August, I worked in Quang Tri Province near the city of Quang Tri. We were on a searching mission—

MODERATOR. Excuse me, Robert, could you start off by giving your company, and your unit and the time you served in Vietnam?

WITORSKI. I was with Charlie Company, Second and Twelfth, First Air Cavalry, and I served there from May of 68 to May of 69. Now in August of 68, we were sent on a searching mission of a supposedly evacuated or deserted village. Now the policy of searching a village is that they take the whole company—that is about a hundred and sixty guys, it varies—and they put you on the line, and they're going to cover every square inch of this village, they're theoretically going to turn up every booby trap that was set in that village. And you can't always see the booby traps. Now, we took a bunch of prisoners there, approximately 30, and we were going to evac them for questioning—bring in a helicopter and lift them out. Now as the helicopter came in (they were going to remove the wounded also) we took fire; we received one mortar round. They got the civilians and wounded out and nobody was hurt as a result of that mortar round. We were given the order to move out again, and as we did, I turned behind me and some of the drag elements, some of the guys that were lagging behind, were burning hootches. It wasn't our policy to destroy anything, but for some unknown reason, somebody had set fire to about four hootches. It was also our policy to frag any suspected position. Now, every one of these houses in this village has an adjoining bunker in case of mortar attack—see, they're going to get it from either end; if they support the U.S., they're going to get attacked by the Vietnamese, the North Vietnamese. Now they used these bunkers that were adjacent to their houses more or less as an air-raid shelter, rather than a fighting position. Most of the openings, or the access holes to these bunkers were inside the houses so that if a person was in the house and something happened, they could run into the bunker. On that particular day, there was an order given to frag all suspected positions.

And it got to the point where we didn't so much look out for the booby traps as you were looking out for the guy next to you who was throwing grenades in every direction. You'd yell a term "fire in the hole" when you'd throw a frag. And, like that just echoed all day, "fire in the hole." Now, the next day we continued on our sweeping mission and that night we set up a perimeter. I wasn't familiar with the area I was put in, so I took another man with me to sort of recon the area and I engaged a booby trap. I was wounded as a result of this. Now, if this village had been swept properly, or as it was supposed to have been, that booby trap should have been discovered. I was looking for booby traps, but they're pretty well hidden; they're pretty hard to see. Another incident I'd like to mention is at L–Z Grant. This is near Tay Ninh in Tay Ninh Province. We had been hit; we were attacked. The landing zone itself was attacked at night by NVA soldiers. They had taken approximately 200 bodies on the wire, on the barbed wire, that were dead. To the best of my knowledge, they had only captured one prisoner and he was a high-ranking NVA official. Now, en route from L.Z. Grant to Tay Ninh for interrogation, this man was pushed out of the helicopter approximately a quarter mile from the perimeter, and consequently died as a result of the fall. On that same night that the base was attacked, they called in jet air support.

The jets—they had jets in the area and they had helicopter gunships in the area working in a ——, you know, in just a scattered pattern. They asked the jet to move in a little closer to the perimeter for closer support. And the pilot, I guess, misjudged the perimeter and dropped a napalm bomb on one of the bunkers. As a result, one man who was formerly with my unit was killed. He had been put in the rear as a safer place to be because he only had 29 days left in the country. It was usually a policy where if you got within a short time of your DEROS date they would try and give you a position that would be less detrimental. Now, I don't know how detrimental that can be; the guy was burned beyond recognition. The only way we know it was him is because he was missing and he had a wallet on him. Another incident I'd like to mention was just after getting out of the hospital. My unit had pulled a big shift from up north in I–Corps area to the III–Corps area near Tay Ninh. And this was in Cu Chi. It's a large base camp; they have planes land there and it is pretty civilized. My unit was lining up for chow. We were going to go in and eat supper in the mess hall and the C.O. gave the order to spread it out in the chow line. Now the reason behind this is that when you're out in the field the guys get a little hungry and a little anxious for some hot chow and they tend to bunch up together. As a result, it can be pretty bad if somebody pops a couple of rounds at you—like a mortar round could kill up to 30 guys, if they're grouped together and it's placed right. But in a big base camp, its relatively pretty clear. Guys are walking around with baseball hats on, trucks are driving by, guys are swimming in swimming pools.

Our C.O told us we had to wear our helmets in the chow line and spread five meters apart. Some of the guys expressed their, you know, feelings about this and the C.O. said, "All right, you're not going to spread it out", and went and got a fragment grenade and fragged our chow line. As a result, he wounded one of my ammo bearers. He wasn't hurt too bad, but what the heck, when you're fighting one enemy you don't have time to fight you're friends, or your leader. Another incident happened up in the I Corps area. We had been working the Street Without

Joy (it's adjacent to Highway One). It leads from a place called Wonder Beach almost directly to—at that time it was the Cavalry Headquarters—Camp Evans. We were told to establish a perimeter and set-up positions, which we did and as the days passed, more and more people were coming to this perimeter, engineers and the like, and setting up barbed wire, and extending the perimeter—making it bigger. They were planning on making a large stationary camp in this area. Now in the early days of this, when there wasn't any barbed wire (it was just us guys on the line) they had us stringing barbed wire. I was on a barbed wire detail and that night I had to pull an ambush. The area we were in was hilly and small brush. You could see for miles. Clearly, for miles. And I commented to one of the guys who was on ambush with me, I asked him, "what makes you think that anybody is going to come walking along through the middle of nowhere? You know, just in the middle of the night, you know, helter-skelter?" and he said, "Well, we've got two bodies". We were given the order not to take any prisoners or wounded on this mission. If we ambushed anybody that night, they had to be killed. They had taken two prisoners earlier, and they were shot and their bodies were placed approximately 30 yards from the perimeter site, from the ambush site, and Claymore (Claymore mines) were set-up in a defensive position around the bodies in order to decoy, as bait. We never executed an ambush; nobody ever came along. So following about three days of this, a bulldozer from the engineering outfit came over and just pushed dirt over the bodies because they were starting to smell. And another incident I'd like to mention is that we were on a, just a random pattern of walking around in the jungle, near Nui Ba Den, near Tay Ninh, working that area, when we engaged the enemy. To the best of my knowledge, there were only two of them, maybe three at the most. One was killed as a result of it, and we were in the process of tracking the other one. Now that day ended and the next day came and we were still tracking this guy, when we, the point element, thought they saw something. So the C.O. got a little anxious and said, you know, let's get with the program: if you see something, shoot it. When you're the point element, and you figure that the first five, six, seven guys get hit in the initial volley of shots, you're not too anxious, you know, you're pretty cautious, and when you've got somebody who's sitting maybe two hundred yards back on a radio telling you to hurry up, you really don't appreciate it; he's not the one up there. So, this NVA apparently didn't have a rifle—we didn't find any rifle. He had a Chi Com pistol with him and a few hand grenades. Now, he had gotten to the point where I guess he was exhausted; he couldn't run any more, and with this hot pursuit on his trail, I imagine he was pretty scared. He threw a couple of frags at us, you know, in an attempt to hold off impending doom, and then took his own life. Shot himself through the head. He never once tried to surrender. I think we would have taken him as a prisoner. I don't think he would have been abused—we didn't usually make a habit of abusing prisoners. We sent them in the back, and possibly there they were abused, but not out in the field. We got rid of them too quick.

MODERATOR. Robert, I'd like to call you Rob, if you don't mind, to get on that last one that you stated, would you say that the actual main reason why he did shoot himself was that a superior force was after him and all he had was a pistol so his destiny was pretty well determined if he continued to fight? Or if he had yelled "Chieu Hoi" would you have taken him as a "Chieu Hoi". Or if he had thrown away his pistol, and yelled and put up his hands would you have taken him as prisoner?

WITORSKI. Well, the reason I said that he was probably pretty scared is because of what happened to his buddy. Now, upon killing the other member of his team, a lieutenant from either the 2nd or 3rd platoon (it wasn't my platoon) came up from the rear, saw the dead body, and seemed satisfied that he was dead. But then he took the body and set it up against a tree, crossed his legs, put a cigarette in his mouth, put a hat on his head, folded his arms, and then with a sharp instrument (he might have even taken a stick and sharpened it) took a Cav patch and just tacked it to his chest and left it there—we left it there; we marched right on by it.

MODERATOR. All right, if I may explain to the audience that to multilate a Vietnamese body or a Buddhist body (anything of the Buddhist religion or Hindu or Indian) is to violate their religious rites; to take any part off the body or to mutilate it means that the soul cannot go to heaven or wherever it's supposed to go. It lies in limbo, and to the North Vietnamese and to the Vietnamese, this is the most horrible thing that could ever happen. This breaks up the family dynasty that they have going. That's why we are told not to pet the little children on their heads because this directly offends the Vietnamese people. The head is the most, how would you say it, sacred part of the body. Now, to get back to Rob. The military tactics that are being used in Vietnam, when we were there and that are being used now, are vesting the lives of Americans and civilians for no necessary reason; this is through carelessness. Now, am I right, or am I wrong?

WITORSKI. Well, I have to state this from my own point of view. I didn't go over there because I wanted to, or becaused I liked it, but, you have to do something, so I went over there. I think what happens, the way they get you into actually fighting—where the bullets are exchanged—is that when you're ambushed, or when you hit contact, usually, I'll say usually, somebody is hurt in the initial contact. So if you're following some guy and he drops in his tracks, are you going to turn and run? Or are you going to stay there and try and help the guy? The army puts you in a position where you are not obliged to the army itself, but to your friend. You know, the friends you made over there, the guys you live with. When one of them is hurt, you just can't leave him. If there was an initial volley of shots and nobody was hurt, we would withdraw out of the area, and we would call in support-artillery, jets, whatever it took, until we felt it was safe to proceed. But when somebody was hurt in the initial volley, somebody had to stay there with him.

MODERATOR. In other words, what the military system is doing with the American troops in Vietnam is using them, the infantry troops, the grunts that hump the fields, is using them as bait.

WITORSKI. That's putting it kind of rough. I would say that the army put you in a bad position and you just got to make the best of it. You know, whatever comes, may come. Like I said, if nobody was hurt, all the guys would withdraw; nobody was for pushing ahead; nobody wanted to make contact. Everybody dreaded contact because usually with contact came injury and maybe even death. I know they never got me in a position where they would say "All right, I need three men to go up here and do this or that." It was always, "There's somebody hurt up there," or something like that, and "You guys get down there and help them." That kind of thing. It was never a voluntary basis out of the clear blue. When they sent us on patrols, I would have to say that the guys I was with kept it to a bare minimum as far as looking for trouble. We didn't poke our noses into places we didn't want to go. If the C.O. said, "Well, go out about two miles and turn left and circle back in," we might go out of sight and just sit down and wait a half hour and then come back in.

MODERATOR. OK, to get back on to the same thing about the fragging in the villages, that specific village of Quang Tri. Was there any enemy activity in the village itself?

WITORSKI. Well, like I said, we received one mortar round, no small arms fire or anything else and the reason I don't think there was any enemy activity in it was because we would have heard the tube fired for one, if it was in a reasonable amount of distance, let's say within a mile. So it was pretty well out somewhere where we didn't hear it. And they just lobbed one round in. I think they were too far away to engage us in small arms fire. In fact, I went so far as to walk into a clearing and look over the terrain. It was all rice paddies and I found a sandal in the mud, right there, and I kind of got scared and I pulled back into the trees. But I believe that if there had been close enemy activity, I would have been shot at.

MODERATOR. OK. When the men of your company fragged the shelters that the Vietnamese had in their houses, could there have been a possibility that there were children—women, children, or older men—in the bunkers and if so, were there enemy bodies found after they fragged these bunkers?

WITORSKI. Well, like I said, I think they were used more or less as an air raid shelter or a place of hiding rather than a place of fighting. There was no accessible fighting position. They were completely blocked off on the outside. The only access was through the inside of the house and it wouldn't make a very good place to sit and try to fight. But still and all, they made sure they fragged every bunker at least once. We never once in that whole village, in the two days that I remember did we ever find a weapon. We found a poncho, a wallet (an unidentified wallet) nothing in it, and booby traps and thirty civilians, about thirty civilians.

MODERATOR. Thank you very much, Robert. the next testifier we have is former E-5 David Stark. David.

STARK. Yes, I'd first like to clarify my unit which was the 524th Military Intelligence Detachment. It had no direct connection with the 1st Air Cav. I'm not part of this other unit. I was in Vietnam from October 67 to October 68 and I had the opportunity, the unfortunate opportunity to be there during the original Tet offensive in Saigon. I have two photographs here that were taken from my house. I lived in a rented French building in Cholon, which is a district of Saigon. The picture on the top right I took one day from a water tower on the roof of our house. That fence, the barbed wire fence in the foreground which isn't clear to people sitting too far away, is on the back perimeter of our house. The picture encompasses an area of approximately one quarter square mile. It was taken approximately January 29 or January 30 right about at the beginning of the Tet offensive. The second picture, on the bottom left, which is labeled "after", was taken just less than two full days later. This was a result of a bombing run called in on a rumored number of 300 Viet Cong living in the area. Where that information came from, I'm not quite sure. That was not part of our unit's doing. There was a Korean compound down the street. A Korean general's house who was active in that movement and I think the figure 300 came from them. The Koreans later related to us during the clean-up phase they reportedly found somewhere from 1300 to 1400 bodies. Due to the nature of my job in Saigon I had friends in other units (intelligence units in Saigon) and one of these friends took me to an interrogation compound located between Cholon and Tan Son Nhut. I myself, at that compound, witnessed minor beatings of Viet Cong prisoners, especially in chairs where they would be strapped down and their legs would be beaten. I, also, saw in that same compound (I didn't see it used on an individual), but I saw an apparatus I can only describe. It

was a fence about seven feet high and it had high hooks mounted in the wood. I was told that the prisoners were stripped of clothes placed up against this fence, and approximately ten to fifteen feet away there was a pipe sticking out of the ground on the top of which there was mounted a high pressure water nozzle, the same type you would be familiar with on a fire hose. I was informed that prisoners would be placed up against this fence and this high pressure hose would be turned on, for any period deemed necessary, I guess. I, also, saw, in the building, a table with a piece of apparatus on it that I was told was the inside of a field telephone and it did look like a field telephone to me. I have seen them a number of times. This was taken out of the case and it had two long wires, electric probes that I was told were used on all parts of prisoners' bodies for electronic type torture. The way this operates, there is a crank on a field telephone and when this is cranked it builds up enough power inside to transmit over the wires a strong enough signal to ring the other person's telephone. I don't know the voltage of it, or what, but I understand it is very painful. I was just told that the faster you crank it, the higher the voltage, so I guess the more you crank it, the more information you got.

MODERATOR. David, and to the rest of the panel also, if there is a feeling that I am baiting you into answering a question, just tell me to cool it. David, how many North Vietnamese were supposed to have occupied Cholon?

STARK. The entire area of Cholon?

MODERATOR. Right. That vicinity that was burned.

STARK. That vicinity in the pictures?

MODERATOR. Right.

STARK. I couldn't really estimate that number because the area was a refugee area—not a sanctioned government refugee area—just an area where people saw space and moved into and built houses out of whatever was available. It was a very highly concentrated population, I'm sure, because the houses are just stacked on top of each other and right next door to each other and many people live in single room dwellings, so I'm sure there were several, several thousand people in that area.

MODERATOR. What about the enemy activity in that area? How many people? The troops, an estimate that was related to you?

STARK. Activity?

MODERATOR. The enemy activity, right. The troops that had supposedly moved into Cholon?

STARK. Oh, well at the onset of the Tet offensive there was a great deal of fire activity all throughout the city. The highest concentration of activity was in Cholon, Phu Lam and Phu To which are all suburbanite districts of Saigon. It's not in downtown Saigon. It's as a neighboring area within the city limits would look to Detroit, I'm sure. And the activity was very indiscriminate sniper fire, occasional rocket rounds, mortar rounds, this sort of thing.

MODERATOR. But yet there were thirteen hundred bodies counted?

STARK. Approximately thirteen hundred bodies were picked up after, during clean up period.

MODERATOR. All right. Thank you David. The next speaker, a former E–5, James Duffy. James.

DUFFY. I served as a machine gunner, on a CH–47, Chanuk helicopter with Company A, 228th Aviation Battalion, 1st Air Cav division, from Feb. '67 to April '68. Most of our missions we flew alone and we had a wide variety of missions. One such mission was a gas run where we loaded the ship with twelve 55 gallon drums of what I was told was CS gas which we dropped into a well travelled path in the An Lo Valley. We were told that gas would be effective for a number of weeks; it would remain there. Another mission was a defoliation run on our own perimeter in An Khe-that was the base camp at the time. The perimeter was occupied by GIs, grunts, pulling guard duty, and also Vietnamese civilians from the neighboring town who were allowed to chop wood there. So both our people and theirs were exposed to the defoliants. And when I first became a gunner, I was told the company policy was to return fire from all guns when fired on. To continue fire until our supply of amo had been expended. This was usually thousand round belts that we kept in each of the two M–60 machine guns. Also the crew chief, myself, and the flight engineer had M–16s with as much ammunition as we wished to fire. It was quite usual that there would be a sniper outside a village in the foliage, in the trees, and if we took fire from one sniper we'd return fire on that sniper and then continue to spray the entire village with machine gun fire and M–16 ammunition until we either ran out of ammunition or we had flown so far away from the village that we could no longer reach them with the weapons. Now, the thousand round belts we used in the machine guns were usually straight tracer rounds so during the dry season (when the Vietnamese live in these hootches made of C-ration cans and straw huts) the tracers would set fire to the huts so the ones that we didn't get with ammunition we could try and burn them out. The free-fire zones were posted on the operation map in the operations tent and this gave us a policy to kill anything that moved within that area. On one operation, I was flying an LZ. We took fire when a round hit one of our fuel pods and one of the jobs of a crew member is also to pull maintenance on the ship—and the more maintenance you have to pull the less flying time and the less chance you get to kill gooks because that's the mental attitude that the army forces you into. So we were kind of mad that we had taken a round in the fuel pod, so after leaving the LZ we requested the pilot fly over the area we had taken the round from so we could get whoever it was that had fired at us. We were all pretty up-tight about it, and as soon as we left the LZ, I noticed a contingent of Vietnamese peasants chopping wood and I decided, well, if the Vietnamese can fire a round into my ship, then I can fire as many rounds into the Vietnamese as I want to.

So I swung my machine gun onto this group of peasants and opened fire. Fortunately, the gum jammed after one or two rounds, which was pretty lucky, because this group of peasants turned out to be a work party hired by the government to clear the area and there was GI's guarding them about fifty meters away. But my mind was so psyched out into killing gooks that I never even paid attention to look around and see where I was. I just saw gooks and I wanted to kill them. I was pretty scared after that happened because that sort of violated the unwritten code that you can do anything you want to as long as you don't get caught. That's, I guess that's, what happened with the My Lai incident. Those guys just were following the same pattern that we've been doing there for ten years, but they had the misfortune of getting caught at it. And rotor wash from the helicopters was a very effective and sadistic weapon. Chanuk helicopter is basically a cargo ship; that's what it's designed for. I forget the weight you can pick up with one, but when you've got a full load, you can put out a rotor wash at certain times that approaches a hundred miles an hour. Some of the things we used to like to do was in the morning the people from hamlets and villages go out to a designated field to defecate and if we'd be on an early morning mission, we'd spot them, make a swoop in, and we could get up to a hundred twenty knots, about a hundred thirty miles an hour. And as you swoop in with the ship, just as you approach, the pilot would flair the ship on its tail, and the rotor wash would spin around and hit the people, blowing them over through the sand and their defecation. This was one of the things that we did for kicks. Rotor wash was also used to blow down the huts, literally blow down the villages; like I said they are made out of straw and junks. So we'd come in and flair on a ship and just blow away a person's house. Also, the Vietnamese, when they've harvested a crop of rice, put it out on these large pans to dry and that harvest is what is supposed to maintain them for that season—what they're supposed to live on. We'd come in to flair the ship, and let the rotor wash blow the rice, blow their entire supply of food for that harvest over a large area. And then laugh, as we'd watch them running around trying to pick up individual pieces of rice out of a rice paddy. Over an area larger than this room. It was also used to spook water buffalo. The Vietnamese when they plow their fields and rice paddies they follow the rows of plants which are fairly straight. And if we'd spot somebody plowing his field, we'd make a run on him. That would spook the water buffalo and the water buffalo would take off in any old direction with that plow ripping up the field and usually the farmer being dragged with the plow through the field. Once we were picking up a sling load of ammunition and the army had a habit of putting pick-up zones and drop-off zones right near well travelled roads, you know, roads travelled by the local villagers.

So we were hovering over this sling load of, I think it was Howitzer rounds, and I was hanging out the window observing what appeared to be a twelve year old Vietnamese boy standing there watching us. And as we lifted up with the load, the rotor wash increased because of the weight and it blew him into the path of a 2½ ton truck with trailer which killed him instantly. The psychological effect is something I'd like to bring out here to you people. When that happened, my first reaction, and my flight engineer who was observing this too, our first reaction was, I guess, you would call normal. It would be horror, pain, and then I realized that I caught myself immediately and I said, "No, you can't do that", because you develop a shell while you are in the military. They brainwash you. They, they take all the humanness out of you and you develop this crush which enables you to survive in Vietnam. And if you let that protective shell down, even for a second, it could mean, it's the difference between you flipping out or managing to make it through. And I caught myself letting the shell down and I, and I, tightened up right away. And started laughing about it and joking about it with the flight engineer. He sort of moved on the same logic because I guess he thought it sort of knocked his shell down too.

MODERATOR. Excuse me, Duff. We're running out of time.

DUFFY. All right.

MODERATOR. Quickly, could you go over the mistreatment of the POW's and the feeding of the Vietnamese the poisonous food?

DUFFY. All right, all right. When we picked up POW's to transfer them to a POW camp, they'd be blindfolded and their hands would usually be tied behind their backs. On a few occasions, not often, I and other people would pistol whip them with our 45's and when that wasn't cool to do, because maybe we had, a, you know, somebody flying the ship that really wasn't hip to how to off the gooks, then we'd just kick them around as we walked around the ship. Also, on the ship, when we hit the LZ at times, we'd drop the ramp down half-way and, like I said, these people are blindfolded and tied and we walked them off the ramp and it was literally like walking off this table blindfolded with your hands tied. So they'd just fall flat on their faces. Also, during test flights, we'd go to a specific area where the pilots could check

out the controls and this would attract a lot of Vietnamese. We'd throw out the C-ration cans that we didn't like and, after they thought they were getting a lot of food, we'd hand them cans of 5606 which is helicopter hydraulic fluid and very poisonous. And I observed one kid, that I handed a can of hydraulic fluid, take a good healthy drink out of it before his mother knocked it over, knocked it right out of his hand, and he was immediately sick right after that happened. In one incident we were flying back from Khe Sanh Valley and we took fire from six NVA which caused the ship to explode in the air and make a crash landing. Now, on the way down, because our company policy was to just keep on firing, I had fired at all the military targets I could spot and I looked out across the field and I spotted a Vietnamese woman peasant running away from the ship. I fired a burst of about six or seven rounds into her back before we fired, before we hit the ground. When I was being questioned as to what happened about two weeks later by a captain in my company. I told him what we did and what I did. We both had a good laugh about it. That was pretty much company policy. Also in Hue, during the Tet Offensive in 68, I observed American fighters and bombers (Phantoms) dropping bombs and napalm into very crowded streets full of civilians. I don't know how many people were wiped out in that place. They blamed that on the NVA. Also, I was flying tail gun at the time on one mission into Hue, and just for kicks, the pilot told me to spray a house with my M–16. I don't know if the house was occupied, but the area was occupied by civilians. This was common policy. Kill anything you want to kill, any time you want to kill it, just don't get caught.

MODERATOR. Thank you James. Before we go on to the next one I'd like to ask all the veterans that are in here to please leave and give your seats to people that are trying to come in. It's imperative that these people get in and understand and know what's going on.

Our next speaker is Kenneth Ruth, an ex–E4 of the United States Army.

RUTH. My job while in the Service was medic. I was attached out to different companies at different times. I'd just like to say that each of us could go on all day talking about atrocities that we witnessed, every veteran in here, not just the guys up here. Each of us saw many, and many of them we all participated in, so I am not going to run into a whole bunch that I saw. I'd just like to name a few. At one time we were securing, which means that we set-up a perimeter around it to protect it, and you know you might sit there for four, five, six, seven days, and so we wanted to make sure our weapons were in order. What you do is you test-fire your weapons, just shoot 'em off for about two minutes or so into the distance. Well, we were told one day that we had to test-fire our weapons and be prepared to do it. Well, many of us knew that on the other side of these bushes, out in front of us, was a whole village of people, and that if we did test-fire our weapons, those people would be in jeopardy. So I approached the platoon leader and the platoon sergeant and told them this—that there were civilians on the other side of the village beyond the bushes. I was told first of all by the platoon leader that he just didn't care, and when I told the platoon sergeant about it, he said he'd shoot a Montagnard as fast as he would a Cong, so it didn't make any difference to him. Nobody else cared. This is the general attitude. You know, Vietnamese aren't humans, they're targets. And one other thing I'd just like to point out is when I was one time attached out to the Special Forces, once in a while they needed a medic, and I was usually, I usually "volunteered" to go along with them. And one time—I have some slides of this—can you show these slides?

MODERATOR. Can we have those lights dimmed, please?

RUTH. See, I'd just like to point out some of the intelligence and modern interrogation methods used by the modern and sophisticated war machine. This first one will just give you an idea of how we go into a village and get information on enemy movements and things like this. This is our special forces. You can't see it too well, but that big guy there, the guy on the far side of the picture there, he's a special forces officer or probably an enlisted man, a sergeant, and first of all we go into the village and ask people who they think are Viet Cong. (Next picture.) So we were given two people that we were told were Viet Cong. See, what we do, is we took these two guys out in the field and we strung one of 'em up in a tree by his arms, tied his hands behind him, and then hung him in the tree. (Next picture.) There you can clearly see the prisoner being strung up into the tree. Somebody point out that special forces man on the far side of the picture, the big guy. That's him right there. That's a special forces man. He's running the whole show, and this is all under their command and everything, and it's not the Vietnamese. Now what we did to this man when we strung him up is that he was stripped of all his clothes, and then they tied a string around his testicles and a man backed-up about ten feet and told him what would happen if he didn't answer any questions the way they saw fit. Now all we had to go by was that we were told that he was a suspect by other villagers. Now the other villagers weren't going to point out themselves, and somebody had to be pointed out. So they'd ask a guy a question: "Do you know of any enemy units in this area?" and if he said, "No," the guy that was holding that string would just yank on it as hard as he could about ten times, and this guy would be just flying all over the place in pain. And this is what they used—I mean anybody's just going to say anything in a situation like this to get answers out of him. And then when they were done, when the guy was just limp and hanging there, the South Vietnamese indigenous troops who worked with the Special Forces, went up there and then to get kicks, would run their knife through his ear and carve little superficial wounds on his body, not deep ones, but just you know, trickle it down his body to make fun of the guy.

We took a guy to the other end of the village, and we didn't do this, all we did was burn his penis with a cigarette to get answers out of him. And if—I'm sure people understand what that would be like if it was done to yourself or to your children. Like I said, this is just one of the things I saw. I could just go on all day. All of us could. And every GI in this room could say the same thing. But it's not just us. Everybody knows this. It isn't just Lieutenant Calley. I was involved, I know there are so many other people involved in all this American policy in Vietnam.

MODERATOR. I might state that Kenneth Ruth is a police officer and is working on his master's degree in education. All right, the last testimony that we have to give is from myself. I am Michael Hunter, 24. I served in Vietnam two tours, the first tour was from the 1st Air Cav. Bravo Company 5th/7th Air Cav. and the second tour was the 1st Infantry division, I Company, 75th Rangers, Lurps (LRRP) about 40 miles west of Saigon. The first thing I want to bring to you is that I arrived in Vietnam during the Tet Offensive and Bravo Company, 5/7 was already outside of Hue. I flew out, and the second day that I was in the field, we came across a boy—he couldn't have been any older than fourteen—his arm was half, I'd say, 90% blown off. It was hanging by the skin, I mean it was hanging up to here. I requested—as a matter of fact, I didn't request—I demanded, from the medical NCO, that we had there that something be done about him or else he'd die. He was so far gone, as far as deterioration, that he was stinking. You couldn't stand too near his body. The NCO said, "No, I don't want to waste my medical gear. It's no use now wasting our medical gear, because if we make contact we're going to need it. We don't have that readily available Medivac or the ships to supply us medical aid." I told my C.O. and he said, "Well, we don't have the time to stop and help him. He's going to die anyhow. We've got to move on because we got a mission to perform". That was the first incident. Later, in between Hue Phu Bai and Camp Evans, which is also in the I Corps area, we came across and had an awful lot of fire fights with mainly the NVA. After the fire fight was over and the NVA were laying on the trail, we would approach the bodies, we'd shoot again to make sure that they were dead and then we'd carve—and I would say we, meaning myself also—carve Cav patches (what you see on that gentleman's arm right there) into his chest. And after that, if that wasn't sufficient (and this was done quite a few times) the heads of the bodies were cut off and they were placed on stakes, jammed down on stakes, and were placed in the middle of the trails and a Cav patch was hammered into the top of his head, with Bravo Company's "B" written right on the top. Now this hasn't happened just once or twice, it happened five or six times. It didn't happen just in Hue Phu Bai, it happened around the Tay Ninh Province also, when the First Cav moved north or south. We also dug up bodies, bodies that had been dead, gone for about three or four weeks when we weren't making that much contact, and we would take the skulls and do the exact same thing—put them on the stakes on the trail, put another Cav patch on it, plus we would use them for body counts, repeated body counts, and what I'm saying, so no one will just misquote me, is that the body count given to the American public is extremely exaggerated. Every bunch of hootches that we came across (and I may say we didn't take activity around the roads unless we were resting) of huts numbering them six to twelve and on up, whether they were occupied or unoccupied, were burned.

And if we didn't have the grenades or satchel charges to destroy the sanctuary holes for the Vietnamese, then we would tear them apart by hand. This was a standing order for Bravo Company 5/7, and it was standing order for 5/7 alone. As far as CS gas, we always used CS. CS is the most powerful gas that can be used that will not kill you. It can create bodily harm if you're close—extremely bad burns. My C.O. of Bravo Company, 5/7 gave an order, or I should say, gave permission to all the senior NCO's the officers, and the enlisted men who were on guard on the outposts, to use CS on the civilian population who were congregating around the fences or the wires. Now this particular area was a rest area no more than 50 feet from a village directly on a road, and directly between a road and a bridge. The Vietnamese farms or their properly lay on the other side of the bridge. They had to go past this bridge to get there. Smoke was constantly thrown outside the fence area at people walking by, and when the kids, and I do mean kids, four years old, ranging up to sixteen years old, came around the fence to sell GIs cigarettes, or candy, or beg for food, they were CSed. And what I mean is they were gassed. This didn't happen just once, it happened constantly, the whole time we were there and when we were in the base camp also. And when we didn't use CS out of the grenade we used CS out of the canister round of the M–79, which, if you're hit by it, you can be killed. We were in a free-fire zone just outside of Camp Evans and an old man, age 68, (I must say we could not tell that he was 68 at the time) was approximately 100 meters

away from us cutting pineapple. It was very visible that he was cutting pineapple, and that he did not have a weapon. What he had was a machete. Machetes are carried in Vietnam by almost every civilian that works in the field and by the children. I was ordered by the senior NCO that was backing me up at the time, right behind me, to open fire. I opened fire and killed the man that was 68 years old. We found identification on his body stating that he was not a VC, not a Viet Cong, not an NVA. He was a civilian and he did live in the nearby village, which was no more (and this was a free-fire zone, I may add) than 1200 meters away. That was his farmland that he was cutting down—the crops on the farmland. It was reported to the battalion that this was a body count. He had a weapon—the weapon being the machete. Suspected VC. I served with I Company, 75th Rangers, excuse me, H Company, with the First Air Cav., and as you know, we do not have permission to cross the Laotian border. Up around A Shau Valley, which you might have heard of, or might not have, we crossed twice. When I say we, I say the teams that I was with, and we located enemy positions—how large the enemy was, its capability, and so on. That is not the thing. The fact is, we crossed a border line illegally. And you haven't heard anything about that yet.

QUESTION FROM AUDIENCE. Could you give us a date on that, Mike?

MODERATOR. As far as a date, as far as crossing the Laotian border, that took place in March, 1968, twice. That was just prior to the Ashau Valley incident involving the 1st Air Cav., I, One Second. I, also, served with the 75th Rangers, I Company, attached to the First Infantry Division, just outside of Saigon. Prior to my getting there, in March, April, May, and June of 69, one helicopter of Lurps was sent across the Cambodian borderline, and I may add this was also illegal because we had no right in sending troops over there. The chopper was lost. It was hit by a B-40 rocket round and exploded in mid-air. We lost seven Lurps and four crewmen. Another time, another team was sent across the borderline, dropped off just short of it, walked across, and was never heard from again. To this day they are missing in action, presumably killed in Viet Nam. Now, as far as atrocities, my company, Bravo Company, 5th of the 7th, when we were outside of Hue shortly after the Tet offensive, went into a village (and this happened repeatedly afterwards) and searched for enemy activity. We encountered a large amount of civilian population. The civilian population was brought out to one end of the village, and the women, who were guarded by a squad and a squad leader at that time, were separated. I might say the young women were separated from their children and the older women and the older men, the elderly men. They were told at gunpoint that if they did not submit to the sexual desires of any GI who was there guarding them, they would be shot for running away. And this was best put in the language as best possible for the people that cannot speak Vietnamese and they got the point across because three women submitted to the raping of the GIs. I think that pretty well does it.

QUESTION. Mike, back to the body count. Were the body counts just enemy or were they men, women, and children? You said they were grossly exaggerated. Does that include the men, women, and children?

MODERATOR. A body count is a body count. I mean, that's exactly what it says. When the battalion commander calls up and says he wants a body count, if there are men, women, and children laying out there, he gets a body count of that many people. And usually we'd count about five bodies and it gets back there and it's about 25 or 15 bodies.

UNIDENTIFIED PANELIST. I'd like to add something to that. I know on numerous occasions, when we would receive contact in the field, we would call in support—artillery, gun ships (by that I mean helicopters) and, if necessary, jet fighters. Now, every time someone is killed, there is kind of a dispute over who got him. So the Air Force claims one, the Artillery claims one, the Infantry claims one, and the gun ships claim one. So you've got only one body, but you've got four people claiming it. Ah, I don't know, it was my distinct impression that during periods that I was over there, that we weren't winning the war.

MODERATOR. Okay, I'll open it up to the press now and to questions, for a brief amount of time because we are way overtime as it is now.

QUESTION. I am not clear on the point I think Robert was making, or somebody else over there, about the role of the point men and how the black GI's are used as point men. This is not clear. I don't understand that. Could you amplify that point?

ANSWER. The point man is a function where the company moves in three ranks, somewhat like a wedge. The point man is in the middle column in the front. If there are any booby traps with a wire, the wire hits him. Any enemy in a concealed position waiting to ambush, day or night—the point man sees him. The point man should be super-alert, super-apprehensive but at the same time collected enough to function. Like if he gets shot at and he is pinned down, he should be able to not only keep things cool to his front, but at the same time get word back exactly what he thinks is up there. It's extremely dangerous. Most point men are volunteer. If they are volunteer, they're gung ho and got their just-come-uppance. Or the practice of fragging, which you might have heard about where certain career-motivated personnel have to be disciplined by the EM (enlisted men). Standard procedure is the first time to put a CS grenade in his lodging. You know, he sleeps on a cot, most other people sleep in the mud. If he still doesn't straighten up, hand grenade or claymore. This happened to our master sergeant in 8th Brigade.

QUESTION. My name is ——— and I'm from the Detroit Women's Media Co-Op. I have a couple of questions. The people mentioned that there was brutality done to people's testicles and stuff like that. I just wanted to know if that kind of specifically sexual brutality to men is done a lot, you know, is a lot of brutality aimed at a guy's penis and stuff like that because people talk about what they've seen with the——

MODERATOR. Do you want any one of the panel to answer that question?

ANSWER. Anybody that knows about it.

MODERATOR. Yes, Dave. The question was about the pictures of people torturing the men by wires and other means by using their testicles. Is this done frequently?

STARK. I can't speak too much for the frequency of it, as much as for the reason. There are two basic reasons for it. One is that if you are looking for information, you seek the most senstive areas of their body. If you're out in the field, you basically want to degrade them more. And attacking their sexual organs would be more degrading than their arms or legs.

MODERATOR. Okay, we are extremely overtime. Okay, the last one, since you had your hand up. Go ahead.

QUESTION. I was in Vietnam with a service project that was a private program. It wasn't anything to do with the government. I lived in An Khe, in a refugee camp. I didn't see torture, but I heard a lot of stories because I spoke Vietnamese, from the Refugees there. And I think that it does no good to tell of all these atrocities unless you explain what you understand of why we are in Vietnam and I learned one Vietnamese phrase very well from these people "De Quoc My" it means American imperialist.

AUDIENCE. Right on.

SAME QUESTIONER. Please, each of you, try and explain what you understand from this. Why are you working in the Police Department after being in Vietnam? These people are working at the base for 50¢ to $1.00 a day. And they have to eat rice from the United States. They were rice farmers. They left their villages because they had been forced to leave them and forced to work on the American base because there was no alternative. They were filling sandbags, cutting grass, doing anything. Their kids couldn't go to school because they had to sell peanuts and pop to the soldiers. They hung laundry, which was given to them to wash as a security measure by the GI's. They have machines on the base. This was in order to give them some means of income. They washed it by hand.

UNIDENTIFIED PANELIST. Could you come down, please, to the room at the end of the corridor? I'd be glad to rap with you about that. If you were over there and you want to know how the GI looks at it—the ideologies—and you referred to him being a cop now—The difference is believing in what you are doing and being forced into what you are doing, I'd like to talk to you later about that.

SAME QUESTIONER. Who is the enemy?

MODERATOR. Well, I'm sorry. I wish we could sit up here all day and talk to you, but we are 45 minutes over time and we're keeping other people from coming up and testifying to atrocities that happened in Vietnam. At this time I'd like to thank you, the press, and my brothers and sisters out there, all of you, and thank you very much. I forgot to remind you that every person that sat at this panel for the 1st Air Cav. has stated that they would swear, under oath, for everything that they have said.

WEAPONS PANEL

Moderator

David Braum, 26, SP/5, 21 Trans. Co., 119 Avn. Co. Airmobile, 52 Combat Avn. Bn., 52 Prov. Plt., Delta Bn. (1963–64)

Panelists

Dr. Bert Pfeiffer, Professor of Zoology, University of Montana; Visited Cambodia, Laos, North and South Vietnam 1969–1970

Douglas Hostetter, Vietnam Christian Service, July, 1966 to June, 1969; on the National Student Association Trip to Hanoi, December, 1970.

Arthur Kanegis, Research Assistant at NARMIC (National Action and Research on the Military-Industrial Complex), a Project of American Friends Service Organization

Richard Ward, Foreign Editor, *The Guardian;* in Vietnam, summer of 1965; in North Vietnam and Laos, summer of 1970.

MODERATOR. This afternoon the people on this panel are going to be testifying about weapons. And, I would like to take this time to introduce myself and the members who are going to give testimony. My name is David Braum and for military purposes my serial number was [redacted] The Pentagon has a record of it and the paper can check it out. In Vietnam, in 1963 and 1964, I was a helicopter crew chief with the 119th Aviation Battalion, assigned to 52nd Combat Aviation Battalion, headquartered at Pleiku, and operating out of II corps. I went there under the advisor myth during the administration of John F. Kennedy and later Lyndon Johnson and I worked in I Corps, II Corps, and the Delta, so I've seen a fairly good section of Vietnam. My qualifications to be the moderator this afternoon for the Weapons Panel are that in civilian life I was, for five years, purchasing all materials and supplies for the United States Air Force, the U.S. Navy, the Atomic Energy Commission, the Army and the CIA, and I worked for Columbia University's Government Contract Purchasing Division. The members of the panels this afternoon are: Dr. Bert Pfeiffer, whose sub-

ject will be defoliation in Vietnam; Mr. Art Kanegis, who will discuss automated battlefield equipment and anti-personnel weapons; Mr. Doug Hostatter, who will document actual effects of chemical and biological warfare programs on people, animals and crops in the Southest Asian area; Mr. Richard Ward, who will show you the results of bombing in North Vietnam and Laos, and Mr. Wilbur Forester, former 1st Lieutenant with the American Marine, 11th Marine Division. He was an artillery officer and he will be here to provide testimony relevant to Art Kanegis' material on battlefield electronic equipment. I would like to make an opening statement and I quote, "every violation of the law of war is a war crime," as published in the United States Army Field Manual 27–10, the Law of Land Warfare, page 179. We are going to be able to, if you need it, document the applicable laws under the Geneva convention and various treaties should these questions arise later. I would like to begin by having Dr. Bert Pfeiffer introduce himself and give you his qualifications to discuss the subject of defoliation. Dr. Pfeiffer.

Dr. PFEIFFER. Thank you very much, Dave. I want to say that it's a real honor for me to have been invited by this outstanding group of Vietnam war veterans to participate in this very important meeting. First, I'd like to say that I am a biologist, professor of zoology at the University of Montana. I've taken my degree in Biology at the University of California, at Berkeley, some years ago. With respect to the thing I want to talk about, which is the chemical war in Vietnam, with particular reference to anti-plant chemicals, I would say that I, like many of my colleagues, have been greatly concerned about this massive use of these chemicals; they've never before been used for military purposes and we have been very concerned about what the short and long-term effects were. Our concern, which dates way back to when they were first being used, has been thoroughly confirmed by the evidence that I am going to present and some others will. My concern has led me to Indochina on three different trips. In '69 I went, sponsored by a group of scientists, Social Scientists for Social Responsibility. We spent about two weeks mostly with the DOD people with the Air Force. I flew with the 12th Air Commando Squadron on a couple of defoliating raids. We made one raid up into the Plain of Reeds, a heavy suppression mission. We'll get into that a little bit more later on. On my second trip, I was fortunate enough to be the guest of the Royal Government of Prince Sihanouk, the man who I still consider to be the legal ruler of Cambodia. We were in his country as his official guests, just about a year ago, 13 months ago, to inspect the damage caused by American defoliating aircraft in his neutral country, at that time, and I want to talk about that. A third trip took me into Laos and parts of North Vietnam. I might also say, I suppose it's pertinent to indicate that I had five years from '40 to '45 in the Armed Forces fighting the war against Fascism which we all know has not been completely won yet. I want to, as I say, talk about chemical war and go through this rather lengthy paper that I want to summarize and then show you some slides. The chemical war that the Americans have been carrying out in Vietnam and other areas in Indochina as we will see it, is of two components: one, anti-plant warfare, anti-herbicidal warfare and anti-personnel gasses. I'm going to say a little bit about gasses. Not very much, and spend considerable time with the anti-plant chemicals. These are known as herbicides because they do kill plants; they also in lesser amounts defoliate them; they remove the leaves; and they also damage plants (some of the agents) by drying them up. The one we use against the rice, Agent Blie, is a desiccating agent. It makes the plant die. Now, the other agents are synthetic plant hormones. When we put the slides on I'll show you the chemical formulations for them, but they are essentially called briefly 24D and 245T and picklerram and I want to emphasize one should not confuse these with things like DDT or pesticides These chemicals act more or less like plant hormones.

They interrupt plant metabolism and in relatively low amounts do not have too much effect on animal systems although it has been found, and we'll hear more about this, Agent Orange the one most commonly used—something like 120,000 tons of this agent has been dropped upon Vietnam in the past 7 years by the United States—this has now been found to be highly toxic to experimental animals because it causes in a wide range of animals, chicks, rats, and guinea pigs a very high incidence of malformed offspring and stillborn young. Now the levels at which this will produce these pathologies in experimental animals is such that if the Vietnamese women are as sensitive as a laboratory rat is, they can very well ingest enough of these chemicals to produce malformed infants. As you know, there are many reports in Vietnamese papers about increasing numbers of malformed infants and this is a possibility. It's not proved yet that we may have created a really catastrophic situation with respect to future generations because of the use of these chemicals. The Department of Defense has recognized the toxicity of this Agent Orange which until last year was the most popular one in use and they have, as you probably all know, banned the use of this agent for any more activity at all in Vietnam. It's one of the most irresponsible situations, I think, one can imagine where for eight years they used a thing that they finally realized was too toxic and had to be removed. Now, there have been several groups of scientists who have assessed the effects of this chemical war, anti-plant warfare, on Vietnam. Dr. Shirley of the U.S. Department of Agriculture, myself, Dr. Orient, Dr. Westing and, very recently, the American Association for the Advancement of Science, concluded a study—in fact, they got back in September of '70, and they have summarized what all of us who have been there have found, and I want to quote now their summary—rather briefly—from their official publication called "Science". This, that I'm going to read was published in the January 8, 1971 issue. It says, "As a result of the anti-plant chemicals dumped upon Vietnam, one-fifth to one-half of South Vietnam's mangrove forests have been utterly destroyed and even now, years after spraying, there is almost no sign of life. Half of these trees in the mature hardwood forests north and west of Saigon are dead and the massive invasion of apparently worthless bamboo threatens to take over the area for decades to come. Six point two billion board feet of merchantable timber has been destroyed at a loss to the South Vietnamese economy of a half a million dollars minimum. The army's crop destruction program which seeks to deny food to enemy soldiers has been a near total failure because nearly all the food destroyed would actually have been consumed by civilian populations, particularly Montagnards.

This triple AS team, made up of Dr. Maiselson, one of the country's leading biologists, found evidence of shocking deficiencies in the precautions taken by the U.S. military authorities to protect the civilian populations from needless attack under the Army's Crop Destruction Program. About five hundred thousand acres of arable land have been sprayed, good cultivable land, have been sprayed according to the Army's figures, the actual figures probably much more. This amounts to enough food, Maiselson and his group calculated, on the basis of that many acres having been destroyed, to feed six hundred thousand persons for one year was destroyed. This is concrete proof that the main purpose of this was not to deny food to NLF soldiers but to deny it to civilian populations in areas that we did not control. Most of this spraying has been in the food-scarce central highlands which is principally inhabited by Montagnards. This triple AS team this summer was flown over an area in Guang Ngai Province. (I'll show you one of the slides that they have lent me) where crop destruction operations had been conducted only a few days previously. They were accompanied by the chemical operations officer, a colonel, who had planned the operation, and he assured them that the fields destroyed were growing food for the NLF. The reasons given for his assessment were found by this official team to be all false. Although the officer said there were no dwellings below and none could be seen from the air, aerial photographs taken by the Triple AS and a map in 1965 indicated more than nine hundred dwellings in the area suggesting that that target area had housed about, or was inhabited, by some five thousand, mostly civilian people. The boundaries of the fields seen in the photographs compared with ones in 1965 indicated no major crop expansion. The triple AS team concluded the land cultivation was just about enough to support people apparently living there. They said, "Our observations lead us to believe that precautions to avoid destroying crops of indigenous civilian populations have been a failure. Nearly all the food destroyed would actually have been consumed by such populations." Now I want to ask the question, "Does the use of these anti-plant chemicals violate the terms of the Geneva Protocol of 1925?

This, as you know, outlaws chemical and biological warfare. The Nixon administration maintains that the use of anti-plant chemicals does not. However, the UN General Assembly adopted a resolution last year making clear that those countries that voted for it viewed the Geneva Protocol as prohibiting herbicides in war. The resolution declares that any chemical agents of warfare which might be employed because of their direct toxic effects on animals, man or plants, is prohibited by the generally recognized rule of international law. The vote was 80 to 3 to ban anti-plant chemicals. Only Australia and Portugal joined the United States in opposing this resolution. Crop destruction involves violating more than the Geneva Protocol of 1925. It involves violation of two other rules of international law. They are both embodied in treaties which the U.S. has ratified. As you know, we have not ratified the Geneva Protocol, so we are not theoretically violating a law there. The first rule is from a 1907 Hague Convention. It prohibits employing poisons or poisonous weapons in war. The U.S. Official Army Field Manual on the law of warfare, which we've just heard referred to, clearly implies that this 1907 rule bans the use of defoliants to kill crops intended to feed civilian non-combatants, whether enemy or not. One of the crimes against humanity of which the German leader Goering was convicted was the denial of food, the removal of food, from occupied territory to supply German needs, and if this resulted in starvation, this was one of the crimes with which he was charged. The U.S. also supported the prosecution of Japanese military officials for the destruction of crop-growing lands in China. In 1949, the Geneva Convention, relative to the protection of civilian persons in time of war, forbids occupying powers from destroying enemy farm lands except in the event of absolute military necessities. So we have the Hague Convention and the 1949 Geneva Convention which specifically ruled out poisoning food for civilians. According to Professor George Bun, who spoke three weeks ago at the triple AS convention in

Chicago, a professor of law at the University of Wisconsin and formerly General Consul of the U.S. Arms Control and Disarmament Agency, he concluded that American spraying of Vietnamese civilian food crops with herbicides is totally in consistent with the rules of international law. In addition to spraying anti-plant chemicals in Vietnam, the U.S. has sprayed the neutral kingdom of Cambodia in April and May of '69, exactly one year before Nixon openly invaded the country.

As I said, I had the honor with Dr. Westing of Windham College in Putney, Vermont, to be the guests of the Royal Government who took us on a ten-day tour all through the defoliated areas. I'll show you some photographs. About 180,000 acres of Eastern Cambodia, what is called Fishhook, was sprayed by an agency of the United States government, the name of which we cannot find. The U.S. government is negotiating to pay something like twelve million dollars damage for this violation of Cambodian neutrality, but when one asks (I've asked Senator Mansfield, Senator McIntyre of the Armed Services Committee), they cannot find what agency of the government mounted this massive attack. It's a rather bizarre phenomenon that the files got lost or something. As a result of this attack, which most Americans probably don't know even happened, one-third of the rubber trees in production in Cambodia were damaged and it has very severely knocked out Cambodia's principal source of foreign exchange—rubber. In the area actually hit, rubber production fell 35% to 45%. Damages to crops other than rubber were estimated by the Cambodian Government to be approximately 1.2 million dollars. The area that was hit was inhabited by about 30,000 people and their crops of pineapple, guava, jackfruit, and papaya were simply destroyed. Approximately 45,000 jackfruit trees were killed, and I think you know that the jackfruit tree is one of the principal sources of food for the peasants of Indochina. Now, in addition to anti-plant chemicals, we are, of course using anti-personnel gasses. The only ones that I know much about are CS, DM, and CN. CS is a fast-acting tear-gas. As you know, we have CS2 now which is very persistent. It is spread as small silicanized pellets and will last for many, many weeks. DM is a vomiting agent. CS and CN are so-called tear-gasses. The U.S. has maintained that since these agents are in routine civilian use that they're just anti-personnel weapons. They do not constitute gas war. They are not lethal. However, I want to categorically state, that there is conclusive proof that adamsite DM gas has killed people, civilians, and I want to read the letter. In 1967 I received a letter from Dr. Algy Vetama, the medical director of the Canadian Aid Mission to Vietnam. And he directed the TB hospital at Quant Ngai. Dr. Vetama wrote me as follows: "During the last three years I have examined and treated a number of patients, men, women, and children, who have been exposed to a type of war gas, the name of which I do not know. The type of gas used makes one quite sick when one touches the patient or inhales the breath from their lungs.

"The patient usually gives a history of having been hiding in a cave or tunnel or bunker into which a cannister of gas was thrown in order to force them to leave their hiding place. These patients that have come to my attention were very ill with signs and symptoms of gas poisoning similar to those that I have seen in veterans from the first world war treated at Queen Mary Hospital in Montreal. The mortality rate of adults is about 10%, while the mortality rate in children is about 90%." This is from a respected member of the Canadian medical profession whom I have met and he has attested to the veracity of this letter. It seems clear to me that in using herbicides and anti-personnel gasses, the U.S. is violating several international rules of law, some of which have been ratified by the U. S. Government. I want to conclude by briefly mentioning another very serious violation concerning conventional weapons, the results of which I personally witnessed and photographed in Cambodia. This was about 200 miles north of where the defoliation occurred. It was an attack upon a Cambodian Anti-Aircraft position in late November, 1969 in which 25 Cambodian soldiers were killed by 500-lb. bombs by F-100 fighter planes. It is the post at Doc Dahm, which is right across from the Special Forces camp at Bu Prang. I don't know if you people know where that is, up in the central highlands. Now, the reason for the attack was that the Cambodians had defended their air space by shooting an American observation plane, shooting it down, that had been flying over them. In response, the United States Air Force attacked this position, killed these Cambodian soldiers and attacked a hospital. I'll show you the destroyed, well-marked hospital; and they also attacked an ambulance. The United States government, on February 20th, 1970, issued a statement in which it apologized for this. The U. S. government expressed its profound regrets and condolences and requested the Royal Cambodian government to facilitate the payment of the equivalent of $400 to the next of kin of each twenty-five persons killed. I don't know how you assess the life of a Cambodian at $400 per person. I'm quoting the State Department now. "In addition, the U. S. expresses its special regret and apologizes for the attack upon an ambulance, the character of which the pilots concerned inadvertently failed to distinguish." I saw photographs of this ambulance; it was a white vehicle, well marked with a Red Cross.

This incident was investigated by the International Control Commission. I talked with the Indian, the chief of that commission; he verified what the Cambodians told us and what we saw. This was sold in the United States as an attack upon a North Vietnamese Army Artillery position inside Cambodia. This was the justification given for this attack. This was a complete lie. I can verify this. The only places that were attacked were well-marked Cambodian installations. There were no North Vietnamese anywhere in the area. I'd like to conclude this short presentation; then we'll switch to the pictures. It should be recalled that President Nixon, in his May 1st speech announcing the invasion of Cambodia, stated that the U.S. had always scrupulously respected the neutrality of Cambodia, and it was the North Vietnamese who were violating the territorial integrity of that kingdom. The attack upon Dak Dahm, with the destruction and killing of twenty-five Cambodian soldiers and the defoliation attack that I just described and that I will show you pictures of, show, I think, how far from the truth the President of the United States can stray. Could somebody get the lights and we'll run through these pictures, so you can see I wasn't making these things up. This is just a slide of types of chemicals, just to show I really am a scientist. I can go into . . . dicholorphenoxyaceticacid, that is (Next Slide) Now the next slide simply shows how it's escalated and only takes it up to about '68. I want to say that my friend, Art Westing, who just came back, has calculated that about 12% of the total land surface has been sprayed with these chemicals, something like 50% of the hardwood forests of Vietnam have been hit, a very high percentage of them having been killed, the merchandizable timber. This is not a Tarzan-type useless jungle. The timber industry is a very important part of the economy of Viet Nam. (Next Picture) Now this slide shows the way in which the spraying has been done. These are C-123 aircraft. They carry 1,000 gallons in their fuselage of the defoliant. The raid that we went on was a heavy suppression mission. We were accompanied by F-100 fighter bombers dropping CBU's because we have to get down just above treetops and fly quite slowly about 130 knots and then this is applied at a rate of about 27 pounds per acre. The maximum in my home state is two pounds per acre, so you can see there's quite a difference in the amount of stuff we put out over there. (Next picture) These are some slides given to me by Dave Braum.

It shows you again C-123's. Now the interesting things are the Vietnamese markings on this one, but I'm told by Dave that this is flown by American pilots with Vietnamese markings on the aircraft so the U.S. government can say, of course, that this is the Vietnamese doing it, not us. (Next picture) Here's another shot. If you focus that, I think that they have pipes with nozzles. I think there's something like sixteen nozzles coming out the wings and tail and they lay down a very wide swath of this chemical. It comes out as an aerosol, and it falls on the roofs of houses if they're down below and this is what's pertinent here. I took this on the border between Cambodia and Viet Nam. This is a typical situation in a village. The people during the monsoon collect their drinking water off rooftops. This pipe runs into a great big earthern cistern. You see, they sell them (the cisterns) in the marketplace. They're huge; they hold, oh, forty, fifty gallons, I guess, and we have calculated that, at the rate of application a spray plane dumped this Agent Orange on the roof of that house during the rainy season, enough stuff could wash into the drinking water of a pregnant woman so that if she's as sensitive as rats, she'd get enough dose to make a malformed offspring. Now, keep in mind that thalidomide, which also does this, (what I'm saying is this agent Orange is a thalidomide type agent) if it's like thalidomide, women are much more sensitive to it, in terms of malformations, than the rats were, but we don't know but what this isn't true of this Agent Orange. Next picture. That's why it's been banned. It's no longer in use. This is what it does to chicks. We'll just run through these in a hurry. I was given samples of all three agents, Agent Orange, White and Blue, that we use over there, by the chemical operations at Tan-Son-hut Air Base. I had them tested for toxicity by a (look at these malformed limbs on these chicks) U.S. Food and Drug Administration doctor, Dr. Jacqueline Veret. She found all of the agents that we use over there highly toxic to chick embryos in her preparations. Keep in mind that we're dumping tons and tons of this on these people. (Next picture) We now know that all of them are toxic. Now here's the way it looks when you fly over a sprayed area in the Saigon River Delta. This is down near Vung Tau and you can see a swath of gray. (Next picture) This is a healthy mangrove swamp. The reason that we sprayed in here was the freighters coming up form the South China Sea to supply Saigon have to go through these narrow channels and the military felt that it would prevent ambush if we defoliated the area, so just hundreds of square miles have been killed.

The next picture shows you what it looks like. We went sixty-five miles on PBR's down through there and these mangroves are killed. They're not sure whether they'll ever come back. Westing, who's a forester, the second time he was in there, couldn't see any sign of regeneration. These things were sprayed maybe eight years ago. There's nothing green at all. No birds, no nothing. (Next picture) Here's a close-up that Art Westing took. This is what you call a free fire zone and we went down on a BBR with our flack jackets and all. He made a landing here and took

these pictures and took soil samples in August of 1 this summer (1970). Now, I want to say a word or two about this, because the same PBR that took the AAAS scientists down went down a week later and at the precise point where this picture was taken, where the Americans had made a landing, the NLF had brought up a forty-millimeter rocket and wiped out that PBR one week after my friends got off. Now, there's a lesson here, because it proves that this defoliation did not prevent the ambush. The other side got in there even though it was defoliated and did the damage that the Army said it was preventing.

(Next picture).

There's a very serious erosion problem. I think those of you who have had some ecology, know that happens when you remove the top comver of a forest. Now, here's a hardwood forest. These are dead trees; these trees are probably 150 feet high. They're logostromia . . . We saw a lot of them in Cambodia. They're a very, very valuable source of timber. This is the sort of tree that I said 6.2 billion board feet have been killed, particularly up and around war zone C & D, Tay Ninh northwest.

(Next picture).

Now, this is the valley in Quang Ngal that was sprayed. You see the brown swath right down that valley. The Ranch Hand boys, the ones who defoliate, the Twelfth Air Commando Squadron, I think it was that did this, got almost all that rice. Now, the colonel told the AAAS team that was all destined for NLF soliders. In fact, they found out from the USAID people that it was all Montagnards living there.

(Next picture).

Now, we're on the Cambodian border now. I just want to show you what's really there. This is in Me Mot. This is the place, if I can diverge a little bit and get a little political, that President Nixon pointed his finger to this town and said it'd been the headquarters of the NVA in Cambodia for the last five years. He said this place was completely controlled by the NVA. Well, there they are, but if you know Indochina, they're all Cambodians.

As you know, the Vietnamese look very different from Cambodians. Cambodians are much larger, much darker, they wear totally different dress, the women do. I should also point out that in this so-called communist sanctuary in Cambodia, the Sihanouk Government had invited and actually took through this area, this commie sanctuary, four American experts in July of 1969. They were taken all through, they flew over the commie sanctuaries in helicopters. One of them is Charles Minnerick from Fort Detrick and it doesn't seem logical to me that if it was what Nixon characterized it to be, that they would have allowed officers from Fort Detrick and Washington, D.C. to wander all through those sanctuaries so I think he was misinformed on that. I'm going to take you all through these communist sanctuaries in Cambodia. Here we are flying over 'em now. This is in a Royal Cambodian airplane You see over the right wing is Black Virgin Mountain in Tay Ninh. I don't know if anybody's been up on that. A lot of people died on that mountain. It now belongs, I think, to the NLF.

(Next picture).

Here we are flying over a defoliated Cambodian rubber plantation. This, as I say, Nixon said, was completely under NVA control. The facts are these were very lucrative French-owned rubber plantations and there were many, many French people living there and Belgian, the plant pathologists with their wives and children. We asked them, "Have you seen any military activity, any soldiers?" "None at all, just a few of the Royal Cambodian Army troops." It's interesting that the rubber plantations of Cambodia were the world's second largest source of natural rubber. I dare to think of what the first source is. It's U.S. Firestone in Liberia. I don't know if there's any connection between the destruction of the second-French-owned one and the first.

(Next picture).

Cambodian rubber production is now completely destroyed. Here's the way it looked on the ground. We are now in the heart of the sanctuaries. The Vietnam border is just down that road. It was through this road that many of the American troops came across into Cambodia. I saw them on T.V. shooting right into this very plantation.

(Next picture).

Now, I want to show you some of the other . . . (you saw what happened to the rubber trees) now this is jack fruit tree. There's a little Cambodian boy. It's perfectly obvious the difference.

See, they look very different from Vietnamese. These jack fruit were killed with a single application. They're like the mangroves. They don't just defoliate, they die. See, there's a big branch of one of the earlier fruits remaining. It's a very good source of food for these people.

(Next picture).

As I say, thirty-thousand people were in the area. Now this is interesting from the standpoint of a biologist because we're taking these pictures eight months after the attack and this is what is known as a custard apple. It should be about the size of a grapefruit and a nice, big, green, juicy thing, but due to this chemical (we don't yet know exactly what it was because it's hard to get anything out of Uncle Sam about this attack), whatever it was, it caused these fruits to dry out and go black. And this was very rough on these peasants. They're subsistence farmers. There are on supermarkets for them to go down and buy food. They grow most of their own food.

(Next picture).

Now this is what it did to papaya. These leaves are eight months later and the tree is still sick as a dog. The leaves are defoliated by now they're dying and the fruit is very, very deformed. Keep in mind, these herbicidal weapons are very, very effective against subsistence farmer populations of the sort that we have in Indochina, Africa, and South America and if we don't put a stop to their use now, I think we're going to see them employed against Third World peoples on a tremendous scale. We were told when we were in Vietnam the only limits to the operation at that time was the fact that they did not have enough C–123's and crews to do it. Now, I want to conclude by showing you—I just can't resist showing you—what happened to the Cambodians at Dak Dam. That is a Soviet thirty-seven millimeter aircraft gun, which they have every right to have, and it had fired at an American plane. While we were there, we saw at least three aircraft openly violate, Fly right over, right across Cambodia—American aircraft. The whole gun crew here was killed, of course.

(Next picture).

Here's a trench. About fifteen of them were dug out of this trench where they were taking cover. On the skyline there is Vietnam and the Special Forces Camp at Bu Prang. We can see it. What made the Americans mad and was that they want to be able to fly over Cambodia to maintain good aerial reconnaisance and because the Cambodians had to gall to defend their air space, they decided to take out this post.

(Next picture).

There is the smashed up hospital. And it was well-marked.

There were bomb craters about one hundred feet away from this. We picked up medicine, etc. The point about this hospital was it was at least a quarter of a mile from the gun positions. It was deliberately attacked. I'm ashamed to have to . . . it breaks my heart to have to say this about . . . what our government had done. Whether this is an aberrant phenomenon, I don't know . . . but I saw this with my own eyes. Here are the broken bottles.

(Next picture).

This is Art Westing down in one of these craters. This is a five hundred pound bomb crater. This is the one that knocked over the hospital. It was not aimed at the military installation at all.

MODERATOR. Thank you very much, Dr. Pfeiffer. In ordering to facilitate a considerable amount of questioning later, rather than allowing questions now, (we had fewer panelists here than we had with the other group) we'll go on with the testimony and then we'll all tie it together for you in the end. The next person to speak to you will be Mr. Doug Hostetter, who will discuss the actual effects of chemical-biological warfare programs on people, animals and crops in the Southeast Asian area.

HOSTETTER. My name is Doug Hostetter. I'm a resident of Harrisonburg, Va., currently in school in New York City in the New School for Social Research, graduate study in Sociology. I worked for three years for Vietnam Christian Service from July 1966 until June 1969 in Community Development in the village of Dahm Ke in the Province of Quong Thimh, South Vietnam. During that time, I learned to speak Vietnamese and lived in the area and learned to know the people quite well. I recently got back from a National Student Association trip both to Saigon and Hanoi during the month of December. I spent ten days in Saigon and at that time and eight days in Hanoi and surrounding areas. I'll speak a little bit first about the use of defoliation and the movement of personnel, specifically refugees. Quong Thimh Province has a population of about 300,000 people. According to the government statistics in 1968, over 100,000 people in this area were refugees. The people from western Quong Thinh from about a kilometer west of Route 1 all the way to the Laotian border, were almost completely removed with the exception of two special forces camps—one at Dien Phuk and one at Han Duc. The movement of these refugees was done in a number of ways. Earlier there had been attempts to move them by taking American troops in with helicopters and bringing them out by helicopters. They were unable to get all of the people in this method, and in some areas, it was too insecure to take in American choppers. So for these areas, they would go across the areas, heavily defoliating the areas. I speak Vietnamese and I would go out to the Vietnamese in the reception center and ask them about the situation in the homes where they had come from.

All of the areas west of Quong Thinh have been heavily defoliated. The reason why most of the people came in was because there was no more food to eat or because they were forcibly brought in by American helicopters. The people said that usually right around the harvest time, the planes would come over and defoliate the whole area. It would destroy all of the rice crop and any other above-the-ground vegetation. Sweet potatoes and peanuts that were reasonably developed could be dug up and could be lived on for a short period of time, but if an area was repeatedly defoliated, they were not able to subsist from one planting to the next on sweet potatoes and peanuts and so they would be forced to come in. During this time I did have the chance at times to go into areas which were defoliated by American planes out of Da Nang. In March of '68, I went into villages, the village of Ke Phu, Quong Thinh Province, and talked with the farmers and villagers in this area. They informed me that about four or five days before I had come there, the area had been defoliated. I checked back, and the attempt had been to defoliate the village of Ke Ahn,

which at that time was under the control of the National Liberation Front, but that morning there had been heavy coastal winds which had lifted the defoliants up over one village and landed them down in Ke Phu and Ke Troung villages. I spoke with farmers and they informed me that they had lost cattle, pigs, water buffalo, ducks, and chickens.

Another farmer showed me the dead animals.

I talked to quite a number of the farmers and I made up a list of how many water buffalo, pigs, and cattle the farmers had lost because this was in a Saigon government village. I took the list with the names of the villagers, the hamlets, and the villages which they had come from, and took it to the MACV Headquarters in Dahm Ke. I spoke with the Deputy Province Adviser for Quong Thinh Province and also with a number of CORDSC people—Civilian Organization Revolutionary Development Support Command. I spoke with both of these men and I informed them of the villages that had been defoliated and according to CORDSC regulations, they had to go back and pay these villagers for their losses in livestock and losses in rice, peanuts, and sweet potatoes. When I told the officers about the cattle, pigs, and water buffalo being lost, they referred me to the Army Manual which assured me that these defoliants do not in any way harm or injure any human beings or animals, so, therefore, these animals did not die. I gave them the names of the farmers, the hamlets from which they came, and the villages and districts, and asked them to go out and speak with the farmers and persuade them that their animals had not died. They all declined at this point. There were no reparations paid for crops or animals killed during this time. You were informed by Dr. Pfleiffer that after much pressure from American scientists, Agent Orange has been discontinued officially by the American forces in South Vietnam. What has happened is that these defoliants have been turned over to the Vietnamese government so that the Americans no longer have control over Agent Orange and its use. According to American officials.

Two weeks ago, Judy Coburn of the Institute of Policy Studies was in the airport of Danang and saw the barrels of Agent Orange standing in the airport. When asking about it, she was again informed that these are no longer under American control. You also noted from the photographs that the airplanes which are now flying the defoliation missions are marked with Vietnamese markings so that it is an official Vietnamese operation now. However, due to the fact that they have no Vietnamese pilots that can fly C–123s they have to be flown by American pilots. But it is a Vietnamese operation now and the Americans officially are not using Agent Orange in Vietnam. You will be glad to hear that, I'm sure. While I was in Hanoi, I spoke with Doctor Nguyen Swong Nguyen of the Bien Vinh Hanoi Hospital. He works in the ward that is dedicated to Southerners, which treats the Southerners, that come up to the North. I will read just a few quotes from his report from our interview: "In our hospital we have 903 patients from the South. 179 of these show the effects of chemicals; of these, 90 are men, 19 are women, and 70 are children. They have lived in the affected zones for periods of two months to five years. When speaking of the symptoms, the first symptoms (this is in people who have been exposed to defoliation) appear in 24 hours to a few days. These are irritations of the eyes and nose. After this time there is disturbance of the digestive system, vomiting and diarrhea. Those hit directly also have irritation of the skin and later swelling. In addition to these symptoms," there are other symptoms which appear later, perhaps as complications of the earlier effects, and some as direct but chronic effects. The most important is malaise and asthenia (general weakness). Treatment involves five to six months in bed. Another symptom is weakness of the eyes. Patients can read no more than three to five minutes. Ocular complications result in hyperocudidity, lesions affecting up to 24.6% of the eye. Of the 19 women we have treated in North Vietnam, four of them were pregnant. One was delivered in South Vietnam, the other three in the North. One child was normal, the other three were abnormal. One child was one month premature. All of the mothers had been in the defoliated areas, at least through the sixth through the eighth week of pregnancy. The mothers were all normal, and had not taken any medication during pregnancy, and none had ever been X-rayed. There were no abnormalities in any of their families for three generations. One of the abnormal children was a typical Mongoloid, and another was a Mongoloid plus microcephalic, and the third was a Mongoloid with many other abnormalities. Mongolodism usually occurs in older women, but these women ranged in age from 23 to 37.

For three of the women, it was her first child, and, for the fourth, it was her third. The first child, which I met, and talked with the mother and saw the child (these pictures I've all taken personally) is Wang Thi Tute, 3 years old, and his mother is Lei Ting Yu Mai. She was from Quong Nam province, Phuk Shan village. The mother lived four years in the defoliated zone, but was never hit directly by the chemical spray. She drank water and ate food from the area. The child shows effects of being a typical Mongoloid; the eyelids have an extra wrinkle typical of Mongoloidism, and there is only one crossline across the palm. Feet and hands can both be bent back in the wrong direction, and the heels can easily be made to touch the ear. The child cannot walk or talk, except to say "Mama". The second child is Nguyen Thi Thi, and the mother is Trang Thi Chuc, Quang Tri Province, the village of Trich Phung. The mother lived two months in a defoliated zone. When seven weeks pregnant, she was hit directly with defoliation chemicals. She went to the North when she was four months pregnant and the child was born there; this was her first child. The child has one line across the palm, has a small head, and shows symptoms of having no cerebrum. The child convulses with legs crossed and head tilted backwards.

The hard palate of the mouth is much higher than normal; there are lesions in the respiratory system. When the child breathes, the neck immediately above the chest collapses inward. The child can only eat, defecate, and urinate. The third child is Wang Thi Aich; the mother had two previous. The mother Wang Thi Li, 37 years old, Quang Tri Province, Cam Lo Village. The mother had two previous children, 15 years of age and 17 years of age. Both are normal. The mother was hit directly with chemical spray when seven weeks pregnant. The child was born in North Vietnam. The child's head is flat from behind with prominent forehead; index finger is flat, three toes are abnormally long. The left foot has six toes. Tear ducts, instead of running out onto the eyes, run down into the nose, causing choking when the child cries. Tears run into the nose cavity and back into the throat, and it also causes permanent infection of the eyes. The child can neither stand nor walk, has very low intelligence, can cry, but cannot talk. And here's another shot of two of the mothers with some of the NSA team that met with them and talked with them in the North. Thank you.

MODERATOR. Thank you very much, Doug. Our next testimony will come from Mr. Art Kanagas. The information we will be discussing is with reference to automated battlefield equipment, electronic equipment, detection and anti-personnel weapons which are specifically covered in the laws and rules of Land Warfare. Art, introduce yourself.

KANAGAS. My name is Arthur Kanagas and I work with NARMIC, which stands for National Action and Research on the Military Industrial Complex. I'm not a veteran, but I'm very pleased to be invited to come to this meeting. I'm not like most of your other panelists, speaking from first hand experience, but rather from research that we've done on the staff of NARMIC. NARMIC, by the way, is a special project set up by the American Friends Service Committee which is the Quaker organization. I'd like to start off by trying to give you some sense of the military's projections in the automated battlefield area by starting off with a simple science fiction scenario. The earthman leaves his hut, to slip through the rainy forest, to an isolated spot where he will join his comrades in the struggle against the invading masters. Jungle sounds penetrate the dark night air, but otherwise the woods are quiet. No one is in sight, and there is no indication that the invading masters are in the area. The earthman feels confident. He does not know it, but his every step is being felt by ADSID sensors. Every word he speaks is being listened to and recorded by Acousid. He is smelled by an XM–3. If he is carrying a hoe or a gun, that too is registered by a magnetic sensor. This information is relayed through a communication link to an EC121R Relay Platform in the sky. As he makes his way toward the spot in the jungle where he will join his comrades, a blip appears in the SRP, Sensory Reporting Post of the S.T.A.N.O. Control Room. Computers whirr, lights flash, and a blip appears on the screen. The lone earthman is watched as he and five other blips approach the same spot. The computer measures his speed, 2.31 miles per hour. It measures the speed of his comrades, and computes when they will reach their destination, figuring in the terrain and other relevant factors. With a flash of electricity this information is fed into the huge ADSAF computer network, which instantaneously correlates this information with previous intelligence data and with information from its SLAR radar and the ICR night vision device to determine the mission of the grouping earthman. The mission, the IBM 360 decides, is dangerous.

Another bolt of electricity carries the word to the Tacfire Central computer. This computer determines the appropriate tactical response and flashes this information to one of the interlinked data processing systems in the field. Seconds later, the field computer sends coordinates of the earthman to a fully automated high firepower aircraft with an array of night vision capability sensors.

From a point high above the gathering earthmen, the B57G and a nearby F4 are automatically steered over the target. One aircraft releases a laser guided bomb automatically released by the computer at the appropriate time. Another releases an EO or Wall Eye television guided bomb with a television camera in its nosecone focused clearly on the six earthmen. This Wall Eye Two bomb follows this picture on a self-contained TV screen correcting its course with a wave of its movable fins until it reaches the target. The highly lethal firepower eliminates this threat to the invading masters and successfully sanitizes the area. Meanwhile in Zone F, another blip appears on the screen. Does this sound as if it were set in the year 2000 by a science fiction writer? It's actually set for the 1970's by the US Pentagon. In fact, at this very moment, in a war room in Fort Hood, Texas, the MASTER group, which stands for Mobile Army Sensor Systems Test Evaluation and Review, is evaluating reports on TAC fire, Tactical Fire Direction System in the integrated battlefield control system. In July of 1969, the US Army set up a program called Surveillance Target Acquisition and Night Observation, to plan, test, and put

into operation a totally controlled and computerized electronic battlefield. William Westmoreland, who commanded the US forces in Vietnam and is now Army Chief of Staff, discussed the automated battlefield in a speech to the Association of the US Army last year.

"On the battlefield of the future," Westmoreland said, "enemy forces will be located, tracked, and targeted almost simultaneously through the use of data links, computer assisted intelligence evaluation and automatic fire control." These weapons, the computer systems for detection, have been used both in Cambodia, Vietnam, and in Laos—largely, so far, on an experimental basis. They have been testing detection systems which amplify the light of the stars, and numerous other detection systems which are integrated into the ADSAF, Automatic Data System for the Army in the Field.

Some of the information on these sensors was released by the Senate Armed Services Committee in hearings released last week and they do show pictures of some of these sensory devices, but they're probably too small for many of you to see. But in this case the Accuboy is a sensor that's camouflaged, dropped in a jungle and it catches in the trees. Here it's camouflaged and it looks like part of the jungle, but it actually picks up voices and during the hearings in Washington, they played tapes in which you could hear the Vietnamese talking as they walked by, hear what they were saying . . . very clear detection of everything that was being said in the jungle below. And this APSID is a seismic detector that falls down into the ground and gets buried in the ground with just the antenna sticking up. It, too, can continue to transmit data to the data links and to the computers. They're moving more and more toward the computers, but they're starting with a lot of man-controlled elements.

During these hearings, they mentioned specific use of this in the EGLO White program in Laos; it's a specific operation called Commando Bolt. An assessment officer monitors the sensor activations in the area of interest. When he recognizes the target signature from a particular sensor stirring, he calls up on his cathode ray tube a sketch of the road net which that string of sensors is monitoring. The computer automatically displays and updates on the CRT the movement of the target along the road. He then can instruct one or a number of the F4's, which I mentioned earlier, to enter these coordinates into the aircraft's computer. This gives the aircraft a course to steer to that point and produces an automatic release of ordnance at the proper time, to hit the target.

Now this automated battlefield program has been a very top-priority item within the Pentagon. It was originally conceived as the McNamara Line, or it was derisively called that, which was the idea of setting up a line that would cut off all infiltration from the North. It would cut off infiltration from North Vietnam, but when that seemed to be failing, the Army response, rather then dropping a program that seemed to be failing, was to put more money for a larger program into it.

The Defense Communications Project Group, which oversees this, is authorized to use the highest industrial priorities, according to these hearings, to guide its development and procurement efforts. "This speeds up work by putting us at the head of the line" this general says "for materials, facilities, and contracting." He says that virtually every US ground unit in South Vietnam is now applying sensors to detect the enemy. Also training programs have been set up in a Central Sensor School in Vietnam to train the Vietnamese in using these, who, according to these hearings, have taken over 47% of the use of sensors in ground tactical operations in Vietnam.

The US Border Patrol in the United States is also using some of these sensors to patrol the borders of the US. You may have read of some recent incidents like in Mexico where they were using these to detect possible border crossings with marijuana and things of this sort. The Justice Department has also put out contracts for surveillance-type data of this sort to bring home some of this technology to use on the home front. So what they bragged about during the hearings was that they've been able to reduce the normal five to seven year defense development cycle by a factor of four. That is, the period elapsed from the time that the need was discerned for these sensors until the time they were placed in the hands of the troops was fifteen to twenty-two months rather than the usual five to seven years. So it has been, as I mentioned, a top priority item within the military. When the army outlined its eight major items for the 70's, automated battlefield components composed most of the list. The expenditures on this according to these hearings are $1.6 billion, which is, when you think about it compared to anything else like the poverty program or HEW, is just phenomenal. Much larger than expenditures for federal aid to education or anything else.

However, according to columnist Jack Anderson, this figure is actually an underestimate. You get that feeling clearly from the hearings, too, when they talk about various parts of it that are funded under other agencies. So, in fact, it probably comes closer to four billion that's been spent on developments for the automated battlefield. An important part of this is not that these sensors are tied in to a total system. The automated battlefield concept is not just a concept of sensors, but as it comes through in these hearings it's using these sensors and in tying them in through the data links and through the various data processing equipment to automatically release the weapons that are actually used in Vietnam.

Most of the weapons outlined in the hearings are anti-personnel weapons. Well, many of them are anti-personnel weapons, some of which has been used before in North Vietnam and South Vietnam, but which are constantly being modernized and improved with newer and better versions. I want to show these slides. This is Ken Kirkpatrick who is with the American Friends Service Committee office in Seattle. He took the pictures that you are about to see. With him is one of the girls who is a napalm victim. You can see her hands. Here's a Laotian holding up what they call the pineapple bomb.

PFEIFFER. I actually took those pictures with Ken. This is in a Laotian refugee camp outside of Vientiane. These people had been moved forcibly from the plain of Jarres, their ancestral northern part—well. I wouldn't say forcibly, they told us they couldn't withstand the bombing, so they agreed to come down near Vietinane in the American-held area. They brought with them this souvenir, a pineapple bomb, which did not go off. These people had fashioned a little war-wick lamp out of this. They're very innovative, I think. They put it to positive use.

KANEGIS. I can just say that the last one has little fragments embedded in its side. When it explodes it spews out in all directions, tearing into people's flesh. Even if it just struck them in their arm, the pellets could run up through their body and be almost impossible to remove. Now let me go on to these other things. This particular one shown here, what do the Laotians call it?

PFEIFFER. This is a guava bomb.

KANEGIS. This is the one where the strings are shot out. The term for it was spider bomb, the term used in the electronic battlefield hearings is wide-area anti-personnel munition, which they abbreviate Wampum. In the pictures in the automated battlefield hearings, they show a large canister that looks like an egg box with all the little wide area anti-personnel munitions falling out. These have a spring in them that shoots out a string in all directions.

BAAUM. It's not a proximity type device; it has a chemical timing fuse in it. These are tripped as the spring goes out as it passed out of the casing of the bomb. It can spread destruction in a wide area, somewhere as much as a 60-yard circle which is representative of about the size of a rice paddy. It has the possibility of getting five or six people immediately. If these bombs do not go off immediately, a slight jar will set them off later. So people who have been in an area that's been bombed could conceivably come back into the area to work, feeling they were secure from no air-raid, and dislodge one of these, or disturb it, committing havoc again as a result of it.

KANAGAS. In this particular one, the springs shoot out a string that's triggered. This is a mine, rather than a bomb. But if anyone walks through the area and touches the string, this immediately explodes, and like the guava bomb, it would have pellets embedded in it that would tear into people's flesh. The military nomenclature is a wide-area antipersonnel weapon. It's not aimed at, and wouldn't even be effective against, sandbags or military installations, only against unprotected human flesh. It couldn't be considered a flak suppressant or anything of that sort. It is not something that you would shoot at people below who are shooting back at you in the plane. I guess they would call it an area denial mine. In any case, it's something that would be set off at some later point and it would kill any people who happen to be in the area and across the string. Here's both the pineapple bomb that you saw before and the guava bomb with the little pellets inside of it. Over on the other side you see what the Vietnamese call a cloth mine. Is that correct?

PFEIFFER. A leaf mine.

KANAGAS. Ken Kirkpatrick mentioned to me that sometimes the Vietnamese children would see these things on the ground and would think they were toys or something and pick them up. Basically, that's also mentioned in the hearings. They're referred to as gravel mine, the XM41–E1 gravel mine. According to (the hearings), it's an anti-personnel mine system. The only kill mechanism is blast. Gravel will blow a man's foot off, but it will not blow a hole in a truck tire. It's not even a weapon aimed at killing anybody in the area, but rather causing them a maximum amount of suffering—blowing off their leg or something like that. It's purposely not powerful enough to kill people, but rather to maim them for whatever military reasons you can figure out. Perhaps it's to demoralize the population or to tie down other people in aiding these peoples. Of course, the Hague Convention specifically says that it's illegal to employ arms projectiles or materials calculated to cause unnecessary suffering. But clearly this is its only purpose. It wouldn't put somebody out of commission, it would just cause them unnecessary suffering.

PFEIFFER. This shows again the leaf mine, as the Vietnamese call it. It's a little bit of black powder plastic with holes in it. It's just enough to split the foot. That knocks you off balance and then you fall, put your hand out, and split your hand. The ground will be covered with hundreds of these. If people come to help you, they'll get their foot split, too. It's almost impossible to detect; there are no metal components in it and it's only about two or three inches square. The one on the right is Bouncing Betty. They told us that the 7th Fleet used to put these into the villages. What happens is that they have a canister fired from a Naval gunnery gun. It explodes thousands of these things. They come down and are de-

signed to hit at a specific detonating point. This then sends up another bomblet at about five feet height, which then goes off with little pellets and catches you right in the face and chest.

KANAGAS: On the next one, you can see the writing on it. It says "Mine Apers, A-P-E-R-S," which means anti-personnel M-14 with fuse interval. The one right next to that looks like a little bat, which is the term they used on that one. In the terminology used in the automated battlefield hearings (talking about the use of these munitions as a part of this complete system, though of course it can be used even without the sensory devices and so forth) in the complete cycle, it is talked about as the dragon tooth anti-personnel mine system. Major Anderson, in the hearings, said, "It is purely anti-personnel. If a person steps on it, it could blow their foot off. If a truck rolls over it, it wouldn't blow up the tire." So again, this is one of the purely anti-personnel weapons. They showed a picture in the hearings of a long sort of tubular thing that drops down from the plane, opens up, lets all of these dragon teeth spin out and fly over a wide area, and the arming begins as it's dropped. Do you want to talk about the next one?

PFEIFFER. That's a picture we took on our first trip, 20 miles out of Saigon. This was what one B-52 would do to manioc fields. Each B-52 has about one hundred and eight 500-lb. bombs or 750's and that's just part of the load from one. Keep in mind, we're now making strides in Laos with up to thirty in one strike. You see what one B-52 does; what is the daily bombing of the B52s doing to the countryside up there?

KANAGAS. I forgot to comment on one that was shown before. They're BLU 66, which is another one used in the CBU 46. That's another bomb whose primary kill mechanism is fragmentation. There BLU's can make up a complete CBU when they're combined with the SUU, called colloquially "the mother bomb." It can be a dispenser that stays on the plane. Or the mother bomb, which is like a big 750-lb. bomb case, drops out, opens up, and all these little bomblets (sometimes there are a variety of different types of them inside) spread out over a very wide area. As soon as they stop spinning, (they have different type fuses and some are jungle proximity fuses) some detonate as soon as they touch ground; some detonate above the ground and some wait until people are coming to pick up survivors and then go off. But in any case, they spring off with just thousands of tiny pellets that tear into any flesh in the area. Again, they're useless against another industrialized power. They're aimed particularly at a particular type of warfare in Vietnam, where you're fighting a 3rd World people who don't have the advanced technology that we do. The whole automated battlefield is oriented in that direction.

In other words another advanced industrial nation could jam the sensors, but supposedly a simple people like the Vietnamese couldn't. In fact, there have been a number of incidents where they have been successful in using very simple methods to knock out this advanced electronic equipment. For instance, Mark Lane mentioned talking with one of the GIs who said that the NLF would put buckets of urine under "the people sniffers" and this would totally knock their sensing perspective out of whack. There have been other things like this.

Each of these is looked upon by the military as simply another experiment, another research and development contract for another company to come out with a sensing device that won't be put off by urine buckets. They had the same type of problem when they were dropping the acoustic sensors. First, when they were dropping these into Cambodia the "enemy" would walk very softly in order not to be detected by them. So they dropped tons of these button bomblets which were little bombs that would make a cracking sound when they were stepped on. That would just alert the sensor in the area. But these were also detected so they had some more manufactured that were disguised as animal dung.

A similar problem could be overcome with the planes, the ones that are parachuted down and land in the trees. The microphones for the Accousits were originally able to be detected by the parachutes still staying up there even though the thing itself was camouflaged. According to one source I talked to, they asked International Playtex to devise a parachute that would disintegrate as soon as it reached impact with the tree. Apparently it has very, very fine wires running all through it which instantly disintegrates the parachute when it touches down.

There have been a lot of failures in the development of this thing over such a short period of time, but they have been simply used as an experiment result for them to move on to the next more lethal experiment. I think it took many of the GIs who have been talking here a long time and a lot of soul-searching to be able to come out publicly and talk about the war crimes they've been made to commit. But there are many officers, generals, that aren't so shy about their war crimes and, in fact, brag publicly about those crimes, even glorify them as saving American lives.

Again in these automated battlefield hearings, General Williamson brags that he was the first commander in Vietnam to use these sensors and he states, "For the past 25 years I have been singing a simple tune. If you have to fight, then fight with bullets, not bodies." And then he goes on to say "I hope I can demonstrate how these sensors have helped us to make the first steps towards the automated battlefield. This is a worthwhile approach toward fighting with bullets instead of bodies, that is, getting the job done with a minimum danger to friendly personnel." He says:

"In the third week of September," (talking about when they were first starting these activities in '68) "our efforts with sensors finally paid off. At eleven o'clock one night the monitor at a French fort indicated movement. This was reported by two of the sensors. It was raining hard but there was no doubt about the reading; something more than rain was being registered. Two 175mm guns opened up slightly north of the sensors. Six 105mm howitzers commence blocking fires just South of the sensors, while two 81mm mortars fired directly in the road junction." He says, "When the patrol arrived on the scene, they found literally a carnage. The big 175mm guns had found their target."

Then he gives another example. He talks about the Nighthawk Helicopters, which he speaks of to emphasize that the sensors were not working in isolation. "This helicopter proved to be a valuable night tool." The HU1-helicopter is fitted with a crew-served night observation device. Alongside the light is an observation device and a pedestal mounted minigun—the rapid firing machinegun. As soon as an unmanned sensor registered enemy movement, a Nighthawk helicopter was dispatched to the scene. We killed 103 North Vietnamese soldiers during a one month period using this technique at no personnel cost to us, not even an injury.

Diverting from that for a minute, I'd like to give an example, of what this looks like from the other side. A Quaker worker in Vietnam was with the Quang Ngai program that AFSC sponsors, wrote back in February 1969, "Several of us went to the roof about 3 a.m. The American's unleashed the terrifying Puff the Magic Dragon which is an AC47 gunship. There is a whole range of helicopters and aircraft that can be outfitted as gunships which spews forth 5000 machinegun bullets per minute.

As I watched it circle overhead last night, silhouetted against the low clouds in the light of the flares, flinging indiscriminate bolts of death earthward, I could vividly visualize the scene below. Men, women, children, and animals caught like rats in a flood; no place to hide, no way to plead their case of innocence to the machine in the sky. No time to prepare for death. The beating the civilians are taking in this war is beyond adequate description. The cold, mechanical compassionless way that monster circled around and around and around ruthlessly pursuing an unseen "enemy", stabbing viciously earthward again and again, probing, searching, killing, maiming all in its path. We have survived but a lot of Quang Ngai people didn't make it and a lot more who are now clinging to life over at the hospital will not make it till morning. If we could only bring the horrifying scene of human devastation in its true dimensions home to the people who must know what it's like. The ones who are pulling the strings on this deadly puppet show. Man's inhumanity to man has reached its climax in Vietnam," she wrote from Vietnam.

Going back to the testimony of Major General Williamson. He says, "I guess the best real war story that I have is Firebase Crook." This is where 142 enemy soldiers were eliminated with a loss of one US soldier. He goes into a lot of the technical details of the battle and shows how the different type radars and sensors were able to detect people at 220 meters this direction 1800 hours and so forth. And then he says, "Starlight Scope operators spotted movement around midnight. Radar detected two groups of about 40 persons each moving 1500 meters north of the base at about 2030 hours. And the Nighthawk helicopter detected another group of 40 persons actually in formation approaching Crook. The Nighthawk immediately dived in on its targets. All of the targets were engaged with artillery and mortar fire and all available army helicopters and airforce attack planes." And then, he said, "our search of the battlefields proved just how punishing our efforts had been."

He showed the congressmen present a little chart with a body count of the area and he said, "This diagram indicates where the bodies were found and gives us an idea as to which weapons eliminated the enemy. The 60 west of the river were killed almost exclusively by helicopters; the 32 along the woodline were killed by indirect artillery. The 20 close in were killed by direct fire from the base. The 43 along the road were killed by the Nighthawk helicopters and the remainder of over 150 were killed by a combination of US Airforce planes and fire from within the base. In all, in the second night, 323 additional enemy were killed and ten live prisoners taken. I had to move two bulldozers up just to bury the dead."

Then he says, "We in the army are continuing tests in Texas and elsewhere. We're making an unusual effort to avoid having American young men stand toe-to-toe, eyeball-to-eyeball or even rifle-to-rifle against the enemy that may outnumber him on the battlefield. We are trying to fight the enemy with our bullets instead of with the bodies of our young men—firepower, not manpower. How less painful it is to use fire-power to fight them at a distance rather than to expend your manpower as the enemy makes his close in assault."

And it occurs to me as he goes through this story of how he slaughtered the people mechanically without any deaths on our part, that if the Nazis had had the courage to brag blatantly you might imagine a Nazi general saying, "My best war story is Dachau where we slaughtered one million Jews with

less than one guard lost on our part." The Army talks about phasing the war down so they will need less manpower, but . . . technologically, the war is escalating.

MODERATOR. Thank you very much, Mr. Kanegis. The next person who will give testimony will be Mr. Ward who is going to discuss the results of bombing North Vietnam and Laos.

Mr. WARD. To begin with, I want to give my qualifications. I was with the first group of Americans who traveled in North Vietnam under US attack in the summer of 1965. Subsequently I visited North Vietnam again this past summer. I spent almost two months in North Vietnam broken by a visit to the liberated zone of Laos. In 1965 I visited Vietnam, not as a member of any war crimes tribunal, and I was not there to see what the United States was doing in terms of how much damage. I was there to see what life in North Vietnam was like. In fact, I believe the North Vietnamese hoped I would realize something that few Americans could believe: that they were going to resist the US bombings as long as necessary.

So, in fact, they didn't make an effort to show me the damage. They wanted to show me how life was going on and I had to insist with my colleagues, there were four of us including the then station manager of WBAI, New York, on this trip—on seeing the bombed areas of North Vietnam.

In other words, going into areas that were under attack. So we traveled down to the city of Nam Diem which you may have heard about. This was made famous because up until then most people in this country believed the words of our President that the United States was bombing only steel and concrete. Nam Diem is a textile town. The textile factory was destroyed. This was in August, 1965. The housing around the factory was destroyed and also the area had been strafed. There was clear evidence of strafing—the lines of bullets along the sides of buildings. This town was very heavily hit. And not until Harrison Salisbury saw Nam Diem nearly a year and a half later did the real evidence appear in the US press, that the United States was bombing civilian targets.

In Than-Hoa the main destruction was of the provincial hospital. You could see the medical equipment. By the summer of 1965, most of the hospitals in North Vietnam had been bombed one or more times. This hospital had already been bombed three times and was levelled to the ground. By the time I revisited, in 1970, every hospital outside of Hanoi, I believe, outside of Hanoi and Haiphong, had been bombed, if not completely destroyed. In 1965 many of the victims I saw had been maimed by the napalm and phosphorous.

By 1970 the array of weaponry was much wider. All those weapons that were pictured on the screen have been used during the bombing—during the several years of bombing of North Vietnam. Pellet bombs and the so-called leaf mines. North Vietnam is a very poor country. The leaf mine looks like a piece of cloth and a person seeing it might pick it up and put in their pocket, thinking that it would make a good patch for a worn-out piece of clothing. As the person brushes his pocket, it explodes and maims him. My conclusion was that already in 1965 the main purpose of the bombing was to destroy the civilian economy, to break the morale of the people. When this failed, the bombing became more intense and the escalation widened and the targets extended beyond just the people themselves. The people resisted. They dug tens of thousands of miles of shelters. Then the air force began to systematically destroy the industry. U.S. Government reports claimed they bombed—only roads. Well, what does it mean if you bomb all the roads of a country? How do people exchange goods? How do they carry on any possible normal economic life? The main traffic on roads is the normal commerce of a country, the normal economic life. Some areas grow rice, some areas produce other products. There has to be an exchange of products to carry on the economy. Well, the Vietnamese won the battle and decentralized their whole economy and despite all the efforts there was never any starvation. But a lot of people were killed. During my second visit, I noticed a large number of graveyards that I had certainly not seen before. According to the Vietnamese, the statistics—which I don't have before me—but roughly speaking, two-thirds of the victims of U.S. bombings were women and children, non-combatant women and children. Some young women could be classified as combatants engaged in combatant activities. In brief, that's North Vietnam.

I have a few pictures to show you at the end but I want to say a few words about Laos. Few Americans have ever had the opportunity to get into the liberated zones of Laos. In Laos the United States is carrying on the same program it carried out in North Vietnam, that is, systematic bombing of everything. I was in Sam Neua, the chief city of the liberated zone. I will show you pictures of that city. Not a soul lives in that city anymore. The destruction was enormous although the town was not completely leveled. But every single building had been hit, every village in the surrounding area was destroyed. I had not seen much destruction on that comparable scale in North Vietnam. By proportional comparison there had been greater destruction because North Vietnam had been more populous.

The ultimate strategy of U.S. bombing was to depopulate the liberated zone; to take the people away from the revolutionaries. But it has not completely succeeded, although according to the statistics of Senator Kennedy's refugee sub-committee approximately a third of the people of Laos have become refugees because of U.S. bombing.

Another way they depopulate an area is by sending in CIA teams, sabotage teams, that try to force the people out at the point of a gun. They have little villages in Laos; sometimes only 50 people live in a single village. These teams of mercenaries run by the CIA are brought into this town and try to force all the men to leave—to go into the Vientiane zone. To conclude, in Vietnam the bombing is beginning again. Don't believe Nixon. He's not just bombing military targets. He's bombing the people.

In Laos, the bombing is continuing. According to the most recent press reports the bombing has been heavier than at any time previous in the whole history of the war in Indochina, in Laos and Cambodia put together. That means that this has been done since October of 1970, the end of the rainy season. This is going on to this day and will go on until we and the Vietnamese and Laotians and Cambodians together stop Nixon.

MODERATOR. If you get the lights we'll see the slides.

WARD. First slide. This is the city of Sam Neua. From the distance it looks like a very beautiful pastoral landscape and it's impossible to see that every building has been hit by a bomb. That's what it looks like from a distance. So, now, closeups.

Next slide: you can see that the windows have been blown out. There was just one man I saw walking through the town, except for the people in our party. Every single building, the church, everything had been hit.

Next slide: This is again Sam Neua. I could have gone down every street and you would have seen that every building is gone.

Next slide: and here is how some of the people manage to survive. This is a mountainside and inside this mountain is a cave and people live in there. This particular cave—is used only for a very important institution. This cave happens to hold a school of art.

Next slide: this is a particularly vicious weapon. That's a ball point pen, next to it are these little arrows called flenchettes which are used as anti-personnel weapons against the populace in North Vietnam.

Next slide: this is just one example of what it's like to live in a pacified or quasi-pacified area of South Vietnam. This is, to say that until it is pacified this is what happens. This girl was living in a liberated village. She's now in the North for treatment; one eye is still completely closed. She's regained the partial sight in one eye. The surgeons feel she'll regain partial sight in both eyes when they finish about one half dozen operations. Her injuries were caused by napalm.

Next slide: this is a Roman-Catholic church in North Vietnam. As I said, I was never part of a war crimes tribunal and the Vietnamese made no effort to emphasize how many churches were destroyed. I was examining the photographs of a recent visitor to North Vietnam and I saw at least a dozen pictures of churches destroyed.

Next slide: that's the rail lines. Despite the efforts to destroy the railroads—and you see the destroyed railcars still there—the traffic goes on. Next slide: this is a hospital, but I should say it was a hospital. There's nothing left of it. It's in the City of Bien, near where I stayed. It's about half-way between Hanoi and the 17th parallel and it was near a small hotel that had just been built because Bien is near Ho Chi Minh's birthplace and they have a number of visitors. I looked around and I asked the interpreter, "Where is the center of the city?" And he said, "You're there." And it was almost bare fields wherever I looked. Vien, the city of Vien was almost 99% destroyed by the US bombs. Next slide: that's another view of the hospital just to show you that everything had been destroyed.

MODERATOR. We only have five minutes for questioning. Please state your name and the organization that you're with.

QUESTION FROM THE AUDIENCE. What criminal corporations are responsible for the research and production of the weapons you testified about?

KENEGIS. Well, for the automated battlefield, first of all, I think there'd be the generals who are guilty of the war crimes. Not just the generals in the Pentagon but generals like General Dynamics, which makes the ANSS squealer intrusion detector that changes frequently as a person approaches it. They make the ANPPS portable combat surveillance radar, they make the grasshopper anti-intrusion mine that I mentioned. General Motors that has been the manufacturer of the M–16 rifle which isn't part of the electronics in the battlefield but is another weapon which has an anti-personnel effect in that it has, the dum-dum effect, and, of course, they're working on an improved version.

This special purpose individual weapon is going to be the M–19. This is a tiny fleschette which has a plastic casing which drops off. A little needle enters a person and spins around inside, makes a huge hole inside, even though the needle penetrates on the outside. It only has to hit their arm and it will kill a person. There is General Electric who makes weapons for the gunships we were talking about—the AC47, the various miniguns, and so forth. They work on it. Let's see, some of the automated battlefield contractors are Western Electric, Westinghouse Electric, Texas Instruments, Sperry Rand, Ratheon, Radio Corporation of Amer-

ica, Radiation Inc., Magnavox, Kaiser Industries, IBM, Hughes Aircraft, Honeywell, Hazelton Corp., General Telephone and Electronics, Sylvania Electric, General Aviaonics and so forth. If people in the community that you are in would like to know about production of weapons for Vietnam and particularly automated battlefields weapons and so forth, you can write to us at NARMIC.

We have quite a number of detailed sources from the industries involved in war production. They state very explicitly all the contracts that are awarded for any county in the country for each quarter of the year. We also have a book, Weapons for Counter-insurgency, that details some of the weapons that we showed pictures of here—the chemical and biological weapons, the incendiaries like napalm, and talks about who the contractors are. It tells how to organize a project against one of the corporations producing these weapons. You should write to NARMIC if you want to really organize a project. We must conclude with that. The Third Marine Division will testify next.

Moderators

Kenneth Campbell, 21, Cpl. (E-4) "A" Bat., 1st Bn., 11th Marine Reg., 1st Marine Div.; scouted for "B" Co., 1st Bn., 1st Marine Reg., 1st Marine Division From February 1968 to March 1969.

Evan Haney, Naval Support Activity, United States Navy, Da Nang.

Veterans testifying

Allen Akers, 25, Pfc. (E-2), "E" Co., 2nd Bn., 4th Marine Reg., 3rd Marine Division From May 1965 to March 1966.

Steve Rose, 26, E-5, (U.S.N. Corpsmen), HQ Bn., 4th Marine Reg., 3rd Marine Division From December 1966 to December 1967.

Sean Newton, 24, L/Cpl. (E-3) 3rd Bn., 7th Marine Reg., 1st Marine Division From February 1966 to December 1966; "D" Co., 1/26, 3rd Combined Action Group, 3rd Marine Div. From August 1967 to August 1968.

Michael Damron, 24, Pvt., (E-1), "B" Co., 3rd Tank Bn., 3rd Marine Reg., 3rd Marine Division From September 1966 to October 1967.

Jack Smith, 27, S/Sgt. (E-6), Hq. Battery, 12th Marine Reg., 3rd Marine Division From January 1969 to December 1969.

John Birch, 24, Cpl. (E-4), "B" Co., 3rd Shore Party Bn., 4th Marine Reg., 3rd Marine Division From May 1965 to August 1966.

Christopher Soares, 20, L/Cpl. (E-3), "G" Co., 2nd Bn., 9th Marine Reg., 3rd Marine Division From February 1969 to April 1969.

William Hatton, 23, Cpl., (E-4), Engineer Mn. Plt., FLSG Bravo, 3rd Marine Div. From October 1968 to September 1969.

Robert Clark, 22, L/Cpl. (E-3) "H&S" Co. & "G" Co., 2nd Bn., 9th Marine Reg., 3rd Marine Division, From May 1969 to May 1970.

Nathan Hale, 23, SP/5, M.I. Detachment, 198 L.I.B., Americal Divison From December 1967 to December 1968.

Gordon Stewart, 20, Sgt. (E-5), "H" Co., 2nd Bn., 9th Marine Reg., 3rd Marine Div. From September 1968 to September 1969.

Jamie Henry, 23, Sgt. 1/35 Inf., 3rd Brigade, 4th Infantry Division From August 1967 to August 1968.

Walter Hendrickson, 22, Pfc. (E-2), "F" Co. 2nd Bn., 9th Marine Regiment, 3rd Marine Division From November 1968 to April 1969.

MODERATOR. This is the Third Marine Division. They landed in Vietnam in March of 1965 and they are still there. There are two people minus their DD-214's, but they do have military ID's and other military identification which the press can check later. Their names are Allan Aker and Walter Hendrickson. Also, attached to this panel because these people can't stay for tomorrow or the next day are Jamie Henry with the 4th Infantry Division, Army and Nathan Hale, an interrogator from the Americal Division.

My name is Allan Akers. I am 25 years old and from the city of Chicago. I joined the Marines just after high school and was in Echo Company, 2nd Battalion, 4th Marines, Infantry Unit. I am presently in college and work for the YMCA. I was in Vietnam from May of '65 until March of '66. The bulk of my testimony will consist of mass movement of villagers after destroying their original homes, the killing of civilians in search and reconnoiter by fire, the false percentages of blacks in Vietnam told by the Pentagon, and how troops are geared into committing war crimes.

My name is Jonathan Birch. I'm 24. I live in Philadelphia. I joined the Marine Corps right after high school. I was a corporal in "B" Company, 3rd Shore Party Battalion attached to 4th Marine Division. I landed in Chu Lai, South Vietnam in 1965, in May. I was a field radio operator and presently I'm employed as an accountant in Philadelphia. I will be testifying about the forced re-location of villagers in Chu Lai area.

My name is Steven Rose and I'm 26 years old and spent four wasted years in the Navy, from 1963 through 1967. I was a Navy corpsman in Vietnam and I'm presently working now at a psychiatric hospital on Long Island. I will testify to the blowing up of a civilian bus by the VC and the throwing out of wounded civilians by their ARVN crew. I will also talk about the preparation of ears from the Marines to be shipped back to the States. Thank you.

My name is Sean Newton. I'm 24 years old and a resident of Santa Monica, California. I joined the U.S. Marine Corps in 1964 right after high school. I served in Vietnam from February, 1966 to December, 1966 as a private in 3rd Battalion, 7th Marines. My second tour was as a Lance Corporal with Delta Company, 126 and with 3rd Combined Action Group from August '67 to August '68. I'm now continuing my education at Santa Monica City College.

My name is Mike Damron. My age is 24. I'm from Springdale, Arkansas. I was a student before enlisting in the Marines. My rank was Private and I served with "B" Company, 3rd Tank Battalion, 3rd Marine Division from September, 1966 until October, 1967. My job was gunner on a tank. I'm presently a student at the University of Arkansas.

My name is Jack Smith. I'm 27 years old. I was a student at the University of Connecticut for 3½ years before I enlisted in the Marine Corps in 1966 and I was also an unemployed carpenter at the time I enlisted. I was a Counter-Mortar Radar Team Chief and a Vietnamese interpreter. I served in Vietnam in 1967 and all of 1969. I was with Headquarters Battery, 12th Marines and I am presently an unemployed carpenter and an on-strike student. My testimony concerns genocide against the Vietnamese people, murder of civilians—old women and children—harassment and maltreatment of children and also the murder of children, the maltreatment of ARVN soldiers, racism against the blacks, both institutional and by official policy and individual, the crossing of borders with artillery fire, and the maltreatment of POW's.

MODERATOR. Excuse me, Mike you didn't give what you were going to speak about. Could you do that?

NEWTON. My testimony will consist of the burning of villages, the killing of civilians, mutilation of bodies, the taking of ears, scalps, and heads, the destruction of crops and livestock, use of defoliants, the evacuation of civilians from their villages to relocation centers, the killing of wounded North Vietnamese army troops, and the resist policies of the armed force in Vietnam.

DAMRON. My testimony will include witnessing of killing of civilians, destruction of villages, and treatment of prisoners of war.

My name is Gordon Stewart. I'm 20, I live here in Royal Oak, Detroit area. I joined the Marines in January of '68. Until November, '70 I was a Sergeant. I served in Vietnam with the Second Battalion, 9th Marines as a Forward Observer attached to Hotel Company from September, '68 through August, '69. My testimony concerns Operation Dewey Canyon, which is the invasion of Laos, contrary to published documents. I'm mostly going to talk about the genocide committed against the Vietnamese people, the killing of civilians by calling in artillery and white phosphorus on villages and hamlets.

My name is Christopher Soares, age 20, resident of New York City, New York. I'm currently an unemployed student because of disability. I was in high school in New York City and had a part-time job before joining the Marine Corps. My rank was Lance Corporal, E-3. I was a rifleman in the infantry: grunt. My outfit in Vietnam was Golf Company, 2nd Battalion, 9th Marines Regiment, 3rd Marine Division. My testimony will consist of the invasion of Laos, correlated with Gordon Stewart, Operation Dewey Canyon, from February, '69 to March, '69, mortar attack on approximately 30 Montagnards; nightly H&I fire, using high explosive and white phosphorus rounds; throwing cans of food at civilians while passing by on truck convoy; .50 caliber machine guns used in antipersonnel weapons; killer teams; distributed contaminated food; witnessed POW beaten and interrogated at knife point; deformed civilians; and my platoon sergeant had a $1000 bounty on his head.

My name is Walter Hendrickson, age 22. I'm a resident of upstate New York. I'm unemployed now because of disability. I entered the Marine Corps shortly after working 6 months as a turret lathe operator. I was trained as an anti-tank personnel and when I reached Vietnam I was made a regular rifleman grunt. I'm going to be testifying about entering Laos; throwing cans of chow from moving trucks at villagers; wounding of civilian personnel for suspicion of being with NVA; H&I firing nightly; the mutilating of bodies of NVA; and the killing of a Chieu Hoi who was shot to death.

SOARES. I'm sorry, I missed testimony. Also recon by fire by patrol boats, rivers.

My name is Bill Hatton. I'm 23 years of age and I was a high school student before I entered the Marine Corps in 1966. I spent 4 years in regular enlistment. I attained the rank of Corporal, as a Lance Corporal and Corporal both during my tour. I was in Vietnam from October of 1968 to September of 1969. My outfit was Engineer Maintenance Platoon, FLSG Bravo, Dong Ha. My testimony will deal with the stoning to death of a 3 year old Vietnamese child; handling kids heat tab sandwiches; and firing mad-minutes at [LZ] stud; throwing cases of C-rats at women and children off moving trucks; and fragging and price-setting on the heads of officers in the unit. My occupation at present—I'm the director of the Department of Planning Promotion for the village of Bagley, Minnesota.

My name is Bob Clark. I'm 22 years old. Right after high school I entered the Marine Corps. I served as a Battalion Radio Operator and interpreter with Golf Company Two Nine from May to August, 1969. From December, 1969 to late February, '70, I served as One Four Chief calling in air strikes in Vietnam. I'm currently unemployed and a resident of Philadelphia. My testimony will concern killing of wounded prisoners; prisoner refused medical attention, and as a result died, with about 30 Marines watching him, including a Colonel; brutalities toward Vietnamese children and women.

My name is Jamie Henry. I'm 23 years old. I was drafted on March 8, 1967. ETS'd March 7, 1969. Entered Vietnam August 31, 1967 and returned to the United States in August, 1968. I'll be testifying on the murder of innocent civilians which ultimately culminated in the execution of 19 women and children and the causes behind these murders.

My name is Nathan Hale. I'm 24 years old. I'm a resident of Coatesville, Pennsylvania.

I'm currently a student and a candle maker. I joined the Army in April of '66. My rank at discharge was Specialist 5. I was an interrogator-linguist with Americal Division. I will show a series of slides of an interrogation by the Vietnamese National Field Police and describe general techniques used in interrogation.

MODERATOR. Al Akers, you mentioned the killing of civilians as one of the things you will be testifying to. Could you elaborate on that please?

AKERS. Yes, we were given orders whenever we moved into a village to reconnoiter by fire. This means to—whenever we step into a village to fire upon houses, bushes, anything to our discretion that looked like there might be somebody hiding behind, or in, or under. What we did was, we'd carry our rifles about hip high and we'd line up on line parallel to the village and start walking firing from the hip. There were times when Vietnamese villages had man-made bomb shelters to protect themselves from air raids. Well, sometimes when we'd come to a village a Vietnamese would run out of the bomb shelter for fear of being caught, so consequently this surprise would startle any individual and they would automatically turn and fire, thereby uselessly killing civilians without giving them a chance.

MODERATOR. Could you also explain about the false black casualty reports by the Pentagon?

AKERS. Definitely. I was with the 2nd Battalion, 4th Marines and the same unit that was there in Hawaii shipped out for Vietnam, and in Hawaii especially, of Two Four, of 1100 Marines, approximately 600 of them were black and the same went with the other two battalions of the 4th Marines. I know darned well that 600 out of 1100 is not 10 or 12%. Two and two—you know, that's got to be it.

MODERATOR. Were mostly black soldiers on the front lines? Or did they have people in the rear also that were black?

AKERS. What do you mean by front lines?

MODERATOR. The ones that went out to the field. The grunts.

AKERS. Well, see, consequently because of the balance of black soldiers in the units, whenever a unit was sent out, you know the black soldiers were used as points, rear guards and side guards. Echo Company was considered to be Colonel ——'s most prized unit. Colonel —— as everybody called him. And Echo Company was Colonel ——'s, what he called "The Magnificent ——". Echo Company was about 50% black.

MODERATOR. Were most of the orders that came down from him—Major ——?

AKERS. Colonel ——? Yes, he was kind of his own man. If you remember, I believe, the book written by Chesty Puller where he was elaborately mentioned in the book as being like one of the few last supposed Marines would be.

MODERATOR. Jon Birch, you mentioned the re-location of fishermen. Could you elaborate on that, please?

BIRCH. This was in Chu Lai and it was in the period of May to August 1965. I landed at the same time as A1's unit. I was attached to the 4th Marine Regiment of which the 2nd Battalion was a part. I can support his testimony with the percentage of the blacks within the units. On the beach where we landed was a fishing village up in the northern edge of Dong Quai Bay. It was perhaps 5 to 10 huts. These people had been fishermen all their lives. They knew nothing but fishing, but since the Americans—the military—wanted to use that area they moved them up a river, about a mile and a half up the coast. Now they were still fishermen and could still go out, but they were suspected of being VC. They weren't VC. They were just fishermen, and you have to go out everyday if you're going to earn your living by fishing. So they decided we'll move them up the river further still, where we can keep a closer eye on them. They did that and then, just about August, they moved them into a relocation village which was off the river. They took their boats away, burned them, and gave them land and said "All right, now you can become farmers. People need food and we don't trust fishermen."

We personally took some of their little round boats—they look like little sampans—these little round things—called bull boats. So these people who had been fishermen for generations now suddenly became farmers on land that could not be farmed because the area in and around Chu Lai on the beach was sand, very dry, rotten sand.

MODERATOR. Okay, Steve Rose. About that blowing up of the bus by the VC. How many people were on there, what was their status, how many of them were killed and wounded?

ROSE. Yes, this is on Highway 1 outside of Camp Evans in I Corps area. I would say there were about 50 civilians on this bus. They pack them in pretty good on these busses, and with all their belongings. This bus was heading up Highway 1 north and the word that came back to us before we went out was that the VC blew up this civilian bus because the convoy didn't come through today.

So I was at 4th Marine Regiment Headquarters and the doctor and I and a few other corpsmen went out to this bus. Now there was people laying all over the mud there and most of them were dead, but there were some that were still alive and we did a little preparatory work and ARVN helicopters came in with American crews as head. We asked the civilians around the area to help us load the wounded onto helicopters, which they refused to do. Now I sort of understand why. It's not really their war. We're too involved there and we shouldn't be. So what happened was that we, the Marines from 2nd Battalion, 4th Marines, that was on patrol, helped load these bodies onto choppers and as the choppers took off into the distance, the wounded that we put on were being thrown off into the field.

MODERATOR. How high was the chopper when these people were thrown off?

ROSE. It was about a hundred yards out and maybe about 50 or 60 feet high; it was just taking off into the distance.

MODERATOR. How about the taking of ears? Would you explain that?

ROSE. Yeah, it's a thing maybe it's only with 3rd Marine Division, to cut off the left ear of NVA troops that are killed. I had some friends—I was back down to Phu Bai and some friends came out of the field and as a corpsman they asked, "Can we get a bottle and something to put it in so we can ship it back to the States?" and I proceeded to do that—pack 'em for shipment.

MODERATOR. What sort of emotions did the GIs have of cutting off the ears and sending them back to the States? Were they happy about it or were they sad or what was the emotion?

ROSE. I think . . . I call the time I spent in Vietnam "dead time". I call it a time when you just function and do things that, hopefully, you won't do when you come back home. As dead time, I think it's a sort of emotionless, you know, you do it, your buddy did it, so you can do it. So you just send it back. You don't make a big deal of it.

MODERATOR. Okay, Sean Newton, you say you spent two tours in Vietnam.

NEWTON. That's right.

MODERATOR. The question I'd like to ask you is, "What were the differences, if any, in the policies of units that you were in in Vietnam from the first tour to the second tour"?

NEWTON. The first time I was in Vietnam, I was with the 1st Marine Division, 3rd Battalion, 7th Marines; the second tour was with the 3rd Division, 1st Battalion, 26th Marines at Khe Sanh and 3rd Combined Action Group. That job was in an advisory capacity with South Vietnamese militia living in the villages. The overall policy of the Marine Corps in '65 and '66, to me, seemed to be sort of a scorched earth policy. There was a lot of burning and a lot of killing and no one was saying much about it. When I returned in '67, our staff NCOs and officers would tell us, "You know, you just have to be careful. If there are newsmen who go out on the operation with you just be cool, you know, but if there's no one there, do the same thing you did in '65 and '66. So you just have to be a little careful." And that was just about the only change that I noticed besides an escalation of the war.

MODERATOR. Before you went to Vietnam did you have any expectations of what was going to happen there? Did you receive any kind of information while you were going through training?

NEWTON. When we went through the four weeks before you go—staging—I didn't have to go through staging the first time because they gave us three days notice, gave us no leave at all, and put us on ships in Long Beach. We couldn't even call our parents and tell them where we were going or why we were going or anything and they said we were just going out on maneuvers. Like 11 days later we knew we weren't going to be going out on maneuvers. What was the question again? I'm really tired.

MODERATOR. What kind of information did you receive while going through staging?

NEWTON. Oh, yeah, going through staging. They just tried to hype you up and prime you to go over there and just waste them, you know. The Communist threat was brought up time and time again, like, you had to go over there and do this thing so that they wouldn't come invading the United States, make a beach landing, or something or other.

MODERATOR: Mike Damron, you testified to the killing of civilians and the treatment of POWs. Would you like to talk about that?

DAMRON: Well, in January of 1967, we were on Operation Newcastle about 30 miles out of Da Nang and our function as a tank unit—we had our tank and some infantry people on top of a hill while some more tanks and infantry was sweeping through the valley below—and our job was to more or less plaster the area before the infantry got there and if there was any stragglers left, enemy stragglers, after our people went through, we were to plaster them again. We were told we couldn't fire unless we saw people with packs and rifles. That was more or less the policy as written, but what we made it a practice to do, is our unit was to boost the body count. We'd paint a little hat, a triangled shaped hat, on the side of our tanks for each confirmed kill we had, so any chance we got to add more hats to the side of the tank, we fired. And on this particular occasion we fired on five people that we had no way of knowing who they were because they were not armed. As far as prisoners of war go, on the back of a tank there's a thing called a travel lock, so when the gun tube's to the rear it can be locked down where it won't be bounced around. They don't use these in Vietnam, but they use them in the States. But what we used them for in Vietnam was we could put a VC's head or a VC suspect's head in that travel lock and lock it down. But it could be dangerous because if we did hit a bump it could break the person's neck.

MODERATOR: Mike, you said that this could be done. Was it done and did you witness it?

DAMRON: Yes, I did.

MODERATOR. Could you tell us approximately when this was and where?

DAMRON. This would have been in the same general area, around Da Nang I believe in Dai Loc Province. It would have been in late 1966, around December.

MODERATOR. Okay, thank you. Jack Smith,

you were going to testify about the crossing of borders and treatments of POWs. Would you go ahead?

SMITH. Right. We were assigned to a counter-mortar unit. We also had other electronic equipment, along McNamara's Wall up there. We were involved in tracking enemy rocket fire and mortar fire and we would in turn direct our artillery fire back on the positions that we located. Now, we were in generally a free fire zone along the DMZ overlooking the river and it was a free fire zone. Anything that moved out there was fair game. The NVA used to come down across the river and fire rockets and mortars at our base at Dong Ha in Quang Tri. We would in turn fire back at them and locate them with our anti-personnel radar that located them and also the counter-mortar weapons that we'd locate their position. We'd follow them with our equipment and also with AOs back across the river as they would flee after firing back across the river. So we would take our artillery and since it was against the regulations to fire across the river, what we would do was call in a grid location, that's a grid coordinates and the numbers of the location—we'd call in a grid this side of the river and we would have clearance then to fire a 1000 meters around that area. So what we would do is call in a spot right on the bank of the river and then as soon as we got clearance to fire on that spot because this was okay to do, then we would immediately start walking it across the river and fire across the river and up into North Vietnam. We would fire at any truck movements or personnel movements that we found along the thing. We'd just keep firing until we no longer got any movement up there.

MODERATOR. Excuse me, when you say you were cleared, who did you call back to?

SMITH. We had to clear it with the fire direction center back in Dong Ha which coordinated all the movements of allied ground and artillery positions in all the units moving those areas. So they gave us clearance to fire up there.

MODERATOR. Jack, when they'd give you clearance, did these people know that these rounds—the people who gave you clearance—did they know these rounds were being adjusted across the river?

SMITH. Yes, but officially the policy was written that we would not fire across the river, but it was standard operating procedure that whenever we called in along the river bank that we were going to be firing across into North Vietnam. And also this was our practice when we were out at Vandegrift Signal Mountain in the Rockpile out there. In support of Dewey Canyon we were also firing across the river into Laos. We'd call in a grid in South Vietnam just across the border from where we were firing and then in turn adjust the fire across Laos in support of the ground actions over there. As far as the POWs go, our radar location was located right next to the heloport at Charley Two which was overlooking the DMZ up by Con Thien. They'd bring the prisoners in from the field and some of them severely wounded and crying for water. They were always denied medical aid, food, and water until after they had testified to what we wanted to have them testify to. I myself didn't interrogate them. We simply stood out there and watched them and then they would take several of the Vietnamese—they might have four or five prisoners—they'd throw four or five of them along inside the chopper. The chopper would take off, fly over up by the DMZ, come back about 10 or 15 minutes later and unload two. Somehow, along the line, somebody had decided they were going to take a walk out there so they suddenly lost a couple of prisoners, but we never questioned this. If you questioned it, it was simply—they were just gooks anyway, so it didn't matter.

MODERATOR. Did you ever come into contact with Vietnamese people beside the POWs?

SMITH. Yes, almost every day the vehicle for my . . . I had three radar locations up along the DMZ there, about forty people there, and we had to make a run in with our vehicle every week, or every day, into the supply base at Dong Ha. So we'd send our truck into Dong Ha every day and we'd have to pass through the village of Cam Lo which was just a civilian village located on the way to Highway 9 which runs into Dong Ha. Every day as we passed through the village—the GIs when they originally get in country they feel very friendly toward the Vietnamese and they like to toss candy at the kids, but as they become hardened to it and kind of embittered against the war, as you drive through the village you take the cans of C-rats and the cases and you peg 'em at the kids; you try to belt them over the head. And one of the fun games that always went was you dropped the C-rats cans or the candy off the back of your truck just so that the kid will have time to dash out, grab the candy, and get run over by the next truck. One of the other fun games was you take the candy and you toss it out on a concertina wire. The kids are so much dying for the candy that they'll tear their flesh and their clothing and their clothes off trying to get at this candy which you've thrown inside the barbed wire. Additionally, when we had to go into Dong Ha we also used to have to make a garbage run about every other day and the garbage dump was located just down the road in front of the village of Cam Lo. In order to unload our garbage with the least amount of harassment to the Americans what we would do is send down our barrels of garbage, we'd send down a team of five or six, or squad of five or six, Marines along with it. One guy would be assigned to dump the garbage and the other six would beat the Vietnamese, shoot them, do anything they could to keep them off the truck while you were unloading the garbage, because they wanted to get into the cans and be the first ones to scrounge through and get something to eat. So in order to save your vehicle and keep the equipment that you had on it, you'd just throw the Vietnamese off the side of the truck and dump the garbage cans on top of them—just chuck 'em overboard. If they got too frisky you just blew a couple of them away.

MODERATOR. Excuse me, you mentioned that after a while you would be giving candy to the kids, just throwing it to them, but you said people got embittered and you started throwing off the back of the trucks and they got run over. Do you know why you were embittered?

SMITH. Two of our people had gotten killed by stopping in the dump and rapping with the kids and somebody had given a grenade to one of the kids and he pulled the pin on it and walked up to the guy in the truck and just handed the guy in the truck the grenade and blew the kid and the guy in the truck up. One of our guys out there passing candy come up and got shot through the forearm by a .45 pistol. He was shot by about a nine year old kid so they tended to become a little embittered with the kids and as you'd go through the ville the kids would yell "Chop, Chop, Chop, Chop." They wanted candy and you'd throw them the candy and then they'd go ——— you." In general, you tended to get alienated from the kids.

MODERATOR. Gordon Stewart and Chris Soares, both of you have mentioned an operation that I think is fairly familiar to most of the American public—Dewey Canyon—and is that operation crossing the border into Laos. Gordon, could you start by explaining that?

STEWART. The name of the operation was Dewey Canyon. I was a Forward Observer with Second Battalion, 9th Marines, who participated in the operation. My job primarily was calling in artillery fire, mortars, and air strikes with Forward Air Control working with them, except contrary to published documents, the operation did take place in Laos. I have a map here if the press or anybody wants to look at it—it's an official documented map. In the press room I'll show what route was taken, how far we penetrated into Laos. It was approximately four miles. The operation started in January of '69 and ran through March, '69. Approximately February 25th, Hotel Company, Two Nine, pulled an ambush into Laos on a North Vietnamese Convoy destroying a tank, bulldozer, trucks and a lot of personnel. Where we got the permission to do this, I don't know. I heard over the radio that undoubtedly it came from higher sources as everything did. The next night at approximately 12 o'clock, Hotel Company moved into Laos again. The whole company had set up a base camp on a hill. For the next three days it was pretty much hell. We ran through a lot of contact and lost a lot of men, but, of course, you know, we never lost anybody in Laos, which is hardly true at all. Many men were lost. The men became quite embittered during this operation. It became easy to kill Vietnamese. You were just animalistic.

SOARES. I was with Golf Company and I was an infantryman. I had just gotten in Vietnam in February. Soon after I was choppered out to a hill, which can be shown on the map, as part of the Reactionary Platoon with the Battalion Commander Major———. We set up there for a couple of days. We had one of our squads ambushed in Laos. I saw B–52 strikes in Laos. I saw air strikes in Laos and I saw a hell of a lot of men killed in Laos. We had moved down from this hill, down the valley and across it, across a stream and up another hill. A couple of days later we had come upon a hill which was strewn with rice. This was tons and tons of rice. I believe it was Hotel Company that had found this rice and had destroyed it instead of having airvaced it. Now the people in South Vietnam are pretty ——— hungry for this rice but instead of that, we destroyed it. Another thing is that, Oh, God . . . I'm sick.

STEWART. I'd like to bring up—Chris is talking about hills in Vietnam—these hills he's talking about I can confirm with the grid coordinates because I called in artillery and air strikes and mortar fire onto the North Vietnamese. To my knowledge we didn't kill any civilians in Laos. That came before and later, but during the Laotian Operation, Dewey Canyon, moved down Route 922 in Laos. We could have gotten helicopters in to evacuate our dead and wounded but the battalion commander wanted to be Gung Ho and carry the dead on litters, so we carried the dead for three days on litters. They don't smell very good. The operation was a military success if you look at it from a military point of view. They captured a lot of—this is all documented someplace—they captured a lot of rounds, artillery. What can I say? We were there and I can prove it.

SOARES. The whole 9th Marine Regiment took place in Laos, in Dewey Canyon, and that's approximately 2,000 men. To my knowledge, I may be wrong, but I know that quite a few of these men were in Laos all the time. I would say for approximately a week, a day or so, more or less. The order was, when I left Ashau Valley, where the operation took place, on a helicopter—I was given the order by a second lieutenant—that if we met any war correspondents in our rear, which is Quang Tri, Vandegrift Combat Base, we were not to speak to them at all about Operation Dewey Canyon and if approached by any war correspondents, we were to say nothing. Perhaps just say we weren't in Operation Dewey Canyon and our name and serial number if they requested so. If they persisted, to go up the chain of command. In other words, if a war correspondent had any kind of idea that this operation took in Laos, he could not find anything and you end up knocking on White House and, of course, he wouldn't

be let in. So, in a way, the American people perhaps knew about Operation Dewey Canyon but certainly did not know that it took place in Laos. Another thing, too, is body counts. I can verify one thing: we lost, I'll be very conservative, at least 50% of these 2,000 men in this operation—wounded and killed. My company itself which was approximately 115 men, the whole company itself, we had about forty replacements waiting in the rear, and I was one of the replacements during the operation itself. That goes for body counts. Another thing, too, that's the complete devastation and defoliation in that area. I do not know if it was perhaps of shrapnel from high explosives delivered by air strikes or artillery strikes, but I know that quite a few hundred miles were just stumps or something that looked like stumps sticking out of the ground, and just let me say that that land, there is just nothing left of it.

STEWART. When we were in Laos we were very humane about it. We left the bodies piled all along the road in Laos on Route 922.

SOARES. That's true. On one point, when we were moving out on the trail, I walked over a body, a dead body, a dead NVA body, and, of course, nobody would move any bodies or any kind of objects that looked like it was either NVA or belonged to us or whatever because of fear of being booby-trapped. So we just left the bodies there.

STEWART. We booby-trapped the bodies. We placed grenades without the pins underneath the bodies in case anybody—they had a policy, the North Vietnamese, of dragging their bodies away with hooks in order to destroy more people. When moving through Laos, taking our dead and wounded, we took a lot of casualties. It was also the policy—they told us not to tell anyone for fear of repercussion that it would be very bad for us. I don't care anymore. This is what happened.

MODERATOR. Excuse me, you mentioned the body count of the U.S. casualties. Were these figures accurate? I mean, you said they were conservative, but when the Pentagon gives out the statistics they have their numbers. But do you agree with the numbers they give out?

SOARES. Definitely not. Marine Corps puts out magazines called *Northern Marine*. It says that we killed 1,111 NVA soldiers. Now that's a pretty interesting number. Now the only body I saw is the one I walked over and I saw a hell of a lot of bodies of ours being taken away in one piece or another.

STEWART. Echo Company was another company in the Second Battalion, 9th Marines. I can confirm that they were also in Laos, moving through Laos in a different direction from us. B–52 raids were called into Laos and I myself called in air strikes and artillery. White phosphorus was also called in on hamlets and villages. We didn't want to leave anything above the ground level. I don't know why.

MODERATOR. Gordon, something . . . a question I've got for you is concerning wounded and dead Marines. How did you get them out of Laos, if you did get them out of Laos?

STEWART. We dragged them on litters.

MODERATOR. Were any left behind?

STEWART. A squad was ambushed trying to start a North Vietnamese truck that we destroyed in the ambush in Laos. The squad was completely wiped out. We had to leave our dead and wounded. We couldn't get back to them. Eventually we did. We picked up what was left and dragged it through Laos because the Colonel thought it was nice. It looked like a typical John Wayne epic.

MODERATOR. When you went back to get the Marine bodies and the Marine wounded, did you get all of them?

STEWART. I don't know. There is also one Marine received the Medal of Honor posthumously. It was presented to his parents. His name will probably be mentioned somewhere. I'd rather not. He did receive this medal of honor later, some months later, I read it in the Quantico paper and I believe the press has the citation. He was killed in Laos on Route 922 right next to me.

SOARES. I'd like to say something else about body counts, is that no where in any papers that I read, and that's the *Sea Tiger* in Vietnam or in any magazines like the *Leathernecks* which was put out by the Marine Corps, or any such thing of, of course, the media, was any actual number of men killed or wounded—our men killed or wounded in this operation. I can say that I remember an incident in which I was there, these two squads got ambushed one right after the other and wound up with 3 men killed and 14 wounded and not one enemy soldier killed. And that's the way we fought in Laos. I mean, like, just everybody was being killed, left and right, and they called this operation a success. I don't know if you call it a success by catching some small arms ammo; they did find a couple of 122 millimeter Russian made howitzers and I believe some trucks and I think also a tank and, of course, the rice. But as far as the confirmation of body counts is concerned, I believe it is very important, is that quite a few times people will, especially airmen, will say we dropped a bomb in such and such a place and we believe that we killed 20 NVA's and wounded 6. Now this cat's about 500 feet up in the air at the lowest point and I doubt it very much if he can see going 600 miles an hour. So that's the way body counts go in Vietnam. Also, counting chickens and pigs.

STEWART. Body counts are like football games. They keep a score and as long as the other side has more dead then it's got to be a success.

MODERATOR. Gordon, you say you were an FO, a Forward Observer. There's a round used over in Vietnam, an artillery round, called a firecracker round. Could you explain what that is and what it does?

STEWART. A firecracker round can be fired from different types of artillery, usually from 105s—105 millimeter artillery. What they do in essence, the round impacts, which causes other rounds to impact out of it like a firecracker, and these other rounds impact, causing shrapnel to fly 100 meters in diameter, causing a lot of casualties. Forward Observers like to use these rounds because they put on a good show for the men.

MODERATOR. While you were there did you know of any instances were this type of ammunition was fired into civilian communities or population?

STEWART. Yes, white phosphorus—which is, well, if you don't know what white phosphorus is, you can't put it out once it gets on your skin—the only way to put it out is maybe in mud—I called white phosphorus in on a village with air bursts, complete destruction.

MODERATOR. Chris, you mentioned something about a bounty put on your Platoon Sergeant's head. Would you like to get into that a little bit?

SOARES. Well, our platoon sergeant at one time or another, I believe, was a great . . . well, at that time he was acting sergeant; in other words he had been busted to corporal for some act which I do not know. I believe his previous grade was either an E–7 or E–6, which is either a gunnery sergeant or a staff sergeant, so he was busted back to corporal. Because of his so-called ability, he was given the rank of Acting Platoon Sergeant. He was a ——— let me tell you this much. I mean, like, he drove the men crazy. He used to have the men—just about the only thing he didn't do is polish their combat boots—he used to have the men clean their food, just about shave every ——— day, have haircuts; I personally at one time was growing a mustache and I had to shave it with a dry razor and nothing else—on his own orders—and he just drove a man, like, just about to death. Another thing also is that periodically, maybe once or twice a month, he used to get some beer and also some nice warm soda and nice warm beer. I mean we really dug on that. But they had a thing like finders and keepers. Like you got, say, 20 cases for a platoon and wind up with, let's say, about 15 left and 5 cases of each wind up in the platoon command post. This sergeant used to be the biggest pig in the world and he just used to take everything—first man to be on the chow line; first man to grab the best C rations and leave us with the ham and lima beans, which we used to call ham and ——— and so for this reason and for driving us to the point of not knowing where your mind is—not knowing where the ——— to go or what to do—we just hated that guy and we wanted to see him go. As far as the bounty is concerned, the first man with a witness in a fire fight who blew his ——— away with a round across his eyeballs would get a $1000. And we had a pool going within the platoon. This was around Quang Tri Area and I personally offered approximately $25.00 for his head.

STEWART. Bounties were quite common, undoubtedly. I think everyone would agree.

MODERATOR. Due to the fact that one of the men has to leave very shortly to go back to his home, Nathan Hale, I'd like to let him testify to the interrogation procedures and show his slides at this time. Could we have the lights turned off, please, all lights? Could you also turn that screen just a little bit towards us here in this corner? Okay, that's all right. You think the press could get this light out here, please?

HALE. These slides I want to show you were taken in October, 1968. I was on a Marine mission called "Daring Endeavors". The operation took place south of Da Nang. The idea was to cut off an enemy force. This is just showing the unit. (Next Slide) This is a group of detainees being brought in. (NS) This just shows a typical Vietnamese who was bound. The ropes are really supertight and the idea is to make the prisoner or detainee as uncomfortable as possible. (NS) I was sitting here drying my boots and I had a little fire going and this man here came over—these are National Field Police—this man came over and put a tin spoon, it's a Vietnamese spoon, it's shaped like a scoop and he put it in my fire. He then grabbed my sock, wrapped it around, and he's burning the skin off of the back of the man's neck. (NS) This is after he burned his neck. The man's still not giving the correct information. (NS) And finally the man, in fear of his life, admitted that at one time he had given tax to the VC but you can't prove that. (NS) I heard earlier today that they used CS. Well, the Marines used a lot of CS on this particular operation, and this particular man wouldn't come out of the hole and they threw two CS grenades at him. I personally escorted this man back to division and he died. So if gas doesn't kill, I don't know what killed. (NS) Okay, there's an interrogation going on right here. This man here is a warrant officer. This is the way its conducted. It's a big production. There are all the Marines sitting around giving the various cheers. At all times during these interrogations there were officers present. At one time there was a Lt. Colonel present. This is a good expression of agony. (NS) The general attitude you can see—of the Marines. That's it.

MODERATOR. Okay, could we have the lights, please? Nathan,you pointed out that Warrant Officer. I don't know if it was clear or not—the focus for everybody to see. Was he, indeed, an American warrant officer?

HALE. Yes.

MODERATOR. Okay, thank you. It there anything else you'd like to add in the line of interrogation?

HALE. Yeah, I sure would. I arrived in Vietnam in December of '67. In January of '68 I

was assigned to the 1st of the 1st Cav, Americal Division. I arrived at the base camp of the 1st of the 1st Cav which is Hill 29k. When I arrived there my S2, a captain, told me that my job was to illicit information. This meant that I could illicit information in any means possible. He told me that I could use any technique I could think of and the idea is "Don't get caught" and what he meant was I could beat these people, I could cut 'em, I could probably shoot 'em—I never shot anyone—but I could use any means possible to get information—just don't beat them in the presence of a non-unit member, or person. That's someone like a visiting officer or perhaps the Red Cross and I personally used clubs, rifle butts, pistols, knives, and this was always done at Hill 29. And in the field it even gets better. On this particular operation the National Field Police also hanged two men, just because they thought they were VC. The important point here is that everything I did was always monitored. An interrogator is always monitored. I was monitored by an MP Sergeant at Hill 29 who often helped me in my interrogations—he and his squad. One other incident on Hill 29—there was a man who was kicked to death by the ARVNs—the South Vietnamese. They called me the next morning and they said, you have a dead prisoner. So I had to take a doctor over to confirm that he was dead. My S2, instead of going through the necessary paper work, had him put in two 500 pound rice sacks and the troops took him out that day and dumped him. He was added to the previous day's body count. I guess that's about it. I can tell you that Americal Division has the ideal interrogation location. There are MPs on the hill watching you but this doesn't mean you can't kick prisoners under the table. We used to take knives into the interrogation huts and use the guys hands as a means of terror. I might also add that I learned everything I know from the South Vietnamese and from my Americal cohorts.

MODERATOR. All right, thank you, Nathan. The next one will be Walter Hendrickson. Would you go ahead and testify?

HENDRICKSON. I spent from November of 1968 to April of 1969 where I was wounded on an operation in Laos and I really don't remember what the operation's name was because we never were told. We just knew that we had landed right near the Laotian border and we had a sniper unit with us who worked right inside of Laos and all our LPS—our listening posts—which were at night and our observation posts in the daytime—all were in Laos plus the fact that we did run patrols constantly through Laos. Also, before we started this operation, we were—Tet offensive—in the MACV compounds, where we worked out of right around Mai Loc, which is in the Quang Tri Province and working around there the squad I was in. We run into an NVA observation post, it must have been, because they were all sitting around the fire and the point man and the man behind him, I'm quite sure they killed three of the five men and the other two were wounded. My team leader at the time was right up front there giving orders and one of the NVA threw his rifle down—he was wounded—and he was crying "Chieu Hoi, Chieu Hoi" and my team leader just said "Burn him" and he was shot to death. Then we were told to pull back and we were working with a 1st lieutenant, he was a tank commander, he was out with us because we were working with the tanks and he called the tanks up on line and they proceeded to shoot into these wounded NVA, bee-hive rounds and HE rounds, plus they were firing from their 30 caliber machine guns.

MODERATFR. Excuse me, there may be some people in the audience who don't know what "Chieu Hoi" means. Would you explain what it means?

HENDRICKSON. "Chieu Hoi" is a Vietnamese word for surrendering. In other words he'll "Chie Hoi" if he doesn't want anymore of fighting. Pretty near every grunt over there, I would say, knows the meaning of "Chieu Hoi", but the six months I spent over there before I was wounded, we never took a prisoner. I can remember one time in the village, we brought a person in for questioning and he was released the next day, but we never took any prisoners. Before I was sent out to my platoon, my squad, we used to have to pull convoy duty quite a lot, and it was the same thing while you were on the back of the trucks, any of the chow that you didn't eat that you were given, was thrown right at the villagers, the civilians.

MODERATOR. Okay, thank you very much. Before we go on to our next person, I would like to ask one question. You say that you didn't take prisoners. What exactly did you do with them and who ordered you not to take prisoners if somebody did?

HENDRICKSON. Well, we really never got an order to take prisoners and I think it was a general attitude of almost everybody over there not to take a prisoner. All the while I was over in Vietnam we were pretty much in a free fire zone and if we saw anybody out there we didn't even attempt to take a prisoner; we just opened fire.

MODERATOR. Bill Hattan, you talked about the stoning of a three year old child. Would you like to explain that, please?

HATTON. When I arrived in Vietnam my MOS was a Heavy Equipment Mechanic. Since there wasn't a real need for my billet to be filled as a mechanic, I was put in my secondary MOS which was 8151, that of a security guard. Since I filled this billet so admirably, they kept me going on perimeter, which was in a sense a — detail that they send people they don't like out on. Since I wasn't the most popular type of personality, there I went. Well, at any rate, my duty was to go out and serve as a perimeter guard on the Dong Ha Ramp. This was an LCU Ramp on the Quat River where Navy ships came up and they'd off-load supplies. We took our truck outside the combat base every night at 5:30 to set up at the ramp for our night's duty. We used to drive by this row of hootches and a little three year old kid in a dirty grey shorts used to run out and scream, "You, Marines, Number 10" and we'd always go back, "Oh — you Kid" and all this stuff. So one night the kid comes out and says "Marines, you Number 10" and throws a rock. So we figured we'd get him because this was a way of having fun. The next night before we went out we all stopped by COC, which is right by the Ammo Dump, picked up the biggest rocks we could get our hands on and piled them in the back of the truck. So when we left the Combat Base we just turned the corner and we saw a little kid, we were waiting for the kid—he ran out of the hootch—and he was going to scream "Marine Number 10" and we didn't even let him get it out of his mouth. We just picked up all the rocks and smeared him. We just wiped him out. In fact, the force of the rocks was enough to knock over his little tin hootch as well. I can't say that the kid died, but if it would have been me, I would have died easily. The rocks, some of them, were easily as big as his head. It was looked upon as funny. We all laughed about it. And then we forgot about it. It took me about a year to even to be able to recall the situation. I think it said something about the entire attitude of us over there. I never had a specific hatred for the Vietnamese, I just tended to ignore them. They didn't figure in any calculations as to being human. They either got in the way or they weren't there. And also, we had this habit, when we'd leave the combat base—I frequently traveled between Quang Tri and Dong Ha and contact teams and we'd take C ration crackers and put peanut butter on it and stick a trioxylene heat tab in the middle and put peanut butter around it and let the kid munch on it. Now they're always looking for "Chow, Chop" and the effect more or less of trioxylene is to eat the membranes out of your throat and if swallowed, would probably eat holes through your stomach.

Another portion of the testimony that I would like to cover is that in March of '69, I was serving as security in a convoy, and this wasn't actually in line of duty, I was able to have a day off and I was going down to Quang Tri so I got on a truck belonging to Seven Motors. They were in convoy; they just gave me a ride at the gate and we got four miles south of the Dong Ha perimeter and there were a group of Vietnamese women and children who were gathered around at this little bridge outposts the ARVNs had as security on Highway 1 there. The truck was doing considerable speed and it was just sort of a spontaneous reaction, they said "Let's get 'em. They want Chop, Chop, we'll give it to 'em", picking up cases of C-rats which weigh up to approximately thirty pounds and threw them off into the women and the kids. You know, just flattened them out and knocked them back quite a few feet. There again, there was no way of determining whether or not they were actually dead but the injuries must have been serious. The whole thing, like I mentioned with the garbage trucks, I never experienced shooting anybody off garbage trucks, but many times we put our boots in the faces of kids and women who'd crawl all over it. There used to be a game we played—we'd pour liquid garbage off the end of our truck to make 'em crawl for it. The mama-sans would come up with half-cut fifty gallon drums and they'd try to fill it up. They'd get pork chops and sloppy rice and mystery meat or wop slop, or whatever we had for chow, and put it in there and we'd let 'em walk so far and then we'd tip it over, spill it on the ground, and watch them scrape the dirt in there. Anything to dehumanize them. I think the program went even farther. We used to have kids from the orphanage visit us aboard Dong Ha and have a party for them so that we could play games like holding sodas in the air and watch them grasp for it; patting them on the head and teaching them little tricks like how to beg for candy bars. A further part of my testimony is, like, with mad minutes. As I traveled variously around northern I Corps I used to go to a place called "Stud" which was later gloriously reclassified as Combat Base Vandegrift. This was due to the John Wayne snydrome which is pretty prevalent in the Marine Corps. They just don't name anything a plain name; it has to have glorious connotations. I had gone over to visit some friends of mine at Third Shore Part and we went over to have a little party out there on the lines and nobody gave me the word that we were going to have a mad minute. What happens with a mad minute is that everybody opens up, at least half the guys on each bunker and every sector of the line open up with four duces—the guys in support—and they'll fire for two or three minutes. They call it mad minutes. This in effect kills anything. You don't know what's out there and neither do they. You just fire in the hope that you're going to get something. You cease fire and you wait for a reaction and there's usually none. It's more or less a waste of ammunition. This I witnessed about two or three times. Like I said, I was never assigned as a guard to do mad minutes, but I was witnessing it.

The other part I would like to discuss or mention was the private war that used to go on in Dong Ha. My particular outfit, FLSG Bravo was a rear support unit that we sent people out to various commands like One Three and that. We managed to spend two-thirds of our time in the rear and there was

considerable friction between the troops back there. There was open warfare between what we called the heads, the people who smoked dope, and what we called the juice freaks, the people who drank. It was heavily weighted for a while, in fact, it was quite evenly matched. There were frequent stabbings and as a result of this mutual paranoia, we put prices on, I'd say, fully the heads of at least 40% of our staff and officers had prices on them. The highest prices going, on the heads of the CID. One Lt. ———, a CID, had a price of $2000 on his head. Of course, the person who collected the head also had to kick back a $1000 for a celebration we were going to have. And the same thing with Staff Sgt. ———. He was more clumsy so we didn't have the heart to wipe him out but he still had a $500 price on his head. It was payable. Once you were familiar with the people in your unit, you knew whom to apply for the money. I heard that the 1st Sgt. in Communication Company, 5th Com in Dong Ha, they had a whole unit there locked on a legal hold. In other words, they couldn't rotate from Vietnam because someone had attempted to frag grenade their first sergeant. They had wired it to his desk and a Pfc. was sweeping out his hootch, pulled out the chair, and it blew his legs off. That wasn't the end of the attempts. An attempt to get Staff Sgt. ——— netted another gunnery sergeant who thought he'd use his rack and we lost two gunnery sergeants who bedded down with Willie Peter grenades one night. I think it's pretty indicative of the whole spirit of the troops back in the rear. It's very frustrating. You know, if Vietnam is not violently painful then its such a crashing bore that you can't stand it.

MODERATOR. I'd just like to corroborate Bill's testimony as to Sgt. ———. We had a murder in our unit and one of our troops was standing trial for murder. At the time that his court-martial came up, we were sent down a report of the hearings and the findings of the court martial on these same fact sheets, that was sent down to my unit and given to me, there were four men that had just been court-martialed for attempted murder on Staff Sgt. ———. So I still have this in my files somewhere, this testimony as to four men who were indicted and court-martialed for an attempted murder on Staff Sgt. ———.

MODERATOR. Bob Clark, you mentioned the brutality of women and children. Would you give us a run down on that?

CLARK. I served with Gold Company, Two Nine, and due to my popularity and quick mouth in the company, I made frequent garbage runs. We were instructed that when we got down there that if anybody was going through the garbage, chase them away, we could do what we wanted to do and if anybody jumped on the truck they were fair game for anything. Now what they did, they put about 10 grunts on the truck and they just laid down in the garbage and we'd have two standing on the back of the truck. Now when about 30 people would jump on the truck, then the 10 grunts would jump off and they'd just beat them with their rifle clubs until they were either knocked senseless and then they'd knock 'em on the ground and just kick their (———) all the way across the garbage dump which was over a hundred yards long. At the time I was there, nobody ever got hurt in the garbage dump as far as Americans. But a lot of Vietnamese women and children were hurt. And it was fair game between Con Thien and going through the city of Cam Lo, on the outskirts of Quang Tri going into Stud, that American troops would stock up on their heavies (their spaghetti and meatballs and ham and lima beams) and any little children who were begging along the side of the road, which never numbered less than 50 or 60, were fair game for these full cans of food. They wouldn't throw them to the kids, they would just bounce them off their heads or try and knock them off their bicycles. If they ran out of food they would just light up heat tabs and wait until a kid got really close to the truck and then they would just easily drop it into his hands and particularly this Bru village, they relocated them right on Route 9 right close to the Rockpile. And there was a little kid with crutches out there; he was missing one leg; he was about five years old and he was about the most popular target because every time we came by he ran out and the people wanted to see if they could knock his crutch or hit his old man in his woods, because if the kid ever did get any candy, he brought it to his old man and these two people were the most popular targets.

MODERATOR. You mentioned the killing of wounded prisoners. Would you talk about that also?

CLARK. Right on. On June 13th, on Operation Cannon Falls, we were on Fire Support Base Wisemans, Gulf Company and H and S Company. Now at 2:30 in the morning I was used as a line filler because one of our listening posts was wiped out and they had to send a platoon of grunts out there to see who was alive and who was dead. At three o'clock, we were hit by exactly a company and a half and the contact lasted until five thirty. We were hit with RPGs and small rifle fire, plus they threw some Chicoms, but everybody forgot to pull the pins so none of them went off. Now twice during the night we were overrun on our lower LP. The whole night we only sustained three dead people and ten wounded. Now in the morning when the mist cleared, about five-thirty, everybody just got out of their holes and we started to sweep down towards the bottom of the hill to count our body count and see how brave we were. There was one NVA soldier who was caught on the wire. He had a bullet wound through the neck and numerous shrapnel wounds all through his body from fragmentation grenades. Now this big bad ——— corporal took out his knife and stuck it in his neck and just jiggled it until the man bled to death because he didn't want to carry him to the top of the hill. Another man was laying at the bottom of the hill on his stomach. He was in pretty bad shape but I think he would have made it and three grunts emptied full magazines of M–16 fire in his back. Another man who was shot at the top of the hill and had a bullet wound in his thigh, two in his back, and his elbow was hanging off by a thread, plus he had numerous shrapnel wounds from fragmentation grenades. He was laying on his back at the top of the hill and what was left of second platoon and first platoon gathered around him including a Lt. Colonel, a Major, a Captain, and at least one 2nd Lieutenant. He was made the object of a little game for about a half hour. He was screaming for water and they just poured it on the ground. They laughed at him; they kicked him in the ribs. One time he just jumped up spastically and he sat up on his waist and his arms started to dangle. A grunt kicked him in the chest and he died. While all this was going on, they were suggesting what they should do with him. There were three senior squids there, that's doctors, all three of them were E–6s, none of them would help him. They said, "He's not worth it". Somebody suggested we tie him up because he might be dangerous. It was suggested he might be tied up with barbed wire.

Now after all this happened, they chased what was left of the NVA company out through the woods and an NVA lieutenant surrendered. He ran to the bottom of the hill and he walked up with a Chieu Hoi leaflet to Gunnery Sgt.———. He was unarmed; he didn't have anything on him; he grabbed Gunnery Sgt. ———'s hand and kissed it and he seemed pretty happy. Well, he got punched out. They brought him up to the top of the hill and he wasn't physically abused because he told everything he knew, plus he got on a loudspeaker, and he talked through a helicopter that was circling the area telling his comrades to surrender. Well, that night he said that we were going to be hit with 60 mortar fire and it was going to march from the east side of the hill to the west side. They decided to keep him there overnight so they took off all his clothes and they dug him a little hole, three feet by four feet. They just put him in there and put a board on top and had the Kit Carson sleep on top just in case we didn't get hit by the mortar fire, then they would take care of him. Well, we did get hit by the mortar fire and we took care of him anyhow. The following day elements of Golf Company claimed that they saw 400 NVA walking along the trail. I informed this to this Major there, since I was in the COC bunker on Radio Watch. He told me I was an ———. So I called up Golf Company again and I said, "Repeat this. This guy doesn't believe me." So he told me again I was an ——— because Recon said there are no NVA in this area, even though the previous night we were hit by a company and a half. Well, about a day following, Hotel Company (and Gordon was there at the time) was hit by about half a regiment, I'm not sure, but they were in contact for nine hours and Major ——— was on the net and the Captain from Hotel called up and he was crying because they were pinned down for nine hours and he wanted air support and he wanted to be lifted out of there because they were pretty well chopped up; they had had hand-to-hand fighting; they were running out of ammunition and Major ——— got on the air and, I quote, called him a ———. He said, "Never in Vietnam has any Infantry Unit been withdrawn" and he said, "You people can do it by yourself. I don't care if you've been there nine hours or nine weeks. You're going to stay out there until there is none of you left or until we come and get you." Later on that night I took the casualty report. It was fourteen pages. There were 43 killed and about 30 wounded and a lot of them were my friends. They claimed they killed a hundred Viet Cong, but Gordon says they killed two or three hundred. Stars and Stripes claimed that only 35 Americans were killed and wounded. I know they're pretty confused out there, but it's pretty ——— up when not even Stars and Stripes can figure out how many people there were.

STEWART. I'd like to add on that, since I was there and wounded there, that they wouldn't bring any ammunition into us, food or water. The helicopters were afraid of getting hit because the one helicopter that came in for a MEDIVAC was shot down in the river. We managed to get all the dead and wounded out but one. It was a gunner, I believe. I don't really want to talk about it.

SOARES. I personally know of an incident that . . . Well, the Marine Corps choppers, the pilots and co-pilots, are usually officers and the Army pilots and co-pilots are usually Chief Warrant officers and enlisted men. The officers get paid quite a lot more than the enlisted men do so I know one incident in which this platoon got pinned down. They called in Marine Corps choppers to get them out and there were three of them up there, more than enough to pick up the men and not one of them landed. There was an Army chopper around there—it actually took about one hour for the Army chopper to get there—and that Army chopper went down and between that one hour I was told that something like ten men were killed and wounded, between that time, because three Marine Corps choppers wouldn't land because they got to make more money and they've got their wives and children back home.

MODERATOR. Jamie Henry, could you go into the testimony you have of the murdering of nineteen women and children?

HENRY. Okay, what I have to say is a direct result of the policy by the United States

Army in Vietnam and what I'm going to detail was reported to the United States Army CID. I made a full statement to them. I gave names, dates, grid coordinates, etc., etc., etc. We have my signing of the statement on film with the two CID agents, who are really—— but we have it on film so they can't deny it and it's witnessesd, etc., etc., etc. So there's no way that they can deny this. This statement was given to the CID over a year ago, almost exactly a year ago, and I'm sure they'll come out with something to say about it—why they haven't done anything about it. They'll probably say it's a lie, but it has been corroborated. I just want to give a brief account of what happened. On August 8th our company executed a ten year old boy. We shot him in the back with a full magazine M–16. Approximately August 16th to August 20th, I'm not sure of the date, a man was taken out of his hootch sleeping, was put into a cave, and he was used for target practice by a lieutenant, the same lieutenant who had ordered the boy killed. Now they used him for target practice with an M–60, an M–16, and a 45. After they had pretty well shot him up with the 60, they backed off aways to see how good a shot they were with a 45 because it's such a lousy pistol. By this time, he was dead. On February 8th, this was after a fire fight and we had lost eight men, on February 8th, we found a man in a spider hole. He was of military age. He spoke no English, of course. We did not have an interrogator, which was one of the problems in the fields. He was asked if he were VC and, of course, he kept denying it, "No VC, No VC". He was held down under an APC and he was run over twice—the first time didn't kill him. About an hour later we moved into a small hamlet, this was in I Corps, it was in a Marine AO, we moved into a small hamlet, 19 women and children were rounded up as VCS—Viet Cong Suspects—and the lieutenant that rounded them up called the Captain on the radio and he asked what should be done with them.

The Captain simply repeated the order that came down from the Colonel that morning. The order that came down from the Colonel that morning was to kill anything that moves, which you can take anyway you want to take it. When the Captain told the Lieutenant this, the Lt. rang off. I got up and I started walking over to the Captain thinking that the Lt. just might do it because I had served in his platoon for a long time. As I started over there, I think the Captain panicked, he thought the lieutenant might do it too, and this was a little more atrocious than the other executions that our company had participated in, only because of the numbers. But the Captain tried to call him up, tried to get him back on the horn, and he couldn't get a hold of him. As I was walking over to him, I turned, and I looked in the area. I looked toward where the supposed VCS were, and two men were leading a young girl, approximately 19 years old, very pretty, out of a hootch. She had no clothes on so I assumed she had been raped, which was pretty SOP, and she was thrown onto the pile of the 19 women and children, and five men, around the circle, opened up on full automatic with their M–16s. And that was the end of that. Now there was a lieutenant who heard this over the radio in our company—he had stayed back with some mortars—he, when we got back to our night location, he was going half way out of his mind because he had just gotten there, relatively. He was one of these —I don't know, I guess he was naive or something, believed in the old American ideal. He was going nuts. He was going to report it to everybody. After that day he calmed down and the next day he didn't say anything about it. We got in a wretched fire fight the next day and the whole thing was just sort of lost in the intensity of the war. Now when I got out of the Army an article was written about this and we got in contact with the Lt. who was mad and he denied even remembering the company commander's name, which is a bunch of —— because he's a lifer and he doesn't want to jeopardize his chances for getting promoted, etc., etc. I don't want to go into the details of these executions because the executions are the direct result of a policy. It's the policy that is important.

The executions are secondary because the executions are created by the policy that is, I believe, a conscious policy within the military. Number one, the racism in the military is so rampant. Now you have all heard of the military racism. It's institutionalized; it is policy; it is SOP; you are trained to be a racist. When you go into basic training, you are taught that the Vietnamese are not people. You are taught they are gooks and all you hear is "gook, gook, gook, gook". And once you take the Vietnamese people or any of the Asian people, because the Asian serviceman in Vietnam is the brunt of the same racism, because the GIs over there do not distinguish one Asian from another. They are trained so thoroughly that all Asians become the brunt of this racism. You are trained "gook, gook, gook" and once the military has got the idea implanted in your mind that these people are not humans, they are sub-human, it makes it a little bit easier to kill 'em. One barrier is removed and this is intentional, because obviously, the purpose of the military is to kill people. And if you're not an effective killer, they don't want you. The military doesn't distinguish between North Vietnamese, South Vietnamese, Viet Cong, civilian—all of them are gooks, all of them are considered to be sub-human. None of them are any good, etc. And all of them can be killed and all of them are killed. Now the second reason for atrocities that occur is because it doesn't take very long for an infantryman in the field to realize that he is fighting for nobody's freedom. You can ask any of the men here. They may have thought they were fighting to protect their mother when they got there, but they sure didn't believe that very long. And this isn't just the grunt, it's the lieutenants, it's the officers in the field. Our captain believed it. It takes only a few months to be subjugated to the circumstances of Vietnam when you come to the realization that you are not fighting for Ky's freedom; you are not fighting for Thieu's freedom; you are not fighting for your Mother's freedom or anybody's freedom. You're just getting your —— shot up and all you want to do is go home.

STEWART. I'd like to make a comment to what he has just said. It was very enlightening to me some eight months after I had been in country and I was able to come in contact with Vietnamese civilians in the village of Cam Lo, three girls to be precise. It was some three days before I discovered that they spoke better English, in fact, than I could muster; in fact, any of my friends. And heretofore we had been pretty much running our mouths with the general statements you make about slant-eyes, zips, and it sort of drug your face in the dirt. Well, at any rate, you know one thing that you're commonly given to wonder when you go over in Vietnam is why there are so many such a lack of males of military age in the Villages. And the girls had asked me what I thought I was doing and I said, "Well, I'm defending you against Communist". And they asked me, "Do you really think that you're defending me against my father, my brother, and my uncles?" And I was going to point out to her that her uncles, cousins, brothers, and whatever, were probably misguided and they didn't understand but it began to become clear to me that I was the one who wasn't understanding. It came as quite a shock because I had to re-arrange my thinking. After initial confusion, I just put it out of my mind and I forgot about it until I got back to the States, because it's quite a shock to find out the Vietnamese are actually intelligent and they may know more about the situation than you do.

PANEL ON RACISM

Moderator

Michael Hunter, 24, Sgt., (E–5), "B" Co., 5/7 Air Cav. Reg., 1st Air Cav. Division, (From February 1968 to February 1969); "H" Co., 75th Rangers (Attached to 1st Air Cav. Div.); "I" Co., 75th Rangers (Att. to 1st Inf. Division) (From September 1969 to March 1970)

Panelists

James Duffy, 23, SP/5, (E–5), 228 Aviation Bn., 1st Air Cav. Division (From February 1967 to April 1968)

Scott Shimabakuro, 21, L/Cpl. (E–3), "C" Battery, 1st Bn., 13th Marine Regiment, 3rd Marine Division (From October 1967 to November 1968)

Evan Haney, Naval Support Activity, United States Navy, Da Nang

MODERATOR. All right, now, we're going to discuss with you the topic of racism, and we're going to try very hard to parallel different racisms with that in Vietnam. On my right is James Duffy from the 1st Air Cav. Division, Army. The first gentleman to my left is Scott Shimabukuro, and to his left is Evan Haney. As you know, Evan is Indian, Scott is Oriental, I am Black, and James is White. Racism is really a kind of a heavy thing to get into. But then we've been really getting into heavy things tonight. So, let me start off by relating some things that happened in Vietnam that were outright racism. When I arrived in Vietnam during the first tour, which is back in 1968, I never, because I'm an Army brat, expected to find that the Oriental people would reject a black man for two reasons—for two main reasons. One, because he is of the minority group. We are not of the Anglo-Saxon heritage, and a lot of our plights are approximately the same, as far as living conditions, as far as the future, which holds nothing for the Vietnamese and holds nothing for Blacks. But I was very shocked. It seems that the American government has established the class role in Vietnam also. They're not satisfied with starting it here with the upper class, the middle class, and the lower class, but they have to go out to Vietnam and do it too. The classes of which I'm speaking are the French Vietnamese, who are considered as the aristocratic Oriental. The straight-heritaged Vietnamese is the middle class, and of course, the Indian, better known as the Montagnard, is the lower class. Now to bring something really home, you go out and you look for a girl to shack up with, and you figure, if you're going to pay the money, who cares. But you run into the whole thing. A certain girl here will go with only white guys; a certain girl will go with only black brothers, and this girl will go with the American Orientals. But never, and I do mean never, would they ever go with their own men. If you can understand the parallel that I'm trying to draw, this is direct racism, and it's discrimination, however you want to put it. It not only took place in Vietnam, but in Bangkok, Thailand. It's supposed to be a haven for RR, and the racism that exists there is very blunt; like it smacks you in the face like a brick wall. But let's get on to other people so you can understand what's really happening. Scott?

SHIMABUKURO. All of you have been here most of the day listening to how the Americans treat the Asian people, which are the South Vietnamese in this instance. I don't want to go into the rhetoric of Vietnam essentially because it goes deeper than that. It goes into American society, which is all of you people out here. You see, the military doesn't propagate, necessarily, the racism. The racism starts right back here in the

United States and it is magnified when you enter the service. It has a great effect on the Asian community in the United States. It's obvious that military men have the attitude that a gook is a gook, and in the United States, before men go into the military, there's a great deal of this racism directed toward the Asians in the United States. But some men manage to make it into the service with an indifferent attitude. But once they get into the military, they go through this brainwashing about the Asian people being subhuman—all the Asian people—I don't just mean the South Vietnamese. All Asian people. I want to relate this as a personal experience that I encountered when I was in the service. Before I went into the Marine Corps, I grew up in an all-White and Chicano neighhorhood and I encountered a moderate amount of racism; it didn't bother me much. When I went into the Marine Corps, I thought was going to serve my country and be brave, a Marine and a good American. As I stepped off the bus at UCMD, San Diego, the first words that greeted me were, the DI came up to me and said, "Oh, we have a gook here today in our platoon." This kind of blew my mind because I thought I was a pretty cool guy myself. But, ever since then, all the during boot camp, I was used as an example of a gook. You go to a class, and they say you'll be fighting the VC or the NVA. But then the person who is giving the class will see me and he'll say, "He looks just like that, right there." Which goes to show that the service draws no lines, you know, in their racism. It's not just against South Vietnamese or the North Vietnamese. It's against the Asian, as a people, all over the world. This is proved anywhere the Americans have gone in Asia. There's been a great deal of friction between the people—the Asian people and the military as an establishment. They have subjugated the people, under this guise of the people being less than human. This causes a great deal of problems for all Asians, all over the world, not just in Vietnam or in the United States. The problems that cause this blatant racism, when they come out of the service, is this attitude they have toward Asians which they carry over to all Asian people wherever they go. Therefore, this creates a great problem within the Asian community.

There was an incident in Georgia two or three months ago. It was in all the newspapers. Two visitors from Japan were beat up because they were believed to be gooks. Well, they were. But they were thought to be Vietnamese, and they were put in a hospital. Last summer a personal friend, whom I work with in Los Angeles, was traveling through Ohio, hitchhiking with a freind. They were taken as Vietnamese and they were badly beaten up. They stumbled into the police station and were laughed at. They went back on the street and somebody gave them a ride to some town away from where they were beat up. They were in the hospital for six months. This type of thing creates a great amount of animosity, not only in the Asian community, but in the Black and Chicano communities because they can relate to this type of racism that exists in our society. In Vietnam the people will tell Americans when they see them, the white GIs, "All you guys are really cool, you know, we really think you're great." But I had many chances to come in contact, close contact, with the Vietnamese on person-to-person level and they did not think very much of the white Americans. They don't think much of Americans at all. But an incident of racism is the aspect of racism against Asian women, in particular. They are only a sexual object. You hear about how the girl can really, you know, do a good thing over in Japan or in Okinawa, or Korea, or Thailand. Wherever they go on RR, they go to these countries where they're all Asians. This causes a great amount of distress among Asian women, because they are thought of as objects. An instance of racism that I encountered was when, in Vietnam, I desired to marry a Vietnamese citizen, a National. She said it would be no problem on her part, but that I would have to find out what I would have to go through to gain permission to marry her. There's a chain of command in the military when you start on your sergeant, the next step up above you. I went to my sergeant and told him what I wanted to do. He said I shouldn't marry this girl because she was a gook, which struck me as kind of funny because I was a gook also. But, besides this, he said, "She's not civilized, you know. You'll be so embarrassed with her when you get her to the United States that you'll want to get rid of her because she's a savage. She doesn't know how to live like a human." Well, you know, I just told the dude where to go and went to my gunnery sergeant; and I got the same from my gunnery sergeant, except he told me to come back in a week. I came back in a week and the same thing happened.

Finally when I got to my CO, he told me that there was a waiting period. And I said, "Well, how long is the waiting period? He had my record book in front of him, and on it was my rotation date which was in approximately two months. Well, he set my waiting period for three months, so that by the time I got permission to marry this girl, I would be in Los Angeles. Now, it's instances like this that point out the insensitivity of the service as a system, which reflects their ideas of the society. Servicemen don't just have these ideas. They have to come from someplace. They come from the people in the society and they bring these ideas with them. These ideas come all the way from Agnew; he's very famous for some quotes that he's made. It's accepted all the way through American society that racism is a normal thing. A friend of mine went to boot camp, and the DI told him he wanted to see his wallet. He took out the wallet and he found pictures of these Japanese girls. He kept four of them; I guess he thought they were the best-looking four. He saw the picture of my friend's sister and he asked my friend, "What's your sister's name?" He gave the name and the DI says, "Oh, well, I had a whore in Japan with the same name. Is that her? Now, it's things like this that cause a great deal of animosity. People wonder why some of the minority groups get loud. I'm surprised that the minority groups just don't go wild. It's things like this that people have to live with, all the minority people in the United States have had to live with since they're born. In particular the Japanese community has a problem with this because the Nisei, which is a second-generation who went through the war camp experience, tell us, "Well, don't worry about it. There's no racism. You know, we've worked hard; we're middle class now. We served in th 442nd Army Battalion; they were the most decorated. So we won the right to be Americans." Well, my father was in this unit, and he told me the same thing. He said, "You're an American now. I fought for you to be an American. All these Japanese men fought for you to be an American, so there's not that much racism." Like I said before, as I stepped off the bus, I was a gook, not an American. So this causes a great deal of problems.

HANEY. I would like to say that I was born in Oklahoma, and I went to school there all my life. While I was going to school I was taught the white man's ways, how he thought. I'm an Indian, but I'm not really an Indian right now. Back in World War II, the Indians were known as great fighters, and even to this day, all the Indians in Oklahoma either join the Marines, the Army, or Air Borne because they have to be a man; and that's the position I was in. I went over to Vietnam and when I got there I didn't know what I was doing there, but I was there. I went tripping around the streets and I see my brothers there. I didn't know what was happening; it took me a long time to realize. But the thing that I finally realized was that the thing that is happening in Vietnam now is not new. Approximately a century ago it was General Sheridan, I believe, who said that the more you kill this year the less you'll have to kill next year. He wanted to find a person to do this, and the person he got was Custer. Custer went out into the countryside. It was during the winter when the people were holed up in the tents and wigwams. He may not have known it, but he was on a Search and Destroy mission. And he may not have known of body counts, but if he'd heard it, he'd have known what it was. That happened many years ago and it's still happening today, and I can see it; and a lot of the other people see it. I don't really have an explanation for this, why it's happened, but I do have an idea. It started in 1492 when Columbus was on his way to the West Indies for gold, silks, wealth, power. He just ran into the Americas, and it took him hundreds of years to pass through America. Now he's passed through America and he's going to Vietnam. That's where they are now. And they're still doing the same thing. I don't know how you people feel, but I was reading a story the other day about this rich landowner. He has a lot of land and this one poor man comes up because he doesn't have a place to live. He's gonna live on this land. The rich landowner comes up to him with a gun and he says, "Get off, you're trespassing on my land." This guy says, "Well, where'd you get it?" He said, "Well, I got it from my father." "Where did your father get it?" He said, "I got it from my grandfather, and he got it from his grandfather." The poor guy says, "How did he get it?" The reply was "He fought for it." This other poor dude said, "Well, I'll just fight you for it right now." And that's where I'm at, man.

AUDIENCE. Right on.

HANEY. By the way, right now I live on Alcatraz in San Francisco Bay.

HUNTER. The next speaker is James Duffy.

DUFFY. I'm going to try and deal with white racism from maybe a little different point of view. When they were building this country, some folks got the idea that they would get all hung up on patriotism to the flag and not to the people. Because this country's predominantly made up of white people, white people started getting the idea that non-white people were the minority. You see that everyday in the press. But if you get down to nitty-gritty, and start getting your mind out of the concept of America, and dealing with people all around the world, whites are the minority. Now in this country, the white people move on some kind of fantasy that if you don't look like them and act like them, there's got to be something wrong with you. This fantasy stems from the concept of them being the majority and, therefore, everybody should fall into place and follow them.

I'm of the opinion that racism, white racism, is a form of sexual deviation. The white people in this country are the only people I know of who are uptight about the most beautiful things in life—the human body and how people relate. They've lost track of reality; and by losing this track, they've violated the laws of nature, which has perverted our minds. We've been forced to seek some other form of release for this natural drive. Probably the easiest way to go about that is to build up your own ego and go on this super-ego trip which is called White Power play. You find that non-white people on this planet the most humane people on this planet Earth. I never hear about, you know, people from Africa running over to America to rip off Rockefeller's oil wells. I don't hear

about people from Asia running over to America to rip off Fort Knox. It's just that this sexual deviation—this not being able to deal with the reality that we're human beings—has manifested itself into this ego trip, where these white people have got to go out and prove themselves. And the way they do that is through oppression of other peoples. They've developed this sense of—what the ——— is the word—it's greed, man, it's greed.

It's a fantastic desire for material wealth, which you don't find in countries that are made up of non-white pople, that haven't been subjected to white people that we haven't had a chance to pervert as yet. I think once you start to understand the concept of a *World of People,* and not just a United States, you start to look around the world and see what's going down. If the white people of America would start looking at reality from a different perspective, they'd find out that they are the minority, and the way they've been living is perverted.

If they can start to deal with their humaneness—*their* humaneness—they'll be able to deal with all their sisters' and brothers' humaneness no matter what they look like. If we can move on that logic, we can advance to a point where there won't be any more racism. Racism is a manifestation of the white man's mind by dividing people, just like he's divided this country from the rest of the world. We've got to first start dealing with our own humaneness and that's something we haven't been about for the past three hundred years—the humaneness—other than personal profit and greed.

HUNTER. You know, it's just one big power play and that's what Vietnam is, a power play. That's what it is in Cambodia, a power play. That's what it is right here, the racist issue right here in our own backyards, a power play. The whole thing is that money means more to man than the human body does or than his brother does. And like man, you know, nature's the most beautiful thing we have. You don't have to pay for it; you don't have to run out and plant the trees just to get it, because they'll grow. You know, they were here long before we came about. But they're going now. They're almost gone. And why? Because man is sick. He wants this thing called power, and this thing called power means money.

In order to get money and power, you must step on people, and you must forget that you're human. And one of the main reasons, and the only reason, to have power is to be over someone else. The absolute power is what? It is to be over all. For me to have absolute power would mean that I would be absolute over all. That is racism. That's a form of racism. That's the form of racism that we're taking on right now in the United States. That's the form of racism we're interjecting in Vietnam and all the Asiatic states. That's the racism that's been inflicted on the Blacks, the Indians, the minority Whites, Spanish-speaking people. I don't know if we're getting it across to you about how this is affecting us in Vietnam, but let me say this. You know, when you have minority groups here and you kick them in the ———, I'm going to be very blunt with you now—you send them over to Vietnam, after you've been kicking them in the ——— all this time, you expect him to fight your war, right? Well, let's say the Man expects them to fight the war. And he goes on over there, he fights this ——— up war, and he gets kicked right smack-dab in the ———. Right while he's over there fighting the war. Then the Man turns up. And the guy says, "Well, look, I'm not going to get kicked in the ——— anymore.

You leave me the hell alone." And what happens? He's not left alone. He's thrown in the stockade because he's creating racial disorder. And what you heard about in LBJ, (U.S. Army Stockade in Long Binh, Vietnam) let me tell you something. A third of the people that were in LBJ were Blacks and a fourth of the remaining two-thirds were Spanish-speaking people. So I'd say just about a half were the lower class. You know something, they almost burned that ——— place down because of the way they were treated. And the way they were treated was the most, the most sickening, the most—I, I, there's no word for it—I mean I guess you have to feel it.

The racial issue was there way before Martin Luther King died. You know, when he died, so many Blacks got uptight, and there was reason for them to be uptight. There was ——— reason for them to be uptight. They should have been uptight long before that. But when it came, they were really uptight and the brothers started getting togther and you know what happened? The Man wouldn't understand that they were getting together because they needed some sort of comfort. Instead of doing this, he's splitting them up. Where there were once five Black brothers in one squad, he split them up.

When there were five brothers, or three brothers walking down the street, the MPs would come up, put them in the jeep, drag them off. Why? Because they were brothers together. Now, you know, the gooks———you see, you see, you understand now? Wow, I'm sorry. Wow. But——

DUFFY. They should be the ones who should be sorry.

HUNTER. I know. The Vietnamese get up, you know, and like they call me a nigger, you know. And they call my Spanish-speaking brother, they say, well, you know, the same, nigger. That's the way they talk, you know. The majority of the time they talk a hell of a lot better than we do. But, where do they get this? Now, I know ——— well they didn't get it before we came over there. You see what I'm getting at? And, like, all right, here's the man, he's getting kicked in the ——— and I'm getting kicked in the ——— from these white bigots, these racists, and they're just not white either; we got some black brothers that are just as racist as can be. Here you are. You're in between two levels, man. I mean. You're fighting on one end. You're trying to combat the Vietnamese; on another end, here you are, you're fighting the man on the other end. You got three sides. Now you don't stand a chance.

You know how many brothers are AWOL in Vietnam? Do you know how many whites are AWOL in Vietnam? You might think this is getting off the issue, but it's not. Spanish-speaking—just people, are AWOL? I don't even know. It's so many I couldn't even guess. But you know something, they can't come back now. And the reason they went AWOL was because they can't put up with the ——— that they were getting. And the crap that I'm talking about is coming right from the American officers that are put over there. I'm not talking just about white officers, I'm talking about black officers and white officers; I'm talking about senior NCOs that really think that the system is the most fantastic thing in the world. They said, "I'm not going to take it anymore. I'm not going out to the field." And you know something they said also? "I'm not going to jail either. So there's only one other recourse, I'm going to take off." And when they make that decision, brother, that means they ain't coming back, at all. What forced them into doing that? Outright racism.

Question From The Audience: How can an American soldier get lost in Vietnam?

HUNTER. How do you get lost in Vietnam? Wow. You know, something sister. I'll call you sister because we're all like brothers and sisters. You might think it's a hard thing but, you know, first of all you're leaving what little bit you love back here.

Question From The Audience: No, I mean getting lost physically.

HUNTER. It's relatively easy. You have what is known over there as the Communist government, you know. I retract it. It's not a government. You have agents from the Communistic government there. You have them in all your R & R centers. Matter of fact, you even have them in Hawaii. Now you want me to tell you something? It might be shocking and I didn't think to put it in testimony, but there are pamphlets that are handed out in Bangkok; there are pamphlets that are handed out in downtown Saigon. Any brother, any dude, no matter who he is, when you're sick and tired of fighting, you know where to go. They will pay your ticket, give you a passport, get you to either Switzerland or to anyplace you want to go to get out of there.

SHIMABUKURO. I'd like to say that that happens also before you leave Oakland or Ft. Lewis.

DUFFY. I'd like to add that anybody can get lost in Vietnam very easily because the American people keeping moving on the logic that we're right and they're wrong. Well, we better start turning our heads around and start realizing that they're the ones who are right and we're the ones who are wrong. We're moving on this war from an imperialistic point. We're over there to rip them off. So we don't give a damn about how we relate to them. Listen, the Vietnamese people are moving on an internal revolution. That means a revolution about love, not about hate, not about imperialism, not about ripping people off. Now, if you're moving off love and a brother who's been fighting against you comes over to you and says, "Wow, I know that this is really a bad scene. Can you stash me someplace?" They'll say "Fine, you know, we have no problem with that." They've got a beautiful little intricate system in Saigon. The brothers can run around the streets all day long, and as soon as the first MP steps out on the street, the grapevines got the word out all over, and those brothers are inside those houses and those Vietnamese don't ever let anybody in there to take them out. It's so easy. They're moving off love.

HANEY. I would like to mention the fact that, the peoples of the world are going to win. I have that much faith because we are fighting for life. The people we are fighting against, they're for wealth and money. You could debate that all day long, but I only see the winner. That's who I see.

SHIMABURO. I would like to draw a parallel here. As I mentioned before, the military is just part of an extension of—the government's policies, and their policy is a policy of repressing the struggles for liberation; not only in Vietnam, but in the Mideast and in the Dominican Republic. The United States Armed Forces are used to put down people's liberation struggles all over the world and that is just a reflection of their policy from the government. Therefore, that must mean that here in the United States they try to put down the people's struggle for liberation, such as the Black Panther Party and other parties. This can be easily shown in the murders of the minority people who are trying, as I say, to liberate themselves; not to gain power, but just to liberate themselves.

They are being murdered. Some of these trials you've all heard of are just outrageous. So it goes to show that this government not only has its policy overseas used by the military, but they have that power here in the United States used by the law enforcement officers and the National Guard. They're also used to keep the people from gaining any kind of life here in the States. There is even repression against the white working class. When there is a strike, the first people to come in is the National Guard to break this up. As in New York during the mail strike, the first people to be called in were

the National Guard. And this goes to show where the government's head is at. Everytime something comes up that they don't like, the military steps in and takes care of it for them. Either that or the law enforcement officers. It goes to show it's just an extension of what the government's policy is. Not just the Vietnamese, but to all people trying to liberate themselves. But they will liberate themselves. It will happen. Maybe they want to ask you some questions.

Question From the Audience: What is R & R?

Shimabukuo. It's Rest and Recuperation. It ranges anywhere from four to seven days in an out-of-country resort.

Question from audience: Can you give us any kind of picture of what is happening to the children of Vietnamese mothers, fathered by GIs? What happens to those people? Are they accepted by the Vietnamese out of love or what?

HUNTER. You're asking about babies that are born between an American and an Asian. Well, it's obvious what happens in Japan when there's an Asian woman and a white service man. Most of these, if the babies are born as females, end up as prostitutes or entertainers. Same thing happens in Vietnam. They are not accepted. They are not accepted because the United States has created such hassles. Racism is carried wherever they go; therefore, they carry it to Japan, to Vietnam, and Korea. When these babies grow up, they have a high percentage of suicide attempts because they cannot be accepted by society. Not because they are mixed, but because of the situation that was created by the Americans. If the Americans were loved over there, then the kids would be loved over there. But the Americans are hated there; therefore, mixed babies are hated over there which is the same as in Vietnam.

DUFFY. Also, we've brought this wonderful culture of ours over there. I can remember going into villages where Americans were rarely seen, and it would be very commonplace for the women to be openly breastfeeding their children, in the open. You know, communal swimming pool, bathing pool. These people don't have any hang-ups about relating to one another. When we first go into a village, they don't have any hang-ups about relating to us until we instill our cultural hang-ups into them. Then they start running into the hootches with the babies, covering themselves up when we come around, because they know that we're not moving on the same type of logic they are. They're moving on that love logic, and we're moving on a hate logic. Now, in a town that's built around a military installation, those people have already been perverted and any type of a mixed relationship that produces a child of cross-breed, those people are going to treat that child with American logic.

Question from audience: What about Vietnamese women who actually welcome GIs? Wouldn't they also welcome any children they have?

DUFFY. Well, the mothers of the child, naturally, love their children, but to answer that I would have to say that the Vietnamese do not hate. They hate what is known as the GI, if you know what the GI is. They hate what is known as the American imperialist. This is the GI. You know, you portray a certain feeling when you're in uniform. You're superior. They are extremely inferior. Are you following what I'm saying? And for a brother, and brother—when I speak of brothers now I'm not speaking of Blacks, I'm speaking of all my brothers and sisters—when a brother comes back to Vietnam, he says, "Well, I'm coming back." He's loved! Because like, it's like he's thrown away this imperialistic ego trip that he was on, you know. Like this whole thing about this money bag, you know, and being superior because I'm an American and all this—he's given it up; and he's shown the Vietnamese people that they're just as equal to him as he is to them. And then naturally they're loved.

Question from audience: Well, wouldn't they transfer this same feeling to any child of a U.S. civilian?

DUFFY. I'll tell you why they can't. It's because the American government is still in Vietnam right now. And as long as they're in Vietnam, they will not, because they will always instill their culture and their nasty habits on the Vietnamese.

HUNTER. And bringing the troops home isn't going to change that totally either because as we de-escalate and withdraw troops, we increase our airpower to preserve the Bank of America in Saigon and the Chase Manhattan Bank. That means that the American influence is still in Vietnam and still able to pervert those people's minds and force the American culture on them. As long as we continue to force this culture on them, they're going to continue to relate to those children as we relate to them here. Not as they would normally relate to them if we weren't messing with their own way of life.

AUDIENCE. In some American communities cross-bred children are welcome.

HUNTER. Sure, and that's why you say *some*.

DUFFY. Where is this? In America?

HUNTER. I don't know too many enlightened communities.

DUFFY. I wish someone would enlighten me where. There may be enlightened individuals in a community, but most communities as a whole aren't too enlightened. He might be accepted by the people who know him personally, but the baby, you know, who is half—whatever, he may be accepted by the people who know him personally, but the same enlightened community, but if he leaves his personal frame of friends, or people he relates to, and goes to the other side of this enlightened community, it's not so enlightened over there.

Question from Audience: Could you give some more information about how Black GIs are organizing at Fort Jackson at Fort Bragg and about how Black GIs in Germany, as well as in Saigon are organizing against racism? Would you care to comment on the changes in attitudes that Black GIs are undergoing from the time they go in to the time they leave?

MODERATOR. I'd say that they become 90% more militant. If they're 90% militant when they go in, they're 100% militant when they come out. I'd say this: Hoover has an awful damn lot to worry about because it's not just the Black brothers that come out militant. It's the Puerto Rican brothers, our Spanish-speaking brothers, our Indian brothers who were militant way the ——— before they got over there, and a lot more of our white brothers. Don't ever make the mistake and believe that you can come out, form a Black racism and combat White racism with Black racism; you can't do it. A lot of people have related to me by saying, "Well, it's easier to hate all Whites because it's so blasted frustrating to find out which Whites are your enemies and which Whites are your friends. So why not hate them all?" Well, that's an easy thing to do, but you're not going to combat racism that way. The only way to combat it is, it might sound funny, but it's to love your brothers and sisters.

AUDIENCE. Just a point before you get away from it—the racist term, "cross-breed". Most people of the world don't even have that in their language, you know. A human being is a human being. So the whole concept that we were discussing here was a racist concept. Cross-breed, you know. I think what you were running down was a result of the attitudes of the people toward their child. Basically this is an American concept, cross-breed, which is racism. I just wonder how that got into the conversation. That concept never got challenged. Two human beings, regardless of who they are, male and female, if they're effective and fertile, they can produce a child. So many societies have no word for it, but a child. But in our society, going back to the Indians, the Blacks and so forth, they got all hung-up on this cross-breeding and it's still with us. As you pointed out, it spread to other parts of the world. But I just wanted to point that out as an example of the kind of racism in our terminology.

DUFFY. I was also speaking as a white man educated in white schools and if you got your head together you'd also know that before you can build a "revolution" you've got to build a revolutionary vocabulary and a new revolutionary way of thinking. If you try to move off the same old foundation you're just building on mud, that's all, you'll just sink right down to the bottom.

SHIMABUKURO. It's the same way right back here in the United States. I'm going to put it to you bluntly, okay? The female, according to the way that the males have been brought up, is inferior. Like, they are inferior, period, you know; and yet we still go to bed with them because we have certain needs that have to be satisfied. And she's a female in Vietnam, whether she's sub-human or not, she's got the body, she's got the right build, she's got the proper things to do it, you know. But to show you one thing, where our heads are, we back Women's Liberation 100%. But it just doesn't end there at all. The women in America are perhaps the strongest, and I do mean the strongest, human beings in the world. They can stop the war in Vietnam if they want to. You know something? I bet you all of my paychecks for my college that if every woman refused to cook meals and refused to shack up with their husbands, and their girl friends refused to shack up with their boy friends, I bet you, I bet you, whew.

AUDIENCE. Right on.

Question from the Audience: There seems to be a discrepancy in what you said before. You said that if a GI, for instance, throws away his uniform and goes AWOL, he will be accepted by the Vietnamese people and harbored. And then you said that they won't accept a child of mixed parents because the troops are still in Vietnam. So it hardly explains why they would accept him if the troops are still there.

DUFFY. I'd like to try and answer that. It's going to be kind of mixed up, but I think I can answer it. You see, when a man gets there, let's say he is a man and he gets there, he can relate to these people because he is supposed to have brains. He can tell them how he feels, exactly what's going on inside of his head; and he is there. Now let's take, for instance, the baby from mixed parents. The reason I believe there is animosity toward this baby is because the mother has fallen in love with one of these GIs. The GIs are representative of this imperialist regime; therefore, this baby is her baby and the baby's mother had the nerve to go to bed with one of these people who's killing their people. So they direct this hatred, not only to the mother, but to the baby.

If the father is there, the hate wouldn't be there, because they would know that the father had thrown away his values of money, etc. But if the father is not there, it is taken for granted that he is a typical GI; and so they hate the mother for going to bed with this typical GI, for what the GIs do to the Vietnamese people. They direct this hatred toward the mother and, therefore, the baby also.

HUNTER. You want to know something else. Something just hit me. We were out on a recon mission and we shot a 260-pound North Vietnamese, right? Do you know the average weight of a Vietnamese? It runs

around 90 pounds to maybe 105; they may get to 110. You have some exceptions to that, but 260 pounds, no; and 6'4", no; and as black as I am, no. You sure don't, and that's where their heads are. You missed it? Well, what I'm getting at is you're dealing with an awful lot of hatred, especially from these kids that are being fathered by the Americans in Vietnam. I've seen kids that are being fathered by the Americans in Vietnam. I've seen kids that have been born through Americans. They come right out and spit in your face, and they refuse to do anything that you ask them to do. Sure, they'll go to bed with you, I mean as far as the females are concerned, but they'll get your money and a lot of times you know where your money is going? Your MPCs (Military Payment Certificates) and everything. It's going right back to the North Vietnamese; it's going right back to the VC, and that's where their heads are. They hate you. I mean, they really darn right despise you.

QUESTION. from the Audience: Who was this man?

HUNTER. That was a North Vietnamese. He couldn't have been any more than twenty years old. We had captured him. First of all, they thought that he was a deserter. Looking at the face and the features, he was not all black, of the Negroid family. But he displayed the blackness of the skin and the nose discepancy, the cheek bones and the large bones; and he was not Cambodian either. What I am saying, in other words, he was an offspring of a black man who was there and a Vietnamese. The Americans were in Vietnam during World War II. You might not realize that, but we were there in '54.

Question from Audience: Sexual inferiority and superiority dates back to slavery. The female has the right to enjoy sex and to derive gratification. This imposes a responsibility upon the male. So going to bed with the Vietnamese or going to bed with the prostitute releases the man of that responsibility. As a GI of World War II, I had a group of men, about 40, under me. One night a weapons carrier pulled up with two women on it who worked in the PX, and not one single fellow went out to have an affair with those women. We couldn't figure out why. We finally concluded that those two women, who worked in the PX, were far too close to those men, those GIs, and all those big strong he-men were really afraid to lay it on the line. I think that this is part of what we see in the black-white relationships in the United States between the white man and the black woman. He does not have to satisfy her, you know. He does not have to do it. It is not required. He does not have to satisfy the Asian woman, you know. So really what it stems from, I believe, part of the thing that we are hung up on is the inferiority feeling on the part of American males; sexually inferior with the females. I think that explains it much more than his feeling really so superior; I think he really is, I think we are, pretty sick.

SHIMAKUKURO. And I think that sexual inferiority stems from the fact that the white culture of America is the only people I know who refuse to deal with their own bodies. I mean, how can you love somebody else, if you don't love yourself? Right?

HUNTER. You know something? You know what Sin City is? How many people have heard of Sin City? Well, let me tell you something. Sin City is in An Khe. An Khe was built by the 1st Air Cav. It's about 50 hootches in a complete circle with hootches around in the very center also. It is the world's biggest whore house. It was built by the American government, by the United States Army. There are Mp's standing at the gate, at the barbed wire fence which surrounds Sin City. You go to the orderly room and you go to the first sergeant, and he says, "What do you want?" You tell him you want to go to Sin City. He gives you a pass to go down to the United States Government's one and only whore house in Vietnam.

DUFFY. And you want to hear something else too? When they built it, they had medics standing up there. They would go by periodically and give shots, right? To the girls to make sure that they were kept clean, right? OK. But the American public got wind of it somehow, and it came down that, no, this is an immoral thing to do. So they stopped giving shots to the girls, but they still let GIs go in there. And do you know something? Out of Sin City comes back here to the United States not just Sin City (because Americans refuse to give shots to the prostitutes) but some of the worst cases of venereal disease that you will ever lay eyes on; cases that can never be cured. Do you know that the American Government, and I bet you they never told you this, they have an island to send people where they have required a disease that is incurable. Do you know that island? It is an island surrounded by miles and miles of water; and you can't get off it unless you fly, because ships don't come in and out.

Question: Where is it?

DUFFY. Its in the South Pacific.

Question: How do you know about it?

DUFFY. Because I went up to one of my head medics, and he hipped me on it. He showed me on the map exactly where it was; and then I went up and I asked a couple of the doctors about it and they said, "That's right. If you acquire it and it's an incurable disease, there's no use in keeping you here in Vietnam."

Question: What do they tell the families back home about what happened to their boys?

MODERATOR. Any time somebody either falls into that predicament or he's burnt so badly, beyond recognition, or blown into so many pieces that they can't even find the teeth to recognize them, they usually list it as missing in action. Sometimes the family can move on that logic for more than a year. I mean you got people back here in the States that are just waiting for their son to come home because he's missing in action; but the U.S. government, the United States Army, knows that they buried him a long time ago. They stuck him on that island. You can be missing in action up to a year. In other words, you can't claim insurance until that year is over; then you are declared as dead. But what I really want to get into is that the biggest spreader of VD, or venereal disease, or any other type of disease that is brought about by physical contact, is spread by the American male in Vietnam; and it is spread because of the stupidity of the American culture and the American government in Vietnam. If they were to give shots to the Vietnamese, if they would tell them how to take care of themselves—These people wash after every contact, they wash. But, you know what good old GI does. He makes his contact, right? He gets it. Sometimes he finds out about it, but he really doesn't care because he's so really going on his male superiority that he's got to find someplace else to put it; and he runs out and he finds someone else. So he's spread it around for the next GI to pick up, and it goes right on down the line. It's the stupidity of the American government in Vietnam.

Question: Do you have any information on how many men have been sent to this island in the South Pacific?

DUFFY. No, I have no idea, and I don't think it would be made available to me right now. They won't make it available to the American public. Just as they have not made available, you know, that such a thing exists. So, it would be kind of hard.

Question: In your opinion, do you think that the average white American GI returning from Vietnam will be less racist than when he went over?

SHIMABUKURO. Well, I believe a racist is a racist. He might be more vocal about it than somebody else. The ones who voice their opinion, you don't have to worry about because you know who they are. It's the racist that says nothing that you have to watch out for because you don't know what is coming down; but as long as there is a racist policy in the United States, it's not going to change in the service. He could go over and have the best experience with the Vietnamese people; but with the constant racism that exists in our society, he still could be racist. In my opinion, most GIs come back more racist or just as racist as when he left.

DUFFY. I have to agree with him 100%.

HUNTER. So do I because I think the average white man doesn't know what racism is. I mean to the average white person, people who run this line, it's: well, I'm not a racist because you can live in my neighborhood or you can work with me. But there's this real hidden, deep, inside racism which is called the lack of understanding and love. And when you're moving on understanding of the people and loving them, that's the only way you're going to really rid yourself of that internal racism that's been drummed into your subconscious ever since you started school in this country.

DUFFY. In a conversation between two people, let's say an Asian or a black, or in a conversation with a white persoon, if the words "you" and "us" are used referring to "you" as black and "us" as white, then he's racist. If it's not us, us as people, then he's racist. If he makes that distinction—there's "you" and there's "us", but I'm not racist, well he is racist. If he weren't racist, there would just be you and me as people, not you as black and me as white.

WHAT WE ARE DOING TO OURSELVES

Moderator

Tim Butz, 12th Tac Recon Squadron, United States Air Force, Sgt. (from November, 1966 to June, 1968)

Panelists

Dr. Robert J. Lifton, Professor of Psychiatry, Yale University

Ron McSheffrey, 6/31, 9th Infantry Division (1969–1970)

Dr. David Galicia, Major, Psychiatrist, 3rd Field Hospital, Saigon, (from July 1969 to June 1970)

John Geymann, 23, Cpl. (E–4), "M" Co., 3/3 Marines, 3rd Marine Division (1969)

Dr. Jon Bjornson, 37, Major, Psychiatrist, Flight Surgeon, Deputy Surgeon, USASC, 8th Field Hospital, Nha Trang(May 1964 to April, 1965)

Ken Cloke, Lawyer

Dr. Sid Peck, Professor of Sociology, Case Western University; Visiting Professor at M.I.T.

Arthur Egendorf, 525 Military Intelligence Group, Saigon

Charles Stephens, 24, Pfc., 1/327, 101st Airborne Division (from December 1965 to February 1967)

MODERATOR. Tonight, we have on our panel, "What We Are Doing to Ourselves," from Yale University, Dr. Robert J. Lifton; a Vietnam veteran, Ron McSheffrey; and former Army psychiatrist with the Third Field Hospital, now practicing in Detroit, Dr. David Galicia; former Marine veteran, John Geymann; formerly with the Army 8th Field Hospital in Vietnam, psychiatrist Dr. John Bjornson; a lawyer who has dealt with the problems relating to the GI's, Ken Cloke from Los Angeles; and on the end nearest me, Dr. Sid Peck, professor of sociology at Case Western University, now visiting professor at the Massachusetts Institute of Technology. Tonight we are going to deal with the problem of the effects of the war in Vietnam upon the United States, dealing rather heavily with the problems of the veteran and how they relate in a total pic-

ture to the problems facing the United States. Dr. Lifton has spent quite a bit of time studying what is known as the post-Vietnam syndrome and Dr. Lifton, I'd like you to begin by explaining what happens to these men after they return from Vietnam.

Dr. LIFTON. I think that I'd like to do in the few minutes I have is outline in a very broad and general way some of the things that those of us who have been working with Vietnam veterans have discovered. Personally, I've been talking to Vietnam veterans for the last 18 months or so, individually and in groups, and some of us have formed informal rap sessions, in New York, at which we've discussed in some detail and thoroughness, the emotions, feelings, difficulties, and possibilities that Vietnam veterans feel. Some of this I've discussed also before a senatorial subcommittee on veterans last year. I think the first point I'd like to make, and make very strongly, is the psychological difference of this was, for a veteran, as compared to other wars.

One way that the American public, or some of the American public, tries to slough off the depth of harm this war is doing to all of our society, is to say, well, war is ———, it happens in war, people become dehumanized, this is just the way it is with war. But I think one has to look at certain features of the experience in this war that are very special to Vietnam. I can name one or two of them and they are decisive, it seems to me.

There is no structure of fighting in this war that gives it any meaning or psychological satisfaction for the participants. In other words, in most wars, one suffers, one loses buddies, one becomes what we think of as a survivor. But then one has some means of finding the survivor's significance, which is the task of a survivor, getting over the guilt one feels about staying alive while one's buddy dies, by getting back at the enemy in some structure of warfare. Battle lines, a way of being brave, and so on. Here, as all of you know, much better than I do, there is no clear enemy; he's everywhere and nowhere. One can't find him and there are no battle lines, certainly.

There is no psychological satisfaction in any self-respecting form with which to cope with the enormous confusion and guilt that one experiences. One is under great danger in Vietnam, as an American GI, and one does undergo this guilt with the loss of buddies. Moreover, when one comes back to the society, it is quite clear that one does not return as a hero, either in other's eyes or one's own eyes. It's more than just not being a hero. There's an overall sense, shared by the larger society, whatever its position about the war, and the vets themselves, that this is a dirty war.

It has no justification, no inner necessity. So the returning veteran, who has a psychological need, as he returns from any war, to make his difficult transition into civilian life by in some way giving significance to what he did in his war, has no such opportunity, because he can't, in any way, inwardly approve of what he has done in this war. Nor can the rest of society find sources of pride for him or acceptance or necessity about this war. Both the veteran and the larger society see him the taint of this filthy, unnecessary, immoral war. That aspect of the war itself has a lot to do with the way in which veterans experience their psychological difficulties just as the experiences in Vietnam leading to atrocities are directly related to the illusions of the political conduct and military conduct of the war.

Now, let me explain what I mean by that. If we think of the burdens that the Vietnam veteran brings back with him into society, inner burdens he carries, I think the most immediate and the one that everyone is aware of most, is a burden of convoluted guilt. It's been, in a sense, imposed upon the GI, the veterans who fought the war, because he cannot, in any sense, justify or give any rational or formulation for having fought the war. He comes back with a taint, that I mentioned. But beyond this burden of convoluted guilt, is the burden of atrocity. It's the sort of think you've been hearing about all day and you'll hear about for the next couple of days.

There's a quality of atrocity in this war that goes beyond that of other wars in that the war itself is fought as a series of atrocities. There is no distinction between an enemy whom one can justifiably fire at and people whom one murders in less than military situations. It's all thrown together so that every day the distinction between every day activities and atrocities is almost nil. Now if one carries this sense of atrocity with one, one carries the sense of descent into evil. This is very strong in Vietnam vets. It's also strong in the rest of society, and this is what we mean by the primitive or brutalized behavior that there has been so much talk about. I think that this brutalization and the patterns that occur in the war again have to do with the nature of the war we are fighting and the people we've chosen to make our enemies.

This has to do with the atrocities characterizing the war, as often happens in a counter-insurgency of war, we intervene in a civil war or in a revolution in a far-away alien place that you don't understand historically or psychologically, but also with the technological disparity. It's of great psychological significance that Americans go around with such enormous fire-power in a technologically under-developed country and develop a kind of uneasy sense of power around their technological fire-power, which they then use very loosely, and often with the spirit of a hunter, as we've again heard much about. In all this way, I would stress very strongly, the GI in Vietnam becomes both victim and executioner.

In addition to the burden of atrocity, or in keeping with it, the veterans becomes enormously sensitive to the way in which he's probed or questioned by others in the society at large. And when we talked about this in rap sessions, a lot of vets said, "Well, I just can't stand it when people ask me what I did over there, whether I killed anybody." It turned out that the reason why vets can't stand being asked this question is because they see themselves being accused of having been a monster in some way over there, of having been something less than human. The problem is so great because they inwardly tend to accuse themselves of having been this, and it's one reason why it's so important for vets in making their recovery and undergoing their process of renewal (and I see this kind of meeting as being in the service of that kind of process), that they understand how they were forced by the situation to act in a way that could have led virtually anyone to act in the same way. It has to do with military training that others will talk about; it also has to do with the extreme situation of Vietnam which itself creates the aberrant behavior, rather than with some particular trait that particular vets have in order to then lend them to do these things. They carried with them also a tremendous burden of violence, and every session we have with vets has, at its center, the issue of violence.

Many vets feel that they are ready to murder the first person who crosses them when they come back into society. This has partly to do with the course of the reflex of violence. It's a very simple and direct way to solve all problems. It renders them simple, and it's the way one is taught to solve them in Vietnam. But it also has to do with residual rage over having been victimized in the way I've described by the society in being asked to fight this immoral, tainted, and unnecessary war; therefore the sense of being betrayed. Perhaps the greatest violence, or some of the most violent impulses that vets feel, are towards those who don't respond, who won't believe what happened over there, who, as the vets say, just don't give a damn. Because those people who resist the information or the truths of American atrocities and the details of the war, who resist knowing what the war is all about, are preventing the veteran himself from reaffirming or confirming the truth that he has learned and sharing it with a larger society. In other words, they are impairing his renewal, his return, as the vets themselves put it, to becoming a human being. They carry also a burden of numbing, desensitization, sometimes called dehumanization. When we talk about the issue of numbing or desensitization, some vets resent, and quite understandably, the term "dehumanization." What they really want to convey is the idea that what they went through in Vietnam was a temporary, desensitized state, where they could then commit or witness or not stop these atrocities, and that the desensitization is reversible; that there are ways to become human again.

Of course, they're right. But the problem of numbing, or withdrawal, of not feeling, can stay with them and linger with them for a very long time and is one they must cope with in this process of recovery and renewal. Now what about this general struggle for rehumanization? I want to say a word about that and then stop. Becoming human again means, of course, forming new relationships in society here and new views of society, independent, and independent of and alternative to, those more narrow and brutal ones they knew and lived in in Vietnam. This means that they simultaneously—and I think this has to do with the whole process of the peace-minded vet—the kind that are gathered here and that I see in these rap sessions—they must simultaneouely change their life style, their sense of themselves as men, on the one hand, and their sense of society or their world view on the other.

Briefly, the life-style change is a very significant shift, I think, from the old-fashioned American ethos on the warrior-hero, the belligerent, intrusive, domineering John Wayne type of hero, to a person who can be equally or more courageous but in ethical and moral terms, who can be softer, gentler, can reject the idea of killing and of violence. In this change in life-style and sense of what, indeed, can be termed manly behavior, I think vets are helped very much by their identification with many respects of youth culture which have been making the same important psychological shift for the last five or ten years in this country. Similarly, they've got to change their view of society because once you've questioned the war in a fundamental way, you've questioned that American society has done in creating the war, what has led to that war in deficiencies of a fundamental kind in American institutions.

You've questioned very basic issues of war and peace in a very general way and of one's own relationship to a society that imposes war-making on one. This is a very basic kind of change and not an easy one, but my point is that the change in the self and the change in the world-view, including political and ethical world view, have to be simultaneous for this renewal and rehumanizing process. Well, all this has helped, I think.

Interestingly enough by positive memories, many vets call forth of having lived on a double level in Vietnam because some humanizing emotions were retained through all this dehumanizing process that I've been describing. Especially at times, for some, in relationship to Vietnamese—Vietnamese children, Vietnamese families, and it's interesting how much veterans in these rap sessions want to focus on these positive relationships

with Vietnamese people as a way of reinforcing a human aspect of themselves that, so to speak, never did die. I think that's terribly important in this process. I think finally, I want to say in closing, two things. One is that the process is difficult. The process of recovery that I'm talking about is very problematic because of resistance in society, because of psychological difficulties that one has to face in all of this, along the lines I've described. It's a very moving process to see and to help along. There are all kinds of backsliding, all kinds of impulses toward violence, understandably.

I think one has to understand them in this context that I've set forth. But the last thing I want to say is that the problem is not simply that of the vets. I mean clearly, on the one hand, there a hundreds of thousands of vets—it's going to be millions—coming back into American society so in numbers alone it's a problem for American society, and especially a problem where the vet chooses the more chauvinistic and belligerent, violence-prone posture than the one that I'm describing as a way of defending himself against these psychological problems. But it also is a problem for American society at large which is now struggling with the overall and excruciating issue of learning and recognizing, very gradually and very grudgingly that we have been, as a society, immersed in evil, that we are responsible for one long, criminal act of behavior in our project in Vietnam; so, in this sense the veteran's problem and quest for rehumanization is simply a crucible, an intensification of the problem of the whole society, and I think it should be understood as such.

MODERATOR. Dr. Bjornson, you worked with GI's in Vietnam at the 8th Field Hospital. There have been many questions raised here today on the subject of war crimes and people, especially from the press, have asked, "Why did you do it? Why didn't you refuse to do it?" In your conversations and sessions with men on active duty and with veterans, what have you found to be their justification?

BJORNSON. Well, in the first place, I was in Vietnam in 1964 to '65. This has been a rapidly changing five years in terms of my very close acquaintance with the war in Vietnam. I think that our attitudes have changed from advising to frustration to violence to atrocities, and now it's as if we are attemping to develop a conscience. I don't think we have developed enough of a conscience, I think that My Lai's can still take place in Vietnam, but I think because of the My Lai exposure, it's going to be less likely. In terms of why, the whys involve a lot of things. In the first place probably the main thing is Army training, and I'm going to have John talk about this in a minute, but Army training is dehumanizing. The Army knows how to train soldiers, and so do the Marines, and so do the Navy. Most of you experienced basic training, and one of the things that happens in basic training is you don't get much sleep. When you don't get much sleep, you become an automaton. When you become an automaton, you begin to follow orders—the idea of killing and sticking bayonets into the model soldiers, the whole business of the Gooks, the Vietnamese are inferior, which is constantly drummed into your heads. It's a kind of programming. Also the Army knows that a squad of nine men is probably the most cohesive group of human beings you can get in terms of numbers. The likelihood is good that this group will support each other, will fight to save each other's lives, and that this is more important than what they're fighting for or why they're fighting or why they're there. They know this. And this is why you have a nine-man group. Most GI's in combat situations, and this goes back to the Revolutionary War, don't usually fight for a cause or for patriotism or for much else. They do acquiesce to a system and the system tells you what to do. Because of the consequences of not doing it, you go into the military and do what they say. A few other things I'm sure happened. It's a tremendous change going from an affluent country to an extremely poor country like any country in Southeast Asia. I think we have some sense of guilt. There's a tremendous kind of racist unconscious that I guess we all have, and again this is programmed; it's reinforced. The Vietnamese are inferior, and this has been mentioned many times. And it's also a kind of a strange attraction.

As I'm sure you know, many occidentals become very attracted to the Orient and stay there. I'm sure many of the vets here have been involved with Vietnamese girls. So, it was one thing one day to call a Vietnamese soldier a gook, and that night to sleep with a Vietnamese girl. We did it. That causes a lot of ambiguity, a lot of confusion in one's mind. Furthermore, and applicable to any war, the whole concept, sort of licenses what we would call psychological regression. It licenses us to act out impulses. We all have a certain sense of sadism, and this licenses violence. You've got a programmed soldier in combat with a gun and then you've got a hierarchy in the military. When I was in Vietnam, the generals and the colonels would say, "If we can only get some American soldiers here, they would react. The Vietnamese, these ARVN, they just won't fight." Well, the Vietnamese are very patient. You can't hustle the East. We got our own troops there, because the generals wanted it. But the generals were wrong, as we all know. It's beginning to look like we don't want to fight any more than the ARVN. So, I would say, probably the main thing is the training. When you say to a man, as we said in the Nuremburg trials, that the defense of obeying an order isn't good enough, I would question this. The American GI has a great deal of difficulty disobeying an order after the kind of training he goes through. I'd like to ask John to tell us a little bit about what Marine training is like.

GEYMANN. Well, Marine training starts from the first day you get into Boot Camp and doesn't end till the day you're discharged. When you're told something to do, whether to go to the bathroom or have a cigarette, or whether you go to bed or you get some free time to write a letter, you preface it or you end it with V.C., or Gook or Slope, kill, kill, kill. That's all you're told to do. Everything is done on a threat basis; if you don't do things the way you're supposed to do, this is what's going to happen to you. If you go to Vietnam, and you don't kill the Gooks, this is what's going to happen to you. If you don't defend freedom in Vietnam, the Gooks are going to be here. They're going to be in California. They're going to be in Detroit. They're going to be in Windsor. They're going to be all over you. You've gotta go to Vietnam, you've gotta kill the Gooks. They're no good. In Com School I was in the hospital. Even in the hospitals, they're passing out pictures of mutilated bodies, showing this is what we do to the Gooks, this is what's fun to do with the Gooks.

When somebody asks, "Why do you do it to a Gook, why do you do this to people?" your answer is, "So what, they're just Gooks, they're not people. It doesn't make any difference what you do to them; they're not human." And this thing is built into you, it's thrust into your head from the moment you wake up in Boot Camp to the moment you wake up when you're a civilian. And it's a very hard thing to try and forget about it. It's about the only way I can put it, it's—they make you want to kill. Their whole thing is killing. You're not to question, you're not to ask why. If you're told to kill, you're to kill. You're not supposed to say why or who says so? Or why should I kill this person? For what reason? How is it benefitting to me? How are they hurting me? It's just to be a machine. When you're wound up and when your button is pushed, you've gotta react. If you don't react the way they want you to, you're in trouble with them.

MODERATOR. Dr. Galicia, you were at the Third Field Hospital in Saigon and you recently returned. Could you kind of update some of the thing that Dr. Bjornson was describing to us, as to the condition of the men, and their justification and methods of escape?

GALICIA. I think that from the time that Dr. Bjornson was there until the present day, and I guess I can speak in terms of the present day because I've been back about six to eight months, there's been a tremendous swing in the way things are there. As best I know it, and as best I can remember it, I was a senior at medical school at that time, and the idea, as it came across to me, was that we were there helping people. That we were there to help them to remain free or whatever. I don't know what it was like to return home at that time. I think perhaps I could best tell you maybe from the standpoint of my own personal experiences. I don't have a huge grudge with the Army, maybe it's because I don't have a huge grudge with anybody. But I was in training in Walter Reed in Child Psychiatry and it and I just did not agree. So I went downtown in Washington, D.C., and I asked to be allowed to drop this program. It was not in the sense the program was terrible.

I just said I don't think it's for me, I'd like to quit. And twenty-three days later, I was in Bien Hoa, waiting for an assignment somewhere in Vietnam. I got twenty-three days and this is something which I can prove. I think that when John came back maybe he didn't get back with the feelings that I had. I've come back with a lot of the paranoid type feeling that these kids have come back with. I found today I made a special trip to go home, to bring back my discharge, and to bring back the paper that says that I was in Vietnam from 13 July 1969 to 30 June 1970, so that I could be sure to prove it to somebody, in case they asked me. I remember my plane flight when I went over there. It was a plane filled with about 140 people, typically American, the kind of America I know and the kind of America I like. People talking, carrying on conversations. Of course, being thrown together in a circumstance in which they're going to a war zone and they don't know where they are going to go, you've got to give them that much leeway for nervousness. But it wasn't really a different plane flight than I thought I would have experienced any place else at any other time, with a lot of wisecracking to the stewardesses and that kind of thing. I remember, then, getting ready to come home after I had spent a year there. I would like to preface that with the fact that my office was in Saigon and I was the only psychiatrist in Saigon not only for the Army, but for the Air Force, the Navy, the Marines, the civilians—everyone. The kicker to this is that I was also the psychiatrist for Delta, the entire Mekong Delta. I had in my mind decided that I would go to Vietnam whether I liked it or not, because I felt that my services were probably needed there by the very people perhaps sitting to my left and my right. And so I decided whether I like the war or whether I didn't, I would go. I could have stayed in Saigon. I had an air-conditioned office, and things were nice there. I will not try to tell you anything else but, I decided I would travel through the Delta because I felt if there was any way I could effectively help these people, it would be if I went to talk to their C.O.'s. I went to the base camps where they were. And so consequently, every month, for about a week out of the month, I would take a trip through the Delta. I saw a lot of field activity, I saw contact. I flew over battle areas and I was in places where wounded were brought in. So, I think I've got the feeling for the other side of it.

And as the year wore on, I began to get the feeling within myself, "What is this really all about? Why? What are we trying to accomplish?" And the culmination of it was for me, as I can best understand it or feel it in my own personal experiences, was that in getting ready for this plane to come home, I was standing there with a tech, who had travelled exclusively with me. It was against the principles of the Army that an enlisted man and an officer keep that close a relationship, but we said the —— with it and we went together most of the time. There was a very close Vietnamese friend who came to see me off too, and I was trying to think again about what had I really done? And I finally decided that I'd really done nothing. And when I got on the plane, the thing that I noticed was that this was a group of a hundred and forty American people all thrown in together but you couldn't really cut through the atmosphere in that plane with a machete. Nobody had anything to say to anybody else. Myself, I'm the kind of traveler who does not sleep in vehicles, and I slept all the way, all eighteen hours of the flight except to get up and get off the plane during refueling. But in the waking minutes I had, I noticed that most of the people had very little to say to one another. It was my general feeling that for most of the people on that plane, if one of the stewardesses had come up and made an overt pass at this person, they would probably tell her to bug off, because we just really didn't care as a group. This is the feeling that came across. I think experiences that built this thing up within me were some of the circumstances under which I worked. The drugs in John's time were not a problem. As I best understand it, there were no drugs or very little in the way of drugs. We hear a lot of this business about marijuana and I'd like to comment only to the point to say that whatever percentages are put out by anybody, unless they range eighty percent or more, they're inaccurate. It's at least an eighty percent rate that have at least tried. It got to the place where a good deal of the commanding officers realized the futility and the absolute nonsense in pressing this subject, so the few people we got in who had smoked marijuana, we sat and rapped for about twenty minutes and then I would say to them, "Look, next time you decide to smoke it, why don't you smoke it some place where you won't get caught?" And that was the end of it. I might say that I'm not an advocate of marijuana, I'm not an advocate of anything. I'm just saying that these people felt they had the right to do this and if they wanted to do it, it's fine.

And my last sentence to them was, "Just don't get caught at it." But I think the bigger pressing problem was that we were then beginning to see, and in large amounts, the thing which bugs middle class America the most, or worries them the most, the hard drugs. The Army had given me leaflets at time to go give talks on the faults of marijuana and what evil things would come from using this particular drug. It was all nonsense. It simply was not the truth, and I quit going on these speaking tours because I felt I was betraying myself. I think the problem I had later is that we would get people in on harder drugs and I'd have a —— of a time because I'd feel like I had two and a half strikes against me already to try to tell this individual medical facts which I knew, that barbiturates are addictive, heroin is addictive, and that these are the kind of drugs which taken in proper amounts, high enough, are very detrimental, and in the end can end up killing. We saw numerous people on barbiturates, which was called by the name Benoctil. This is a drug which all the vets are familiar with. I'm sorry to have to say that I saw four or five people, who, after six to eight months usage of this drug on a heavy basis, were sent home as pure vegetables. They were by this time organic. They had so much brain damage that they were really no longer able to function. I don't really believe that I would have been able to get across the information to them that this is really a lethal drug; this is not marijuana, this is not a game. We had the same problem within our hospital for amphetamine usage. We had people who took so much amphetamine that they really didn't even know who they were or where they were, became very paranoid and reached psychotic proportions for which we had to admit them to the hospital. You just cannot impart this kind of information to these people when they've already been told lies about something else. Insofar as getting people in the hospital for heroin addiction and opiate addiction, the best we could offer was to hospitalize them and sort of work them off their habit with thorazine, because at the time that I was there, methadone was not available to me. I asked for it and I never did get it. This is a much more effective means of taking someone off heroin or opiates than thorazine. Thorazine's a decent substitute, but it's not the answer. And one of the most very trying things for me was the fact, that I felt I went there fully qualified. I had had three years of training. I was entitled to go into practice as a practicing psychiatrists. I was "board eligible" at that time.

I had all the prerequisites for being a psychiatrist; and I thought also, the prerequisites for being able to determine whether a person was seriously addicted, in the physical sense, to a drug, which in this country we treat as a diagnosable disorder which is hospitalizable. You've got to take the person away from the source. We could do that much, but once I made a diagnosis in my own mind, from there on out my hands were tied because the regulations which I worked under would not permit me, even though I made the diagnosis of opiate addiction, to medically evacuate these people from the country. I considered this disease to be in the same realm as a surgical disorder, a medical disorder, which people were sent out for all the time with no questions. And if I could prove that these people had a psychotic episode going on, then I had no problem. But I could not send a seriously ill alcoholic or a seriously addicted drug addict out of country. In essence I found myself in a real quagmire. I had no effective means really of treating him and no effective means of sending him on where he could get better treatment. So he ended up going back to his unit. I can distinctly remember one black boy within the hospital under my care six times. He was taking upwards and over thirty CC's of heroin a day—that's four CC's, seven times, eight times a day. He would come in. I would do the best I could with the thorazine. Bring him down off it, get him pretty well straightened around. The MPs would come and take him back. They wouldn't put him in LBJ for this offense, which is not a good way out either, and they would eventually give him back to his unit, and he would go back downtown and get another hit. Immediately, because he had been previously addicted, he would end up coming back over and over again because this is the way things happen in this country. And I was monitored in a sense. Each and every one of the papers I made out for air evacuations took two days to get through, one in preparation and the next day they went out to the flightline, or they went over to Tan Son Nhut air base for a day and then they went for flightline the next day, and finally, they went out. There was enough time for any one of my handwritten things to go up to Long Binh to the office of the Consultant for Psychiatry to the Surgeon General, to go through each and every one of these things and monitor what I had been doing. And on numerous occasions, I got called to have to defend why I was sending this man out of the country. And, to say the least, it became very annoying and very disturbing to me, because personally I feel I am professionally competent in my field.

I was not sending out a man who'd gone downtown and shot three CC's of opium in his arm and came up with one puncture wound in his elbow and then said to me, "Doc, I'm a heroin addict, get me out." These people were seriously ill. Some of these people had been addicts in this country before, and had had the cure and were coming over there. I had one incident with a boy from the Third Brigade of the 9th Infantry Division, who went AWOL out of my office many times. Each time he'd come up for his 212 discharge evaluation, he'd end up screwing it all up because he'd go off downtown and get another hit. He'd be gone for days at a time, and we'd have to go through the process all over again. I personally received letters from his family, as well as the chaplain in my hospital, concerning this lad and what an awful gummed-up mess we are making of this process. I wrote personally to these people to try and tell them what was happening. Finally there was a Congressional investigation came down on my office about this thing. I ended up writing the Congressman about this situation and about my inabilities to send these people out because of the regulations I was working under. I told this man in the letter that I stood ready at that time to get on a plane and come back to Washington, D.C. and explain it to him and the rest of Congress if that's what they wanted. That I would be most happy to serve those days on the end of my year so that I wasn't trying to get out of anything. I got a letter back from this man which was rather disturbing to me because it was simply a form letter which said to me, "Look, I'm not questioning your professional ability. It seems to me from what you said that you have great compassion for this boy and perhaps you ought to be able to show that for his family also." This was my answer. But it did not say anything that regulations stand this day the same way. So you'd best find another way of getting out of Vietnam because it isn't going to be on addiction, unless it's on a 212 discharge. The last thing I think I'd like to add to this is to tell you an experience that I had. I sat here all day, off and on, listening to these fellows tell on an individual basis how dehumanizing they consider this whole process is. They tell it from an individual standpoint. I can't document this because I don't know the dates. I know the places, but I don't know the dates and I don't know the names. But because of my traveling and because of my rank (I was a Major at that time) and maybe perhaps because of my personality, I got into multiple places where now, when I think about it, I had no business being. But I got invitations to just about every place. And one night I was down with the last element of the 9th Infantry Division that was left in country at that time, the 3rd Brigade, who had four battalions left. They each had their base camp areas.

The Brigade Headquarters was located at Tan An, which was about forty miles south of Saigon. I was asked if I would like to take a tour of the tactical operations center or the TOC. I said I thought that would be a real good idea. I tried to figure in my mind what I thought it would be like in there and I thought there's probably a bunch of relief maps, situational maps, banks of radios, telephones, and a lot of people. When I got in there, I found that my assessment was pretty good; that's about what it was. Except for the fact that when I started looking around, I noticed that there were four charts on this wall, on opposite walls, and each one of these charts had recorded on it for an entire year the monthly kill, one battalion against another, like it was a game.

It is off these kind of things, I'm certain, that rank is made. The most upsetting thing was the way it was condoned. While I was there, they were in contact out in the field with someone, and apparently pretty good contact. In the presence of this Major, who was running it, a bell rang three times. I asked him what that was all about and he said, "We just killed three of theirs." I looked at the man, turned around, and said, "Man, what the h—— do you do when they kill one of ours?" He had no answer for me and this was the end of our conversation.

That's just one but I had multiple ones like this and I think that's what led to feel as I did when I got on the plane. And when I returned home, (I consider myself to be quite a stable individual. I've never really had a suicidal thought in my life.) I was staying in Detroit by myself. I was staying in a hotel on the ninth floor. And because I was alone, a lot of this stuff kept coming back to me. I was standing by the open window one day with this stuff running through my head and I had to leave that window; because I felt that, at any moment, I would jump. I've had the same feeling a number of occasions crossing freeway bridges when I am thinking about the subject again. And this has remained an upsetting thing to me until just the other day. I read an account in the Detroit Free Press which probably many of you have. It was a very long, long article last Sunday about veterans returning. Somewhere buried in the middle of that was a paragraph that said, roughly, about 7,000 people are coming into VA Hospitals, and this doesn't include only psychiatric patients, this includes the whole spectrum, everybody. Out of these 7,000 people, 54% of these people have at least suicidal feelings. And that 27% of these people have actively tried suicide, one or more times. I suspect that perhaps this is a low estimate because up until today I don't think I would have been prone to express what's happened to me.

MODERATOR. Thank you, Doctor. You mentioned the drug problem and this is something that all of us veterans are aware of and that we all realize as being a very dynamite problem. I'd like to bring it around to Ron for a minute. Ron, first let us know where you were, what your job was, how you reacted, and what your contact with the drug situation was.

MCSHEFFREY. Well, I was in the 6/31st, 9th Infantry Division and like I ain't got a general discharge, but I got a 212. I had all kinds of jobs when I was over there, but they couldn't find one to suit me. Well, anyway, after all the different jobs of truck driving (and I ground tar for a couple of weeks) I just decided to go on bed strike. The only thing that could keep me on bed strike with all the demoralizing threats I got from the lifers and stuff was a little bit of smack, you know, once in awhile. So I was shooting up six times a day and stuff like that. I went to Saigon so I could withdraw properly without a bunch of headaches and stuff.

When I got there I showed them my trash and my scabies and everything from dirty works and he said that I wasn't physically addicted, but he gave me a bed anyways because I told him I just wasn't going to go back. So he gave me a bed. The withdrawal treatment is a shot of thorazine once in awhile. You know, a light dose. You still got your headaches and everything. So the first night I was there I went out to get a fix because I was really getting some really bad headaches. I come back in and the dude told me I didn't want his medical treatment very bad so he sent me back to the base camp. I had a buddy that went there when I was there again a second time and he said like methadone was too expensive to give us and he gave us a big rap on that and what it boiled down to was that he didn't have any. So that night me and my buddy went out again. I just couldn't handle it. So we went out and my buddy shot up a little cocaine and he OD'd. I got us out going again and got him back to the hospital. When I checked the guy in they wanted to put a bust on me. Like they said I pushed him out of the hospital, I guess. I guess you just let your buddy die instead of helping him out because they really gave me some bad threats. Like I was going to jail and everything because I was smuggling dope into the hospital. And another thing I wanted to reach was, like when they don't give you nothing, when they send you back to the base camp with cold turkey. Well, the only thing I could find to do to keep the headaches away was like just about OD on BT's all the time. And, like a lot of guys, I mean I seen a couple guys really get bad on these BT's just from trying to get away from the cold turkey pains, I seen a guy OD and die on them and stuff. I haven't got the dates or anything.

MODERATOR. Would you tell the people what BT's are? I believe it was mentioned before.

MCSHEFFERY. BT's are Bempctals, downers, like seconals. I'm just trying to point out that the only way you can get away from drugs over there is to go on to other drugs and like chance on ODing and killing yourself on them; the medical treatment is really bad there.

Dr. GALICIA. I'd like to state to you that at the time that this lad came into the hospital, I was not there. I was shifted to the 101'st Airborne for a month and whoever took care of him was not myself.

BJORNSON. I wanted to know one thing, I wanted to ask Dave how many GIs started on hard drugs, heroine, speed, and so on in Viet Nam who hadn't used it prior to going. Any estimate?

Dr. GALICIA. I don't have figures in that regard. All I know is that from the time I entered to the time I left, the problem was increasing. We were getting more and more people in because of drugs and more and more people because of hard drugs. There was a goodly number of these people, I would have to say at least 50% or more, probably more, probably way more. Maybe they smoked a little pot while they were in this country. But they had not used hard drugs: the hard drugs had begun there.

BJORNSON. Another question or kind of response. Having been kind of trained in military psychiatry, trained in an Army hospital, I paid them back there three years plus one, and I resigned my commission when I came back from Viet Nam. I probably would have resigned anyway. I know the attitude of military psychiatry is to keep the men on the line and so on. And it sounds to me like they are kind of vaguely using this concept of keeping the men on the line in a crazy way that must reinforce a fantastic amount of drug use. Certainly drug use is epidemological. That if you get one user you are going to get more and so on. Furthermore, it didn't do anything to stop the traffic—is that right? .

Dr. GALICIA. In my original presentation, I really tried to leave things out that I just had no way of proving, but I had a correspondent from Look in my office two days running and we sort of shut down the clinic because I sat rapping with this guy all this time about all this. He took pictures of myself and the office and some of the patients we did see. I took him out. I knew the locations because, besides having a close relationship with my nearest tech, I knew probably 80 to 90 percent of all enlisted personnel in the hospital and was included in their grapevine of information. They felt not at all ill at ease about telling me things that just didn't go out to other parts of the hospital.

I knew multiple places in the city of Saigon where you could get anything you wanted to. You name it. Any thing you can conjure up—mescaline, LSD, speed, marijuana, heroine, it doesn't matter, it was available. And I took this fellow to places and I pointed them out to him. There is no attempt on control of these. For one reason I think it is almost impossible because they're run by profiteering Vietnamese and we, of course, have to understand that the Vietnamese are human beings like everybody else. They'll profiteer like we will and they will sell anything that they can get a profit for. I don't fault them for that. One of these places however was right outside of the entrance of Tan Son Nhut Air Force Base and it was the biggest one that I knew of. And consequently, there was really very little in the way of doing anything about this trafficking. If there are avid readers in this room, and I'm sure there are, you know that there is an Air Force Major now sitting in LBJ who has smuggled in on an Air Force plane, pounds and pounds of heroine he brought in from Thailand. This was a guy who was flying VIP's like General Westmoreland around the country. I took it that his major occupation was flying heroine.

BJORNSON. I'd like to postulate a reason for drug use in Vietnam, as I see it now as a civilian. It seems to me that we have put practically a decade, a generation of males in this country into a tremendous bind. If you're against the war, you have no exit. If you are for it, I suppose you do. It seems that at least 50% of the people in this country, if not more, are openly or statedly against the Vietnam war. They think it should be ended immediately. If you're a draftee, what do you do? You can go to jail, you can attempt to fake a medical illness; you can attempt to fake a psychiatric illness; or get a cooperative resistant psychiatrist that Hershey talks about. Or you can try to become a conscientious objector. Whatever you do, you're going to be wrong, in a certain sense, and you're going to be guilty. It's going to damage your self image. Obviously, going to jail is not a pleasant experience; why should one go to jail for beliefs? If you're drafted, you're guilty, because you're going to Vietnam and you're going to be guilty for fightnig in a war that shouldn't exist in the first place. So, if you fake a psychiatric illness, then you have to live with that for the rest of your life. If you passively resist or aggressively, and you go AWOL a lot, they give you a 212 then you have that to live with.

To become a conscientious objector, first you have to believe in it. Then if you believe in it, you have to be middle class; you have to have a lawyer; you probably have to be white and it helps if you have a lot of references. It's extremely difficult to fill out Conscientious Objector forms. Once you do and they're accepted, you are given a list of jobs—none of which pay more than $4,000 a year and you are supposed to do this for two years to protect the morale of the troops, supposedly. So it seems that a whole generation is in a box. One out is drugs. I'm sure that is out is the reason why Americans are on hard drugs in Vietnam—what percentage, I don't know. But I know that the percentage on grass is high. It's not just grass, it's being stoned twenty-four hours a day, everyday for a year.

MODERATOR. Ken, did you have something you wanted to add?

CLOKE. First I wanted to say that it is also known that General Ky is directly implicated in the heroin smuggling that goes on in Vietnam. The CIA planes fly opium into Vietnam. The Meo tribesmen in Laos earn a great deal of their living from, not only CIA funds, but also from the opium trade. The remnants of the Chinese Nationalist Army that is still left in Burma also cultivate the opium trade extensively. I don't think that the question of drugs in Vietnam can be seen in isolation from these things. It is also, I

think, a fact, that enormous amounts of graft exist openly in Vietnam and that the war is profitable to a large number of different people, not only at high levels, but at low levels as well. This forms part of the social psychology of drugs.

MODERATOR. Thanks for talking about the CIA, that is a point I feel needs clarification.

Dr. GALICIA. I heard this rumor of Ky. One thing I know for a fact is that in each and every base camp area we set up in Vietnam we pay rent to somebody for the right to use their land so that we can defend their freedom or whatever the ——— it means, I don't know. I've lost the concept. But I do know that we pay rent to absentee landlords, most of whom live in Cholon, at least in the area in which I was. But the rumor that I was going to make reference to was that somebody told me that all the property on which Long Binh is situated is owned by Mrs. Thieu.

MODERATOR. I have no information on that.

GALICIA. Well the only thing is that people with any knowledge of Vietnam know that Long Binh is the biggest Army post in the world. It used to house something like 50,000 troops. I don't know what the number is now, but it is a huge space of land.

MODERATOR. Ron, I'd like to ask you a question on the drug situation again. What was the attitude in your unit on drugs? Were the senior NCO's and officers aware that you and other men might be using hard drugs and, if so, could you relate some incidents as to how they reacted?

MCSHEFFREY. Well, they knew all about it. Like one day my first sergeant walked in on our bunker and there were at least seven or eight of us shooting up. He walked in the doorway and he just stood there. He had a big nothing in his eyes. He turned around and walked away and never said anything again.

MODERATOR. He never said anything. He never asked you what you were doing? He just turned around and walked out?

MCSHEFFREY. Well, I think he seen what we were doing.

LIFTON. Let me make one point about a few things we've been saying the last few minutes that I think has to be said. There's a lot of effort on the part of various people, many of them in the government, to prove things statistically about Vietnam. They've been doing it ever since the war began. The statistics now, and of course they always turn out to be false, but one of the new statistics now, is that all this talk about disurbances or dehumanization of disturbance in Vietnam GIs doesn't apply because they have statistics that show that the psychiatric cases have diminished in percentage as compared with the Korean War or World War II. I want to expose that statistic for what it is. In other words, it doesn't really tell us anything. In fact, it's another one of those sort of technicist's misleading efforts to really get away from the heart of the matter. Most of the harmful behavior that occurs in Vietnam is due to the malignant environment we create there, an environment of murder. The aberrant behavior. For instance, the men who killed others at My Lai, let's say, had no discernible or diagnosable psychiatric disease.

They were, I would say, in an advanced state of numbing and brutalization and under enormous pressures. The kind of thing that could happen to any one of of us, were we put under similar training and that kind of situation. But they don't have any nameable psychiatric impairment; they'll never be diagnosed. The same is true for many who have various forms of drug addiction. As you know, many people with drug addiction don't come into medical facilities even in this country and don't fit into any statistics. So when one begins to examine the extraordinary impairment and destructiveness of the Vietnam War on all levels of American society, one shouldn't be led by these narrow statistics about psychiatric cases.

MODERATOR. Dr. Peck, I'd like to ask you a question. We've been hearing a lot about the veterans the use of drugs, the problems. Most of the men that came here have come from working class families. How are their fathers taking all this? We're kind of like the sons of the hard-hats, and what's the American public saying about all of this? At least from your point of view.

Dr. PECK. Well one of the things I wanted to comment on was this whole question of dehumanization, and a certain kind of presentation of the dehumanization process, as one that begins with Army training then one that proceeds further in terms of the brutalization of warfare itself. I think that what we have to come to grips with is that, fundamentally speaking, the working class youth in our society, white, black, brown, red, yellow, and so forth, serve fundamentally as the father for this kind of neo-imperalist venture in Vietnam, Laos, and Cambodia. And being the father for that kind of military intervention, their programming doesn't begin in the Marine training camp or in the Army base or at Great Lakes, but the programming to be a bullet and a bomb, begins in that working class household. That's where the dehumanization process initiates, because if you come out of a working class background family, and that's my situation also, you come into a situation where your father, as the provider for that family, is in fact a very powerless figure.

Your family itself is a very powerless kin unit. The neighborhood that you grow up in is a neighborhood that is without power in terms affecting the very fateful decisions of life in the society. And so the one dominant characterization of that kind this seems to me like profound truth of culture that you live in, in a working class area, is a characterization of profound powerlessness. Of not being able to really determine your own future in your own way. To that extent you're constantly involved in an effort to prove otherwise. To prove that you really are something. That you really do count. That you really represent some sense of power. Often times this relates to one's own kin unit, a tremendous sense of what we might call kin chauvinism, ethnic chauvinism and fundamentally for the male working class youth, a pattern of intense male chauvinism. That male chauvinism is one that focuses primarily on penis power. That's where you become powerful, through your penis. By literally not only expressing your dehumanization in a profound way, but by brutalizing other persons, primarily women in your neighborhood. Just as your old man brutalized your mother. And so you grow up in a household, and in a neighborhood, that is oppressive, that is fundamentally oppressive. Yet you're trapped and the only way you can get out of it, in addition to this kind of penis power, is through a sort of entertainment route. You know, like you can join the Golden Gloves and get your face smashed in or smash somebody else's face so that you eventually get into a prizefighting ring. Or you become an all-star, all-city quarterback in football, which I was, and at each moment you have to prove and demonstrate your male prowess and your male power and your masculinity, which involves brutalizing other persons. That's reinforced fundamentally in the basic socializing agency in the working class area, namely the working class school. See, that's your first Marine Training Camp. That's where you do what you're told. That's where you learn to be an automaton, and it doesn't necessarily come from loss of sleep. It comes out of a very rigid custodial jail, that is termed an elementary school, and that is termed a high school. You're trying to break out at all times. Where can you break out to? You can't be a man hero; you can't be a football hero; you can't be the leading outstanding boxer; you join the service.

You join the military. And what has happened fundamentally in Vietnam, that I think relates to a certain kind of awakening and a sense of liberation, a certain kind of struggle on the part of the GI, is that they were placed in the midst of fighting a people, fighting working people like themselves, fighting people who are struggling for a certain kind of dignity of person, fighting a people who were struggling against a similar kind of oppressiveness. I was in Vietnam recently, as recently as last November, but I was North, and I visited working class families. I visited women working in textile factories, I visited workers working in the factories in the caves, I visited working class and peasant homes. I saw men in Vietnam walking down the street hand in hand. I saw them embracing one another in public. I saw them hitting one another's heads. I saw them touching one another tenderly and they were soldiers. I think what I'm trying to say is that the oppression, the dehumanization is very, very deep, extremely deep. It is not a question of becoming somehow dehumanized as though you left the States as a humanized person and somehow you become dehumanized and now we have to put you back to where you were. The fundamental normal characterization of people of our society who suffer this oppression is a form of dehumanization. That may not necessarily make you psychotic in terms of some kind of category of syndromes, but the fact of the matter is, that all of us, each in our own way, have been brutalized and dehumanized and we're already bullets before we go into the military.

MODERATOR. One of the problems that this country faces is the fact there's been 2½ million men that have served in Vietnam and that's an awful lot of manpower whether it's going into factories or just dropping out of society. Some of us are coming back with physical scars and some are coming back with emotional scars. Sitting beside me is Charlie Stephens. Charley was in the 101st Airborne, and he's brought back maybe some of those invisible scars that I think a lot of us have. Charley, why don't you talk to us for a couple of minutes and tell us about what in ——— coming down man? Why can't you get any help?

STEPHENS. When I came back to the United States in 1967, I know that some of the things I did in Vietnam I wouldn't have done prior to going over there. At least I don't think I would have done it. But I knew something was wrong because I could still do those things now that I was back here. I had thirty minutes of debriefing, a steak dinner, and a guy patted me on the back and said, "Well, you did a good job in Vietnam. Now you're back home, forget it." It just didn't work that way because when I was on leave I would get uptight, I'd get very irritable. If someone says something to me, I get real excited sometimes.

I can't answer a person. Maybe we'll get into an argument or something, and I can't give them the answer that they want. They start to, you know, like really pressure me for for an answer. I'll get uptight, and I might swing at them. I won't think twice about it 'cause I was taught it's better to give than to receive. A chaplain told me that: "Do unto others before they do unto you." I don't know 'cause like I came back here, I went to a psychiatrist. Where was the first one? Well, before I went over, I went to a psychiatrist at Fort Campbell, Kentucky because after my paratroop training I thought it was all over. When I got to my unit I was still a cherry, so they threw me out of the window twice with a poncho and told me to make my cherry blast. I went to a psychiatrist the next day because a sergeant reported that he saw me jump out of a window twice. Well, when I came back from Vietnam, I went to a psychiatrist again because of the things I did, cutting off ears, castration. I was a medic, but we did all

this. They wanted to get an accurate body count so you cut the right ear off everyone you had killed. Now, I was taught in Fort Sam Houston that we just supposed to carry our weapons for our personal protection and our patients' protection and that we were supposed to treat the enemy the same way we would like, treat an American soldier. Several times I had to leave like women lying in hammocks dying, one lady suffering from a chest wound. I know the lady died and there were two babies left unconscious. The lieutenant told us to just go sit up on this hill, and the next day when they were burying the dead, they were burying these two babies too. They were alive when we left that village. We had guys up on top of the hill firing down with machine guns at these people, and at that time it didn't, you know, it really bothered me, but I was afraid to speak on it. And before I realized it, I was doing the same thing. When I came back here, well, now I'm out of the service, I've been going to the VA for treatment since 1968, and every time I go to a doctor, he says, "Well, you'll be alright in a couple of years, six or seven years, you'll be alright, so don't worry about it." So finally I got one psychiatrist that seemed to like really be interested like in treating the guys. But this guy he's so busy that you can never see him, and then if you go down, I have a peptic ulcer also that I got in the Army, if you go downstairs for medical treatment like for my feet or for my ulcer, if I go downstairs for medication, they say, "Well, you don't need any medication because it's all in your mind. It's all psychogenic," they tell me. And that's the ball game. You get no treatment from the VA, and the doctor that you have like he's so busy, if you're working, you can't see him when you want to.

MODERATOR. I want to ask a question of the panel in general. Where are we going nationally? Men like Charley and lots of others can't get help. Guys are coming back as drug addicts. They're coming back and finding unemployment, inflation. They can't adjust and relate to the life they had before. and I think every vet here can swear up and down that he could never go back to being the way he was before. Are we going to go through a national guilt complex? Is this country ever going to wake up and realize what the ——— we've done? And if it does, what are the effects going to be? Not just on the 2½ million vets that have already realized this, but I mean on the whole nation and that's open for anybody that thinks they can answer it.

MCSHEFFERY. I think there's another thing which guilt has something to do with. That's when you get out and try to get a job 'cause like we see what our system is doing. You know how they survive with this system by mass genocide and stuff like that. How can a guy come back here and really want to make a lot of money?

BJORNSEN. I'm sure none of us can answer your question. The war isn't the only conflict, but the war has a lot of secondary conflicts or maybe parallels. This includes certainly the ecological problem, the problem of racism, the problem of oppression and repression. Our federal government is attempting to try to control what they consider a monster they've created. It's hard to say. You know, Marx once said that this country would change without a revolution. Maybe it will.

GALICIA. I think we've all sat here, and we've pondered your question and its magnitude. I think that maybe the answer's really simple. That we're just going to have to get the h——— out of there. And that we're going to have to stop doing the things that we as veterans all know we do. And treat the ones that are among us now who are actively seeking it. I think that in time it would go away, like all other natural things, including floods and fires. It would just disappear. I feel compelled to end my part of this thing by saying just this. One of my severest critics brought up a point to me, my wife. She said, while we were out for supper, that she had some fear in her mind that because of the presentation of some of the panels, the words that were being used, the appearance of the people here, that maybe what they were trying to do would have a dampening effect upon the people who were here, who represented the people that they were trying to get to, and that person is the middle American, whatever the devil that means I think we've all got our concept of it. I'm not back long enough to not identify with these people. I identify with them tremendously, and we haven't used such terms up here as "m———" and so on. We all know they exist. And even the kids to my left and right have refrained from this. But I would like to come to these people's defense only from the standpoint that they are trying to tell you what it was really like. And for the most part, I know they are telling you the truth. And that was the language of Vietnam; that was one of the few avenues of expression open to them. You can't try to express an idea without that kind of thing coming back, I think that the thing that impresses me most is not that a man will come up here and tell you about the things he's done. I think that takes some courage. But I think the real courage is for a man to come up here with the gall he's experiencing and tell the things he's done with the definite knowledge in mind that he might not be believed.

CLOKE: I'd like to try and follow up on the question, if I could. And also try and follow up on some of the things that Sid mentioned because I think they're quite relevant. I think this discussion has been interesting so far because a large number of things have, I think, been presented to us both in terms of what has been talked about and what hasn't been talked about. I'd like to try and find a way of trying those things together because I think they tie together. I think the framework that we have to work from is expressed in a very famous statement by the Baron von Clauswitz, who everybody knows is a master strategist of war, who said that "war is a continuation of politics by other means." And I think that, that's a fundamental fact that has to be appreciated about war. You cannot separate the problems of individual psychology and the individual psychological problems of people in a wartime situation, or the individual problems whatever they are, that are faced in that wartime situation from the problems of the society as a whole. So, what has not been talked about, except there was one mention of it, are the thousands of different forms of chauvanism and bias and prejudice which we manifest in every aspect of our daily life. The thousand different forms of self-doubt, of self-hatred, of social schizophrenia, which take place not just individually among individual Vietnam GI's, but among everybody in the population. There's not a single person in the United States today who feels like a whole human being. Not a single individual who feels creative, or loved, or worthwhile; or all of those things. And I think that that's a terribly fundamental fact, and it's not just the individual who's involved in that understanding. It's the total society that we live in. So I think that what has to be gotten to is a kind of social psychology of imperialism. A social psychology of the relationship between colonizer and colonized; between racist and the subjects of racism, and in terms of sexism. Another fact that was not mentioned is just the mere simple fact that GI's are in a totally male environment, which encourages and increases all of the natural forms of male dominance and male chauvanism that exists in the society as a whole. The other thing that I think has to be gotten to is some attempt at definition to understand what we're talking about; to begin to put it in some kind of a context so that chauvanism doesn't just appear like an abstract word coming down from the mouths of professionals, but has a reality to it. The same thing is true of the question of atrocities.

What attempts have been made to define the question of atrocity. And I think that that's an important thing that has to be done. The reason it's important is because of the fact that all of those things have subjective meanings, if you will. Subjective, not in terms of the individuals involved, but also in terms of the social classes involved, also in terms of where people are coming from in terms of their attitudes. One does not trust the white colonizer, in Algeria, to make decisions as to what is a colonialist type of behavior. One does not trust a white American to be able to understand all of the different forms of racism within the society, or a male to be able to talk about the question of chauvanism in terms of really defining the ways in which it works, the ways in which it has to be understood. The reason for that is because the facts are just not available to them. We've been raised in an environment which is oppressive in a thousand different ways. And I think that we have to begin to understand the ways in which we have been affected, the ways in which all of our thinking has been affected by that. For example, and this is a problem throughout this whole discussion, I think, is to begin to try and differentiate between form and content, between phenomenon and essence, between the structure of things and the reality, the essence of things. And, on the superficial level, the violence btween the United States and the Vietnamese is identical; they both kill one another. They both shoot one another. They deprive each other of human life. But, in fact, the violence between Vietnam and America, on the part of the National Liberation Front and on the part of the American forces in Vietnam, is not at all identical. It's totally different. And the reason it's totally different is the reason behind the violence. The same thing is true with respect to atrocities. That is, that atrocities are subjective; each side defines atrocities in a different way. And it's not just a question of balancing out the atrocities on one side against the atrocities on the other side. It's a question of understanding why they occur; what caused them to occur in the first place. For example, the wiping out of water buffalo in Vietnam which is considered by the Vietnamese to be an atrocity. Americans don't consider it to be an atrocity because they don't particularly care for water buffalo in the first place. The same thing is true with defoliation.

The same thing is true on a number of different levels. While the sides are at different points in time able to come together and engage in agreements as to what constitutes an atrocity, nonetheless, the major atrocity in the war in Vietnam is the war itself; is the fact of imperialism. Is the fact of exploitation and oppression in Vietnam. One of the reasons why people feel guilt about the use of violence is not just because of the fact that they've used violence, but because they used meaningless violence, violence without any sense, without any direction, without any purpose or cause. So, therefore, for example, the poll that was taken by the HARVARD CRIMSON, I believe, among black veterans in Vietnam, found that 53% of the veterans in Vietnam, while opposing the war, believed that they would use the techniques that they learned in the United States military to fight against racism and for Black Liberation in the United States. I think that the question of why My Lai happened is a very important question, and, again, everyone here knows that My Lai was not an isolated incident, that it didn't just happen at some single

point in time, but has happened throughout the war. But the reason that My Lai happened is not because we're winning the war, but because of the fact that we're losing it, because of the nature of guerrilla warfare, because of the inability to resolve the basic conflict that the United States military and, through the form of basic training, prepares people for. The same source of dissatisfaction, you know, "can't get no satisfaction" and all of that, is true for everyone in this society, and we've got to begin to understand the ways in which the problems that the Vietnam veterans face in Vietnam are relevant to us here at home. We aren't just going to learn at this conference of Winter Soldier Investigation from Vietnam Veterans about what happened in Vietnam, I hope. I hope that we will also learn about our own lives, about our own problems, about our own sources of oppression within this society as a whole. And that's the thing that we have to begin to pick up on, to see the interrelationships between all of these different forms of oppression at home and abroad. It's impossible to think about, or to look at, a situation where someone commits an atrocity without attempting to examine the reason that that atrocity was committed in the first place. There's a law which says that internal contradictions are reflected externally. I think the same is true in reverse.

Not only is it true in reverse in the sense that external contradictions are reflected internally, but also the resolution of those contradictions is reflected both internally and externally. And, therefore, we can through meetings of this sort, through gatherings of this sort, through protest, through struggle, through the use of every apparatus available to us, engage in an attempt to discuss these things. Maybe we can begin to see some ways in which we can begin to resolve that problem internally and externally. But you cannot nearly treat the problem of the war in Vietnam in abstract. The only solution, to answer the question that you asked is a total solution and what that total solution amounts to is not decided by us. We are aware of the problem. We're aware of the nature of the sources of oppression within the society. But it's basically up to the ruling class of the United States, including several gentlemen residing here in the city of Detroit, to attempt to give an answer to that basic problem. If we can solve the problems of this country by running people for office, then I think we ought to do that. But, all you have to think about, I think, is what would happen if Huey Newton were elected President of the United States (and how that would be accepted by various people in the United States) to understand that violence is not a problem that is only going to happen in Vietnam. The struggle in the United States, the movement against racism, against war, against repression, against sexism, against militarism, against imperialism in the United States, is a struggle which is already violent. We saw what happened already at Kent State. We have seen the numerous different forms through which violence has affected people in the military, and I think that we have to begin to turn this discussion inward and to deal with our own problems in that respect. The last thing that I want to say primarily is that the solution to the problem is people, and the phrase about "Power to the People" ought not to be just abstract rhetoric. It has a real meaning and people ought to think about the meaning and, and try and understand that meaning. Brecht I think summarized it very well—and I don't have a copy of the poem with me so I'll have to try and paraphrase what he said. He said, "General, your tank is a mighty vehicle. It can crash through forests and tear down buildings. It has only one defect. It needs a driver.

General, your airplane is a mighty instrument. It can fly thousands of miles and drop bombs from thousands of miles above and wreak terror on whole populations. It has one defect. It needs a driver. General, your army is a mighty institution. It has conquered whole peoples and subjected whole peoples to your oppression. But your army has one defect and your soldier has one defect. He can think."

MODERATOR Thank you, Ken.

MCSHEFFERY. I have one short thing to say, I don't know how they can call all these things atrocities because really it's nothing but an All-American with a "Kan" way of living.

MODERATOR. Dr. Lifton?

LIFTON. I'd like to add something also. I agree with much of what's been said, but I guess I've got my additions and qualifications, too. I'm a little wary of the phrase "total solution." It's been used badly in the past. We do need fundamental solutions and I guess we all agree on that. We can't, it's true, we cannot separate My Lai from the rest of American society, and we've got to dig deep into American society and into ourselves about My Lai. But, if you really believe the solution is people, as I think all of us on this panel and in the audience are committed to, then we've got to really consider the people in that solution, and what they become and what they are and how they behave as human beings. In that regard clearly one has to be militant. And I think one has to, in this regard, distinguish, as has been done, between forms of violence and motivations for violence. But I think we should beware of, rather than welcome, the use of lessons in violence learned in Vietnam, in our own society, and elsewehre.

MODERATOR. Dr. Bjornsen?

BJORNSEN. I thoroughly agree with that. I would also like to point out that one of the major problems in the United States is obviously its economics. Two-thirds of our federal budget goes to this war or past wars. We're paying now about a 14 billion dollars per year interest debt, mostly for past wars. One of the solutions is very simple; no more wars anywhere, anytime.

MODERATOR. I would like to open this up to the people in the audience. I imagine we've stimulated their thought a little bit and I'd like to throw it open for questions. This gentleman here had a question.

EGENDORF. I asked for the microphone because although I thought I had testimony to give, for quite some time I was scared and I didn't want to give it. And I didn't come forward until today. They couldn't fit me in, but I wanted to be on this panel. My name is Arthur Egendorf. I served with the 525 MI Group in Saigon, later with a group called the Field Support Group in Washington. I got particularly interested in this discussion because they were talking about the working class, as well as part of the solution being no more war. But people began to hint about institutions, and I think I have some things to say from my own experience in intelligence as to what extent the institutions of this society are very much a part of the phenomenon that we're discussing tonight. It's not something we can deal with just by treating veterans, or by getting the government out of the war in Vietnam, or by proposing a moratorium on future wars, but by looking at all these institutions that the radicals are saying are all wrong. In fact, those of us who came from my background never suspected to be actually involved in the things that we later found out we were involved in. I went to Harvard, majored in economics, worked on a project studying multi-national corporations, did research in Europe on them before being bothered by the draft board, and I enlisted in intelligence. I was told that I would be in areas studies because people with my background should be in area studies and not with the infantry. And I found out in the first day of intelligence school that area studies is spying. I was later sent to Vietnam, and because I speak French, I was set up in Saigon in a position I really wanted. I didn't want to be out in the field. I didn't want to have to be under fire. I ran French spies back and forth into Cambodia. And one of the first things that I had to do there was to arrange to get press cover for my spies.

This, some of the people in the press corps might have heard about, and they might also have heard last year the Army's denial of this fact—that press cover was need for espionage operatives. But it's been a standing policy, covert, of course, since the beginning of the war. Later I found out about Esso Standard Oil being used to provide cover for people in Cambodia; that was a proposed operation. Later when I was sent back to Washington, I found out about x-hundred different companies working through the CIA with Army Intelligence and providing cover and accommodation addresses. About how Internal Revenue Service documents were falsified in order to hide income paid to spies, as well as Treasury Department and Immigration Department documents falsified to aid operatives overseas. And, in fact, a large number of the institutions that I had studied in college, believing that these were things that were going to help toward world peace, the multi-national corporation was going to weld the world together—were in fact working for Uncle Sam; not totally, not everybody committed to Uncle Sam, but the institutions provide a cover for things that are not published in this society. Not because it would be a threat to our national security, but because the people of this country, if they found out about it would probably feel what I feel now. Which is quite a bit of desperation. The feeling that Dr. Lifton talked about—the word is rotten (it's not articulate enough), but that's what I feel. It's rotten. All these old alternatives are no longer there. They have the same taint that the Army has. They're not viable alternatives. I don't know where the new ones are to come from. People who are not only just working class or not the great middle America, but are shining elites are faced by the same problems. We're all in the same boat.

MODERATOR. One of the situations we face in this investigation is that as publicity has kind of got out about what we're doing people such as this gentleman have come forward at the last minute. we've found out we're not alone. And maybe that's the good thing about it. A lot of men at the last minute have come forth and said they'd like to testify. They have something to offer us. There are an awful lot of people who are in the same boat. I'd like to open it now to more questions.

QUESTION. The question is do the gentlemen of the panel feel that there is something about the United States which more or less predestined and preordained that the course of this war, the policies of this war, the way it was prosecuted, would go the way they have gone, or do you feel that perhaps with wiser leadership, with a different sort of policy making procedure and so forth, it might have been different? Was this an inevitable tragedy, or was it a tragedy that could have been avoided?

BJORNSEN. All right Tim, I can answer this. I would like to answer this very quickly from personal experience. When I was in Vietnam they had seven changes of government. We were on red alert twice for removal of all U.S. troops because we were in danger of possible take-over of the government by a South Vietnamese government self-appointed which we could not get along with. We were ready to pull out all American troops as early as August 1964. I'm sorry we didn't.

LIFTON. I'll say something as long as we, he asked the two of us at this end of the table, whatever his reason. I'm willing to use

the word genocide for what we're doing in Vietnam. I think it's an appropriate word. Because genocide means killing of whole population groups. It also involves moving and destroying the land or as a colleague of mine used the term, ecodide, meaning destroying the entire ecology with defoliation and bombing and the various fire power that we're using in Vietnam. Even though it's true that a sizable population still exists and lives in South Vietnam and North Vietnam too. I think the word genocide, given the extent to which things have gone, is not excessive. I think it's a reasonable word and here, incidentally, I'm willing to follow Jean Paul Sartre when he says that you create a situation, that almost inevitably leads to genocide under certain conditions. These are: a country from an alien but highly developed technology, moving into the area of an alien country with a very low developed technology in a situation of revolution and counter-insurgency. Given that situation, and I must agree with my colleagues here, we must look at this historical and political situation along with the psychological issues, some kind of genocide is very, very likely to result. But, in terms of the second question, inevitably, I think one has to be careful about inevitability about anything. Whenever you study human behavior it's hard to say anything is inevitable, but you can have certain conditions where things are more likely. And given a lot that's been said about the institutions in American life, things that happen in Vietnam have been all too likely. Therefore, I think that we should not, on the one hand, take a position of absolute inevitability; then we wouldn't be able to change things. We've got to change things. Nothing is absolutely inevitable. On the other hand, the war was not a simple accident that we blundered into through some foolish leadership. But rather has to do with a lot of things. Yes, it's a kind of neo-imperialism. It's also a kind of remnant of cold war ideology that has to do with pure American virtue and absolute Communist evil, no matter where these arise. And even though this particular revolution we're ostensibly combatting happens to be over 40 years old and arises from deep national aspirations, as well as being communist, as you know. So these illusions are a source that run deep into American foreign policy, in the fabric of American life and yes, into the American class structure. But I don't think we should take a position of absolute inevitability, rather of making fundamental changes in institutions that take a very different course and avoid that kind of outcome.

PECK. Well, I would just like to follow up that comment first of all by stating that the evidence for genocide is clearly there. Whether one looks at the use of biological and chemical means of warfare as Professor Messleman has at Harvard, in terms of the genocide that has taken place; whether we look at the indiscriminate use of napalming, the use of anti-personnel pellet bombing, or whether we take a look at the bomb tonnage that has been dropped in Vietnam during this period, greater than all the bomb tonnage in World War II, an average of bomb tonnage equivalent to nearly three Hiroshima bombs a week in Vietnam. Now I was in Hiroshima and Nagasaki last August and I talked to the survivors and victims of the atomic bomb, I saw and visited the museum at Hiroshima. And yet in Vietnam that means every 2½ days a Hiroshima bomb is dropped. Now why does that take place? Why is the United States doing that? Why is the United States in Vietnam? That's just a very, very simple question. One could say that we stumbled into Vietnam; that we sort of trickled ourselves into it by a series of miscalculations, a series of errors, a series of misjudgments on the part of the State Department during the Truman Administration and from then on into now. But the fact of the matter is that the United States emerged as the dominant world power in the immediate post-World War II situation. And we emerged in that way because our whole industrial, political and social base was unscathed in this horrible international holocaust. I mean, we were not bombed, we were not destroyed here, but the fact of the matter is that the industrial base in England, in Japan, in Germany, in Italy, in the Soviet Union, in every major industrial power was destroyed, except the United States. In addition, we had attained the use of nuclear power and we proclaimed in initiating our ascendency to a position of preeminence in the world, the introduction of the American Century, Pax Americana. Gar Alprovitz, in his very, very important work on atomic diplomacy has documents in a very definitive way, that the dropping of the bombs at Hiroshima and Nagasaki were primarily for political and diplomatic reasons and, in fact, initiated the cold war. Now you can read the evidence if you like. The point is we entered Vietnam because Vietnam is part of our whole Pacific rim strategy, our whole effort to maintain presence in the mainland of Asia and to effect control over what we consider to be an important market resource area. And when the French, in their colonial rule a kind of graft-ridden colonial control based on the uses of a coastal elite in oppressing and exploiting the Vietnamese peasantry, when the French finally, through the continued perseverance of the Vietnamese movement for a national independence, were in the throes of defeat, we went in there with everything we could. From 1950 to 1954 we poured in nearly 3 billion dollars. Even prior to the defeat at Dien Bien Phu, our now president, Mr. Nixon, along with Admiral Radford and others, was floating the Operation Vulture program, which would have meant American expeditionary intervention at that time including possible use of a nuclear strike. Now, what we are trying to say is that there is a history to our involvement and those of us who never knew where Vietnam was in February of 1965, when LBJ, our peace candidate, (of course we all wore buttons, you know, "part of the way with LBJ") initiated unilateral bombing of North Vietnam.

We didn't know anything about Vietnam or Indo-China and we had to teach ourselves right from scratch; and that's what the teach-in movement was about. And we learned plenty. We learned that the war was not a mistake, that it was not an error. But, it was a calculated expression of American neo-imperialist policies. What went wrong? What went wrong, my friend, is that we could not pull off the Dominican Republic. If we could have pulled it off in five days, there would have been no protest movement. There would have been no struggle against the war. But what we did not expect in Vietnam and what the Secretary of Defense, who was esteemed for his use of computer programming could not program at that time, was the deep will to resist on the part of the Vietnamese people and the fact that their struggle for national independence was rooted not only in an immediate forty year period, but went throughout their centuries of history of struggling against foreign oppression. That it was rooted in their very culture. Therefore, we were immediately faced in fighting a people. We were fighting against a peoples' war. And, where does our strategy come from? It comes from one of the, I assume, instructors of our young brother here, Samuel Huntington at Harvard and Kissinger, too, no doubt. But, I mean, what did Huntington say? What you have to do to defeat a people engaged in a peoples' struggle against foreign intervention and oppression is to dry up the ocean so that the fish don't have any water. That's to say, destroy the logistic base of a movement struggling for national independence.

And, if you want to destroy the military arm of that movement, then you must destroy the people. You must destroy their social fabric. You must destroy their very infrastructure. You must uproot them from their land, you must move them into concentration camps and you must kill them indiscriminately so that a sufficient number are so destroyed, so uprooted, so demoralized, so broken apart that the rest will submit. But if there's anything that I've learned from the Vietnamese, they will never, never submit. Never! I think that what all of us are saying here is that we are fundamentally appreciative of the Vietnamese for that struggle because in the process they save us, as human beings. They give us the opportunity to struggle for our own freedom, our own independence, and our own liberation here.

MODERATOR. I'd like to simply add that if anybody doesn't believe the gentlemen that have participated in the panels today and the panels that will be given the next two days about the question of genocide, that he simply take a trip to Vietnam and go ask a rice farmer how he feels about having his crops blown away; that he ask a Vietnamese mother who has borne a deformed child how she feels about the question of genocide, and you'll get a pretty good answer.

PECK. When I was in Vietnam, I did have a chance to visit some of the bomb victims. We're under the impression, of course, that bombing of Vietnam has really ended north of the 19th parallel since the April Fool's speech of LBJ. Also, we think that that's the case since October 1968. But, I carry with me, and I always will, these photographs of three bomb victims that I met. I asked the attending physician to have these photographs made after I met with them. This is the young woman, aged 21, Miss That who was the victim of a napalm bomb in December 26, 1969; and you see her leg, it's as though she's resting it on a bench. Well, the fact of the matter is, that's the permanent position of her leg. The napalm has so shriveled up that skin that the leg cannot stretch out at all. And they've done innumerable skin grafting already and they will continue to do it. She just doesn't have use of that leg and it will retain itself in that permanent position. The next one is a 22 year old saleswoman, who was struck by a pellet bomb, on March 28, 1970 and only survived because a person, who was killed by the pellet bombs, fell on top of her. But she has six pellets embedded in her body and they can't be removed. One is on the back of her neck and, as a consequence, the arm is completely paralyzed and subject to every whim and change of the temperature and to touch.

I just sort of reached out to her hand, and she just retreated in pain. And then here is a young farmer, aged 26, who was bombed in late '68. And he was bombed by a phosphorus bomb. Phosphorus makes for intense burning of the skin and his whole body is disfigured. You can see his arms and his whole face was blinded by it. He has one of his eyes restored. And I don't believe that I am responsible for that bombing. I mean I'm trying to say that to myself. But when you look and when you talk to Vietnamese and you see what is being done to a whole people (and this is just three of a whole number of people, every family in Vietnam no longer has members of it and I think you just have to understand how deeply loyal and close they are to their own kin and to their own family) you know what this means. I can only tell you when you ask is there genocide in Vietnam, I've seen the villages that have been leveled. I've seen the fantastic bombardment that has taken place there. I haven't seen it in the South as the GI's and others have seen it. But anybody going to Vietnam can tell you that the people are being destroyed and the land is being destroyed and it's summed up in that horrible, absurd, dehumanized, brutalized phrase that in order to save the village we had to destroy it.

GALICIA. I think that each of us comes home with this kind of thing. I offer you a picture that was sent to me by a good friend of mine of a young Vietnamese girl. This was a 2nd Lt. who did my work for me down in the Delta. He's written off the back, "In the eyes of a child one can see what to most of us is a memory of life and love and being free. A child again can I ever be? Signed, Steven?" And he says, "this child's sister was just killed by wounds inflicted by misdirected U.S. Artillery fire. Pray for peace."

GEYMANN. How many times on television at night can you see John Wayne killing dirt yellow ——— on television? It happens every day. I dare somebody in this city, in Detroit to go to a TV network during the day and not find at least one war movie where they're killing yellow ———. That's genocide on just more than the Vietnamese. That's on the whole yellow race. You don't see them killing Germans because they're white. You don't see them killing Italians 'cause they're white. But something from the Orients' yellow, and it's not to be trusted.

CLOKE. I really didn't plan this but it fits in with the comments that I made earlier in terms of the question of genocide and the relationship back into the United States. I just received an announcement that many of you know about Chicano Moratoriums that take place in Los Angeles and have taken place. There was a Chicano Moratorium in Los Angeles today and there is already one person dead and six persons wounded in the hospital. That's a concrete illustration of the fact that it doesn't just take place in Vietnam. The Chicano Moratorium is a group of Chicano persons in the United States, concentrated in Los Angeles, that has had a large number of demonstrations against the war, pulling out as many as thirty and forty thousand people. Each time they have demonstrated they've been met with police violence and police brutality to an extent which the white anti-war movement has not really seen. It has been very clear that police have provoked incidents of violence with the Chicano leadership and have used indiscriminate harrassment and brutality against them.

MODERATOR. A woman from the audience has more or less charged us with sexism because we don't have a woman on the panel. Well, madam, the fact is that there's very few women, and this is a credit to them, that have picked up guns and bombs and killed Vietnamese and that's mainly who has testified today. There's very few women involved in the war in Vietnam. Most of them are nurses. Some of them have returned and are continuing the struggle. If you'll come tomorrow, you'll hear a woman talking on the prisoner of war situation. You'll hear two of them, in fact, a mother of a prisoner and also a woman who was working with the Friends of Vietnam who was taken a prisoner of the NLF, and they will be talking on these points from a woman's point of view.

CLOKE. Nonetheless, I think that the point that was raised is a very legitimate one because we are talking about the psychology of GI's. Part of that psychology relates to the question of how, for example, people who participated in the military in an all-male institution again, in terms of not just Vietnam but in terms of basic training and the work that happens in the United States, the ways in which their family life is affected by that and, the ways in which their attitudes towards women are affected by it. What is true of the attitude toward the Vietnamese as being gooks, is identical to the attitude toward women which exists inside the military. Some attempts to reach them are taking place in the form of attempts to reach GI wives, dependents and women in the military. There may be some people here who would be able to talk more about that. But I think that the point is directly relevant.

Audience question. I was with the 4th Infantry and 9th Infantry in 1967 as a rifleman. Ever since I got back, I've been working in the peace movement, mainly with veterans. I want to direct this question to Mr. Lifton. I skimmed over his book on Hiroshima and I kind of get the picture that you're not sure of what's going to happen with those of us who've returned and have this feeling of wanting to die, that you mention, or wanting to kill. And there's 2½ million veterans and I don't know what percentage involved in the peace movement, I was just wondering if you could comment on that? Secondly, I know that we've been trying to get work within the government to try to get help and make the problems of the Vietnam veteran known. How are you coming along with this?

LIFTON. The first question has to with really the fate of millions of Vietnam veterans. Will they take a direction of violence and chauvinism and really tie themselves to reactionary and chauvinistic political movements in this country and tendencies? I think there's a real danger of that and I think we should be aware of it. We were discussing informally and we don't know how large an issue this is, but it may be a very large one indeed.

There is a tendency of a number of GI's to get out of service earlier by showing a willingness to join the police force. Now it's very possible, we can't prejudge it, but it's very possible that the most chauvinistic of the GI's, those who want to keep on a violent pattern that they learned in Vietnam or they learned before that but had intensified enormously in Vietnam, that they'll simply maintain that. I think there is an important psychological point here. Anybody who comes back from Vietnam, just as anybody who underwent an atomic bomb in Hiroshima, in fact, anybody who undergoes any extreme experience involving massive death, becomes a survivor of that experience and in Vietnam one has the added element of having been, as I suggested before, an executioner as well as a victim in many ways. Now the survivor can fundamentally go one of two directions. He must, no matter what direction he takes, find significance and meaning in his life, because he's struggling too, in some way, reintegrate himself, find integrity in his life in a very personal way and in his overall world view and his general, larger political and ethical position. He can, in the traditional way of veterans, as veterans usually have in this country, take the direction of more chauvinism, more war, defending war and fighting as you saw in those little demonstrations outside today, objecting to anybody who wants to take peaceful direction or direction of fundamental change and transformation. There's a very real danger that a large number of veterans in this country will follow that. What I think is encouraging, on the other hand, is the enormous number of veterans who are struggling against very great odds, but with considerable success, to take the other direction, that is, finding meaning and exposing the very meaninglessness of the Vietnam war. But not only that, but finding what led to the war, giving form to the experience. That's more difficult, but a much more profound and a much more beneficial and noble direction that veterans are taking. And I think that it may be that if all of us work hard enough, we can swing the thing for the great majority of Vietnam veterans to move in that direction. Because there are large and important ties between veterans and youth culture and between veterans and militant political groups of a number of kinds. The thing I would add to that is that it's a complicated personal transition and I think it's all too easy to reverse the kind of paradigm I mentioned before, the cold war ideology; that American possesses all and total virtue and America's alleged enemies, the Communists, reflect total depravity. It's easy to reverse that, to see all too easily, I think, America as possessing total evil, the only evil that's ever been felt in the world.

Clearly that's not true. But it happens that America is perhaps the most destructive force, given our technological and social structure, that the world now faces. If that's so, what we have to do is draw upon whatever positive and humane traditions, and there are some, the fact that we meet here in this way perhaps attests to this, that exist in American life, and strengthen them and deepen them and transform the rest of American life into that positive direction. Not sink in a mire of breast-beating about total evil. I want to say another word about the second question that he raised because that's important, too. I did testify before the Cranston Subcommittee. I do believe that veterans need much better facilities at all the veterans hospitals. That they've been a scandal; everybody knows that. In fact, the administration has apparently blocked whatever efforts Cranston's group has made to increase facilities for veterans. But I confess that my appearing before that committee, as I made very clear to the people when I went there, was not for the purpose of getting better facilities primarily, although that would be fine if that happened, but rather for the sake of publicizing the full breadth of the problem that we've been discussing tonight about brutalization of our whole society as reflected in the veteran's problems. And I guess what I really believe in (it's a small thing but lots can grow from it) are, as some of you in the audience know, informal rap sessions in offices of peace-minded veterans groups. They help vets to really come to terms with themselves and find their bearings along the lines we've been discussing, but also they help again gain information and publicize and spread over various media some of the things that we've been talking about tonight. I think that can grow in various ways that are unpredictable; along with many other movement efforts.

Question from the Audience: (not audible)

Dr. LIFTON. I was asked whether the process of basic training can be compared to a so-called though reform process that I described in an earlier work on Communist China, or so-called brain-washing. Let me make clear that when I described that process in an earlier study, what I tried to do was take a specific series of examples and then apply them universally. The issue there was not even the nature of the political movement so much as the process by which men's minds could be molded and narrowed. The McCarthy movement in America at that time, which was then rampant, was another very vivid example that I spoke of and developed. The problem then became not Chinese thought reform so much, as a general tendency anywhere, in any society, toward totalistic thought, toward an absolute point of view which totally taints with guilt and even non-existence, the threat of non-eixstence, whether through murder or some other form of the equivalent of non-existence by being tossed out of soceity, as in the case of certain Russian writers now who are protesting that that pattern of totalism, or ideological totalism, has to be defined. And I tried to set up certain criteria for it. Getting back to basic training in American military units; I think it falls into most of those categories and a colleague of mine, who I hope will be here tomorrow and the next day, Peter Bourne, who has studied basic training and also studied combat, has actually used examples and quoted work that I and other have done about thought reform or totalism and demonstrated their existence in American military basic training procedures. You must remember that what is characteristic of this kind of process is that a man is made to feel extremely quilty, as if he doesn't exist at all, can't exist, and is threatened with terrible harm unless he

takes a very narrow, and in this case, very brutalized pattern, adopts it as his own, internalizes it, and then expresses it. I think basic training has to be looked at very severely in this light.

MODERATOR. I had a question passed up to me. It says, you speak of racism. Why is there no representative of black GIs on the panel when more blacks, per capita, are sent to Vietnam?—and it's signed "A White Canadian." If the gentleman hadn't run off to supper, he would have seen a very interesting discussion on racism with a black vet, a Chicano, and Indian veteran an Oriental veteran and a white veteran. We have quite a few black veterans who are going to testify. Let me say one thing else on the subject of racism. Blacks have been talking about racism for years; they've been trying to get it across to white people. I think it's important that we White are understanding it now; that we're talking about it, too. And the fact that these veterans who are predominantly white, understand that it's racism that's screwing up the works is very important step in building a new America.

QUESTION FROM THE AUDIENCE. Not much of the panel is along these lines true because if we need a total solution, we have to understand that there's a total problem. When we're talking about genocide I don't think we want to think only about the genocidal acts in South East Asia, but the genocide of 25 million blacks in America. I'm not talking about the repression of the Panthers. I'm not talking about Angela Davis. We expect intellectuals to be repressed and to be killed off. I'm talking about the people in the ghettos. Five years after the Hough fires those houses are still standing, gutted, homes for rats and for other things which are not good or healthy for babies and other living things. I would like the panel to discuss for a moment the effects of having two-thirds of our national budget being spent in Vietnam and what this does to genocide of 25 million Blacks.

MODERATOR. I'd like to open that with just one thought. The war in Vietnam and racism are so closely related that now the National Guard has M–16s in my home state, which is Ohio, and you know Detroit and lots of other places, that are inter-city areas, have been subjected to the concept of free fire zones, which were developed in Vietnam. So I think there's definitely a close tie. Ken would you like to talk on this point?

CLOKE. Sure. I think that one of the things that needs to be said about that problem is the way in which the United States creates, intentionally creates, categories which allow racism to foster and to develop. The primary category is poverty. The ways in which that happens in terms of the international relations of the United States and the ways in which it happens at home are very nearly identical. I think that part of the discussion has to deal with a question of the economics of racism in terms of the way in which poverty is reinforced by a social system which, I think everyone will recognize, can be called capitalism in which there are large numbers of people who own the major instruments of production and distribution in the society and who, by virtue of that ownership, force other people to sell their labor power and work for a wage. That fact ought to be clear to people here in Detroit more than maybe in other places in the country.

But the creation of a whole class of people, a whole category of people who are incapable, rendered incapable, not by virtue of their own activity but by virtue of the activity of the social system in which they operate, of participating in that society as equals, is part of a total historical process and I think that it has to be dealt with in that way. I don't think that its possible to look only at the United States of America in the 1970's and to examine the question of racism and to think that it has to be examined on an historical scale. For example, the ways in which the United States forced Cuba to produce sugar cane. The ways in which the United States forced other countries of the world to produce items which would be economically beneficial to it. And all in the name of what some people have referred to as the multi-national corporate scheme of world development. The fact is that at present the United States is, and American ruling interests are, deeply involved in the extraction of the wealth of the world from different parts of the world. That wealth exists not only in the form of natural commodities, that is, items for sale, but in the form of the human commodity also, labor and labor power. And it's important for us, I think, to see the question of racism in those terms. In addition to that, there develops alongside of that, and with that, a kind of social psychology of racism. A kind of social psychology of oppression which, I'd recommend a book which I'm involved in reading right now, which is a book by E. Memé called *Dominated Man*, which talks about the problems of racism, the problems of colonialism, the problems of sexism in terms not of one country at a given historical period in time, but it attempts to extrapolate from that experience and to generalize in the experience. And the conclusion, I think, that you come to is a conclusion which Sartre reached in his introduction to Franz Fanon's book, "The Wretched of the Earth," where he says, at one point, that the engine of colonialism turns in a circle and that you can hardly distinguish its daily practice from its own objective necessity. In other words, you can hardly distinguish what is done on a daily basis from the necessities of that system in operation. The most important thing I think which we've been trying to develop here is the idea that all of this is part of the system. That is, that there are not just isolated individual sources of oppression that exist within the society as a whole, here is not just on the one hand, the oppression of blacks and on the other hand, the oppression of women, on the other hand, the oppression of Vietnamese. But that all these dovetail; come together and integrate and that part of the process of our political awakening is discovering ways in which these things are integrated. When I spoke earlier about total solution, that was what I meant. That the only way in which you can begin to reach the fundamental problems of oppression first particular groups of people is to see the general oppression that exists throughout the society; to understand some of its general features, its historical evolution; the ways in which it originated and grew.

The difficulty in terms of dealing with questions of racism and sexism and imperialism, I think, are primarily, at this point, problems in how we organize ourselves in such a way that we understand that even though we're against this process in some kind of total sense, the ways in which we exemplify and participate in this process on a day-to-day level. This is particularly coming to the fore right now with the women's organizations that are growing and multiplying around the country. But it's a problem that exists for Vietnam veterans also. It's a problem that exists for everybody in the society. The ways in which the process that you go through, the political process that you go through, tends not to be critical of the society that you operate in. It tends to assume all kinds of things and to take things for granted. The ways in which, for example, in the early phases of the civil rights movement that whites moved into the South and essentially, in many respects, ran the civil rights movement. These kinds of problems I think lead to one general thought in terms of a solution and that is, the integration of united and separate organization. The integration of, on the one hand, the right to complete total self-determination, the right to complete total separation at the same time as demonstrating in some concrete ways the ways in which our interests are all united. The ways in which we have to get together in order to solve the fundamental problems. And it's not just a question of eliminating racism, or sexism or the various forms in which we've been brutalized by this society. It's also a question of complete and total necessity on our part to recognize the ways in which we act and the ways in which we oppress other people in order to be able to reach a point, a level of development, where they can provide a real basis for a voluntary agreement between people; where we can unite women, blacks, white working class intellectuals, mental workers, people from towns, people from counties, people who are in the military, people who are civilians. What I think we have to keep in mind is this dynamic that exists in terms of separateness and unity. The only other thing that I'd like to say about it is that there is no clearcut solution to any of those problems. The part of the process that we're going through right now is the discovery of the fact that even revolution, in places where revolutions have taken place, has not solved those fundamental problems. That what is required is some form of revolution inside the revolution. That process is not something that takes place at one appointed period in time, but it's a process that takes place throughout that period in time. So, therefore, I think that attention should be called to the use of the word "boy" in terms of black people; the use of the term "girls" in relationship to women; these have occurred right here in this panel and have been part of this very presentation. The absence of black people and women on the panel, I think is something that illustrates that basic point. And what we have to be conscious of is the fact that as Vietnam veterans call tell us—Vietnam veterans who came into the war effort believing in all of the ways in which this country is oppressive and manifesting that oppression in their own relationships with other people—we have to realize that we're in the same boat. That we have to begin to deal with those problems also in order to be able to do anything about it.

MODERATOR. We have time for one more question.

Question from the Audience: I'd like to ask Mr. Lifton a question about violence. I'm a Vietnam veteran. Other veterans have come back from other wars expressing a certain intense hatred or dissatisfaction, perhaps not based on quite the same kinds of things that we base ours, Robert Ardrey, Desmond Morris and others, perhaps more respected than they, have written about territorial imperative, basic instincts of man towards violence. I wonder if you'd comment on this as it might pertain or if it does pertain, to Vietnam, and our participation, or anybody's participation there? And beyond that, whether or not youth culture, or youth consciousness is any kind of solution?

LIFTON. It's a big question for the last one. But I'll try to answer in a few sentences. The question, of course, is about violence, and how much of it is kind of instinctual and inevitable producing, Vietnam, and even after Vietnam in other wars. I'll make two simple points: one, that I think that violence always follows upon war, because there is such a thing as a habit of violence, and there are lots of other psychological and other patterns that perpetuate violence after war. But I think that there are degrees of violence, and there's an unusual or unique extent to which the Vietnam veteran feels used, betrayed, victimized, and therefore his violence, his potential for violence, may

be considerably greater. It doesn't mean that that's inevitable, returning to that word. I don't believe in the Ardrey and other—Konrad Lorenz' theories about instinctual violence. I think that those are old 19th century, biological visions, that most thoughtful people in this realm don't accept, even though they've received a great deal of publicity. It doesn't mean that human beings aren't a violent race or violent species. Indeed, we seem to be among the most violent. But I don't think one can simply explain that away by biology. What you must say is that human beings, in a combination of history and upbringing or socializing or civilizing, call it what you will, have an enormous potential for violence, but that there's an enormous variation depending on the way in which it's symbolized, and the symbolizing patterns, the principles of relationships between people, and that's why, yes, male-female issues are very pertinent to all this. Relationships in families, domination and suppression, all these perpetuate, or make the maximum potential for violence emerge. So, I don't think violence is inevitable and instinctual. I think it's always there as a possibility. I think one has to work terribly hard to create new forms, in which youth culture, as you say, is a beginning. Youth culture is at the beginning of an idea; it's not the end of an idea. And it has a magnificent kind of idea about moving beyond violent solutions. But it's just the beginnings of that, and there's an enormous amount of work that must be built from there and from other sources.

CLOKE. I'd like to add just one short comment to that. I think that one of the sources of violence within the society is contradiction, is irreconcilable contradiction among people. That contradiction can be of many different sorts and varieties, but the basic problem of violence, I think, is not resolvable without dealing with the problem of where the violence came from to begin with. And how you can eliminate that violence is the most important aspect of that. For example again I think that we have to go back to the Vietnamese and the reason why that's so important is because that superficially it's quite possible to compare the violence of the Vietnamese and the Americans. But, in fact, the violence of people fighting for their own right to survival is of a whole different category from the violence of people who are attempting to prevent them from surviving in any viable way. I think the same thing is true in the United States again, and that only eventually can you speak about the elimination of violence. And only in terms of the eventual elimination of violence, can you begin to get a grip on it, if you begin to see where that violence comes from in this society as a whole. There's also a kind of logic that works in modern society, which inverts the real cause of the relationship, and makes the effect seem like the cause. For example, I can analogize from law. The law that says "Thou shalt not steal" originates at a certain period in time. There is an attitude among lawyers in the society that that law exists for all periods in time and describes all relationships. But it's just an elementary thought that leads you to conclude that the law "Thou shalt not steal" arises at a particular point in time, and that particular point in time is when on the one hand, there is movable private property, and on the other hand there is a need to steal. That is, scarcity, poverty, and, therefore the law "Thou shalt not steal", in fact, indirectly reflects a social need to steal on the part of the society. And that's true with a number of different laws. A law which says that thou shalt not drink is illustrative of a society that has created inside of it a need to drink. A law that, or a society that promulgates laws against possessing weapons, has created a need to shoot, etc. In all of these areas there's not a simple one-to-one correlation, but someone mentioned the question of inevitability, and while it's true that there is not absolute inevitability, there is relative inevitability. And those are the kinds of things that are relatively inevitable. Perhaps the major source of violence in the society as a whole is that contradiction between people that we've been speaking about, and the only way of eliminating that even at its most basic levels, is to eliminate that source of aggravation of it.

PRISONER OF WAR PANEL

Moderator

Don Duncan, M/Sgt., 5th Special Forces, (196-65)

Panelists

Howard Zinn, Professor of Political Science, Boston University

Stephanie Caldwell, Sister of James Warner, Prisoner of War in North Vietnam

Jon Floyd, 24, 1st Lt., VMA 533, Marine Attack Group, 1st Marine Air Wing, 1st Marine Division (from February 1967 to July 1968)

Jon VanDyke, Attorney. Worked in State Department in 1966 on POW matters. Now Visiting Fellow at the Center for the Study of Democratic Institutions in Santa Barbara, California.

George Smith, E–6, 5th Special Forces (Taken prisoner by the NLF in 1963 and released in November, 1965)

Dr. Marjorie Nelson, medical doctor, worked in Child Day Care Center, Rehabilitation Center for Civilians, Treated prisoners in Vietnam; captured in Hue during the Tet offense in 1968 (from October 1967 to October 1969)

Virginia Warner, mother of James Warner, American Prisoner of War in North Vietnam

Jon Drolshagen, 26, 1st Lt., April 9, 25th Infantry Division(from 1966 to 1967)

Veterans testifying

Don Dzagulones, 23, SP/5, 635th Military Intelligence Detachment, attached to 11th Infantry Brigade, Americal Division (from January 1969 to December 1969)

Steve Noetzel, 31, SP/4, 5th Special Forces Group Augmentation (from May 1963 to May 1964)

DUNCAN. Good morning. This morning the first panel relates to the issue of prisoners of war. Yesterday, we heard some testimony, or quite a bit of testimony, some of it very repetitive, relating to the treatment of prisoners, Vietnamese prisoners, in the hands of Americans. Today we are going to talk about the treatment of Americans in the hands of the Vietnamese. It's an emotional issue, and it's one certainly causing terrible discussion in this country right now. It seems like the whole war issue has centered around the prisoner of war issue. On the panel this morning we have more "alleged" veterans, some of whom "alleged" to have been prisoners of war in an "alleged war." Again I would like to remind you that this is not a mock trial. We are presenting testimony into an investigation relating to the prisoner of war issue, war crimes in general. My name is Don Duncan. I am a veteran. I served in Vietnam in 1964 and 1965. I was a member of the United States Special Forces. At this point I will have the rest of the people at the tables introduce themselves in turn to you.

ZINN. I'm Howard Zinn, I teach Political Science at Boston University. I'm a veteran of the Air Force in another war, but I'm here today because I went to North Vietnam in early 1968 with Father Daniel Berrigan to bring out the first three American pilots who were released as prisoners by the North Vietnamese.

FLOYD. My name is Jon Floyd. I was a pilot with the Marine Corps and I served in Vietnam in 1968. I flew missions over both the North and the South. I was discharged in December of 1969.

VAN DYKE. My name is Jon Van Dyke. I'm an attorney. I worked in the State Department on prisoner of war matters in 1966. I'm now visiting fellow in the Center for the Study of Democratic Institutions, Santa Barbara.

SMITH. I'm George Smith. I was a member of the Special Forces Aide Team in South Vietnam in 1963. My camp was overrun. I was captured by the NLF troops and held prisoner for two years and released in November 1965.

NELSON. I'm Dr. Marjorie Nelson, and I'm not a veteran. I was in Vietnam from October of 1967 until October 1969. I was captured in the Tet offensive of 1968 in Hue.

CALDWELL. I'm Stephanie Caldwell, and my brother is a prisoner in North Vietnam. He's been a prisoner since October of 1967.

AUDIENCE QUESTION. What is your brother's name?

CALDWELL. James Warner.

WARNER. My name is Virginia Warner, and I am the mother of James Warner, who has been a prisoner in Vietnam, North Vietnam, since 1967 in October. I'm here to ask the American people to help get this thing over with.

DROLSHAGEN. I'm Jon Drolshagen. I was a lieutenant. I was a prisoner of war interrogator. I was in Vietnam from '66 to '67.

DZAGULONES. My name is Don Dzagulones. I was an interrogator also. I was with the Americal Division in Southern I Corp. I was inducted into the Army in December 1967. I spent 1969 in Vietnam.

NOETZEL. My name is Steve Noetzel, and I'm from Floral Park, Long Island, New York. I was drafted in 1962, in July. I went to Vietnam June of 1963 and stayed until May of 1964. While in Vietnam, I was attached to the 5th Special Forces Group. I was a member of a psychological warfare civic action team. While in Vietnam I traveled extensively through the Mekong Delta with our spy war efforts, and during this time I witnessed several incidents of mistreatment, maltreatment, of prisoners and that's what I'm here to testify about today. I now work for the Bell System. I'm in management at their headquarters in New York.

MODERATOR. Mr. Noetzel, we'll start the testimony with you. Please explain specifically where you were in the Delta, and elaborate on this mistreatment, some specific instances, please.

NOETZEL. Right. Before I start maybe some of the media people are interested in some kind of proof that I was there, I am who I say I am, was what I say I was, whatever. This is my DD-214 form discharge from the Army. It tells what unit I was in in Vietnam and when I came back. I have a commendation letter from a Brian Mills, who was the spy war director for the CIA in the embassy in Vietnam in '64. Attached to the commendation letter is another commendation letter from Col. Theodore Leonard, who was the commander of US Special Forces at the time.

I have several sets of orders, sending me on different missions in the Mekong Delta. I have an after action report, and official copy of the after action report, from our Civil Affairs Augmentation Team No. 4, U.S. Army Special Forces Provisional, Vietnam Detachment B–5410, November '63 to April '64. I have about 100 pictures from different places in the Mekong Delta, including many recognizable places to any reporters who may have been in the Mekong Delta, including figures like Henry Cabot Lodge, who visited our camp at the time that I was there, and pictures, maybe somewhat incriminating of a forced work detail of Viet Cong prisoners. If that's not enough, I have a copy of a statement that I made to the U.S. Army concerning the things that I had seen. Its been brought out a few times yesterday, I guess, that some people may or may not be willing to make a statement about what they had seen. I'd like to read to you just a paragraph from the affidavit that ac-

companies this statement. "I, Steven S. Noetzel, hereby certify the attached eight pages to be an exact copy of a statement concerning my personal observations of war crimes committed by United States and South Vietnamese military personnel while I was on active duty with the U.S. Army in South Vietnam. I further certify that the original of this document was forwarded to the U.S. Army 12th Military Police Group, Criminal Investigations Detachment E, Military Ocean Terminal, Brooklyn, New York, 11250, care of Investigator William H. Bass, on September 12, 1970, for their subsequent investigation. I further certify that since that date Investigator Bass has acknowledged receipt of the original document and has assured me that an investigation is now in progress. To this affidavit and to each of the eight pages of the attached statement, I have affixed my signature and solemnly swear to the truth of all statements therein." This is the statement that I will be speaking about today, and these are the incidents that are in this statement. Finally I was contacted, I believe on Wednesday of this week, by a reporter from the Detroit Free Press. He called me at my office in New York and asked me if I would give him my Army service number and so on so he could check out my validity at the Pentagon. He had reason to contact Colonel Heath at the Pentagon who said he knew me. I asked the reporter what Heath said about me, and the reporter said that Heath said that "Noetzel is okay." The first incident that I will speak about happened in November or December of 1963. I was stationed in Can Tho in the Mekong Delta and was trying to hitchhike a chopper ride to Saigon. The only flight going to Saigon on that particular day was a five chopper flight.

They were transporting some 16 prisoners, South Vietnamese prisoners, who had been interrogated at several levels before being sent to Saigon. They were transporting these prisoners in two helicopters, double-rotor helicopters, H–121. There were eight prisoners brought onto each helicopter. They were tied, their hands were tied behind their backs, and they were tethered together with rope around their necks, and about a six-foot length of rope to the next prisoner. A string of eight of them like that were put on each helicopter. With them were about an equal number of South Vietnamese or ARVN troops as guards. Also on that flight of five helicopters were three gunships, HUIB single-rotor helicopters. I flew in the first of these helicopters. The point helicopter. We were to fly support for this mission to bring these prisoners to Saigon. Incidentally, during those days, prisoners were brought to Saigon for a six-month rehabilitation program and then they were released after the six months to go back to wherever they wanted to go, that is, South Vietnamese or NLF prisoners. We took off from Can Tho. We heard, or I heard, (I had a headset on), the radio message to Saigon. We got in contact with NACV headquarters in Saigon, told them we were coming with 16 prisoners, and they said they would have a greeting party for us at Tan Son Nhut Airport. We flew in one direct nonstop flight. All the ships stayed toegther the entire flight, about an hour and ten minutes or so. No helicopter left the group at any time. It could never have caught up with us if it did leave, and land anywhere. We landed in Saigon, I got out of the helicopter, and there was a greeting party there to meet us, a colonel from MACU and some other field grade officers. They had a paddy wagon to transport prisoners and so on. When we got off the helicopter, there were exactly three prisoners left on one helicopter, and one prisoner left on the other helicopter. These prisoners were now bound with their hands behind their backs. They were blindfolded, and of course no tether or no rope around their necks attaching to any other prisoners. I instantly realized what had happened and couldn't believe it, although I knew, rationally, what had to have happened. I went over to the American door gunner of one of the transport ships, and I asked him what the ——— happened, and he told me that they had pushed them out over the Mekong Delta. And I said, "Who?" and he said, "The ARVN guards did." And I just shook my head and said, "I can't believe it," and he said, "Go over there and look at the doorway." There are open doorways on these helicopters; they have no closeable door, there's just a door frame.

And I went over to the doorway and stopped when I got about five feet away and didn't want to go any closer because there was flesh from the hands of the prisoners when they were pushed out on the door jambs and on the door frames. And there was blood on the floor where they had been beaten and pushed out of the helicopters. I went back to my own helicopter that I had just gotten out of and there I overheard the conversation between the American pilots and the MACV colonel who had come to meet the prisoners, and he asked them what the ——— happened to the other prisoners and one of the American pilots simply said to him, "They tried to escape over the Mekong Delta." That was the first, or only, incident of helicopter murder that I had seen in Vietnam.

MODERATOR. Steve, could you now relate to treatment of prisoners at a specific A Team Camp or in the Delta?

NOETZEL. Right. This occurred at one particular camp, this was an A Team at a place called Tan Phu which is in the Caman Peninsula, deep in the Mekong Delta, the southernmost A Team. It was in a completely isolated area. It was completely VC controlled (around the A Team camp). In January or February of 1964, I'm not sure exactly which month, I witnessed an almost public, or not almost, a public display of electrical torture of Vietnamese prisoners.

MODERATOR. Excuse me, Steve, when you say public, who was present or who was witness to this specific one?

NOETZEL. Well, the way the camp was situated, it had about four or five foot walls around the compound, maybe even a little higher than that. There were at least 100 or 150 ARVN strike forces watching from inside the compound, all of the American A Team that was there watching, and also there was a little bridge at a canal right next to the camp, a little camelback bridge, and if you stood at the middle of the bridge, on the highest part of it, you could see down into the camp. And the torture was done outside at a place in the camp where anyone standing on the bridge could watch it. It was done for a psychological effect, I suppose, to show off a new invention, or a new kind of lie detector that they had conjured up. A captain there, the commander of the A Team, had conjured up a system of electrical torture, whereby they took a Sony tape recorder, a plain tape recorder with the w-meters on it, and hooked that up with some field telephone batteries (hooked up in series) and a toggle switch, that was held under the table by a Special Forces Sergeant.

Then the captain asked questions of a prisoner, who was stripped naked, and electrodes from these field telephones were attached to the back of his neck to his armpits, to his genitals, and his feet. He was told that this apparatus was a lie detector, that he would be interrogated, and that every time he didn't tell the truth, the machine would give him a shock. He didn't know the difference between a lie detector, or had never seen a tape recorder, I guess. In truth, the captain, simply asked questions and the interpreter asked them in Vietnamese, when the captain didn't like the answer, he gave some kind of signal to the sergeant who gave him an electrical charge and the fellow would jump and scream. Everyone was very impressed with this new lie detector except, I guess, the fellow who was being questioned and couldn't understand why the lie detector was working so badly. He may or may not have been telling the truth. At any rate, they got information. Whether it was valid or not, I don't know.

MODERATOR. In your testimony on your sheet here, you mention something about snakes?

NOETZEL. Right. At the B Team in Can Tho, this was the headquarters for the Four Corps, they had an eight foot python snake which was kept at the camp in a cage, supposedly for rat control. When we had prisoners or detainees who were brought to the B Team, they were immediately questioned, and if they balked at all or sounded like they weren't going to be cooperative, they were simply placed in a room overnight. This was like a detention room; the door was locked, and this snake was thrown in there with them. Now the python is a constictor, similar to a boa. It's not poisonous. It will snap at you, but it's not poisonous, and it probably can't kill a full-grown American or a large male, but it sure terrified the Vietnamese. Two of them usually in a room overnight with the python snake, struggling with it most the night, I guess, and we could hear them screaming. In fact, on one instance, they had to go in there and gag the prisoners, so they wouldn't keep everyone awake all night. In the morning they were usually more cooperative.

MODERATOR. Steve, traveling around through the Delta as you did, just in two words or less, how would you summarize the general treatment of prisoners throughout the A Team camps in the Delta during that period of time?

NOETZEL. I didn't see any humane treatment of prisoners, but I didn't see that many prisoners. However, every time I did see them, they were being mistreated in one way or another. If it wasn't electrical torture, it was the snake torture. If it wasn't the snake torture, it was barbed wire cages, which are also used in Tan Phu. This was a coffin-like cage made of barbed wire, about the shape of a coffin—barbed wire strung around stakes. A prisoner was stripped naked and put into this cage for about a 24-hour period. In the daytime he would bake in the sun, and in the night the mosquitoes would eat him all night I guess. If the mosquitoes weren't particularly attracted to the Orientals, which they're not, they were sprayed with some kind of a mosquito attracting liquid, and they'd be full of bites in the morning. Finally, if it wasn't that, at the B Team at Can Tho, there was another form of torture, a water torture. Prisoners were taken, usually two in a small canoe, out behind the compound in a small rice paddy. They were bound, their hands behind their back. They were blindfolded and were put on this little canoe. An American Special Forces sergeant was there, another Vietnamese soldier was there, and they poled the boat around in circles in this rice paddy. Except that it wasn't a rice paddy anymore, it had been a rice paddy. Now it was used as a latrine really. That's where the drainage from the B Team latrines went, into this rice paddy. It was filled with urine and feces, and it stank to high heaven. The prisoners were rowed around in that water and were asked questions. And when they balked, the fellow who was poling the boat simply took the pole and knocked them out of the boat into this water where they sputtered around for a few minutes. It was about four feet deep or so. They were blindfolded with hands tied behind their back. Finally they surfaced somehow, after drinking half of it, I guess, and were dragged back into the canoe. That was about the only kind of treatment of prisoners I saw.

MODERATOR. George Smith, where were you stationed in the Delta, with your A Team?

SMITH. We were at a camp called Hiep Hoa; it was about 30 miles out of Saigon in the Delta Area.

MODERATOR. During what period was this?

SMITH. This was from July 1963 until November 1963 when I was captured.

MODERATOR. So we're talking generally about the time relating to the time that Steve was talking about. This was the same period of time.

SMITH. Right. We were under the jurisdiction of the B Detachment that he was attached to.

MODERATOR. The same B Detachment we just talked about. Did any of this type of treatment of prisoners occur at your camp?

SMITH. Our treatment wasn't as sophisticated as what he had described. We just beat them and put them in barbed wire cages that were about three or four feet high.

MODERATOR. You were captured the 23rd of November 1963?

SMITH. That's correct.

MODERATOR. The same day that President Kennedy was assassinated, right?

SMITH. Right.

MODERATOR. Would you just briefly describe the circumstances of how you got captured?

SMITH. We were in one of those isolated special forces camps but we had a strike force of South Vietnamese that were on our payroll and about midnight on November 23rd, I was awakened by an explosion and mortar shells were falling on our house. The camp was very quickly overrun by a large NLF force, and I was captured along with three other Americans.

MODERATOR. You were taken captive. What specifically, you know, did they do. What were your feelings? How did they treat you at that specific moment?

SMITH. During the excitement of battle of course they were a little rougher than they were later on, but they didn't mistreat us terribly bad at the time, and I was sure that we were going to be shot, because all the stories that I had heard at Fort Bragg and after coming into Vietnam was that they didn't take prisoners, and if they did, that they tortured and eventually killed them, if not immediately.

MODERATOR. Were you with the other three prisoners at this time?

SMITH. I was by myself when I was captured, but I was later taken behind the latrine in the camp where I met Sgt. Camacho, who was one of the mortar operators and a string was attached to us sort of like a leash and I thought that we had been taken behind the latrine, of course, to be shot. They set us down in a cross position but nothing happened to us at this time.

MODERATOR. Quite apparently, you weren't shot, what did happen?

SMITH. After they had rounded up all the equipment, the ammunition, weapons in the camp, they took us out over the barbed wire apron surrounding the camp through Madame Nhu's sugar cane field that we were guarding, to a small village on the Oriental River.

MODERATOR. What were your feelings as you were being led away from this camp at that time?

SMITH. I thought they were taking us to another place to execute us. And I was worrying about that along with the air strike that we were under by that time. The South Vietnamese Air Force was attacking the cane field and burned down a lot of sugar cane. I thought they might accidentally drop something on us. But other than that there was no immediate fear, 'cause the guards seemed to have relaxed once we left the camp.

MODERATOR. What did happen in the village?

SMITH. When we arrived in the village, everybody sat down, lit up a cigarette, offered us one, gave us some bananas to eat, patted us and reassured us that everything was going to be all right. That they had no intentions toward us.

MODERATOR. And the next step?

SMITH. After they took their, sort of their break after the battle, we crossed the river and went farther into the Delta area. We travelled for about three or four days until we finally reached a place where we met up with Rohrback and McClure, who were also at our camp and had been captured. This was the first we had seen of them. After we met these two people, the four of us were taken in those little boats that they have through the canal system down into what is probably the Plain of Reeds, the swamp region, and we stayed on a little island there. They constructed a small shack just big enough for the four of us; they slept out in hammocks in the water. And they allowed McClure's foot wound to heal so he would be able to travel at a later time.

MODERATOR. What kind of medical attention did they provide for McClure?

SMITH. They provided immediate attention for him when he was captured. He told me that they dressed his wounds the best they could. He had a fragmentation wound of the foot which was extremely painful for him it turned out. It was difficult for him to walk. They treated it the best they could.

MODERATOR. How about in the swamp?

SMITH. In the swamp then they had time to do things and they got a medic from someplace and he was quite a good medic; he was well-trained; he had penicillin; he had the instruments to probe the foot and find if there were any foreign objects in it. Soon McClure's foot did heal quickly enough that we were able to move out in about ten days, I think.

MODERATOR. So, apparently what you're saying is, is that this stopover at the island was specifically for the purpose of taking care of McClure's foot for future movement.

SMITH. Right, I think it was sort of to allow us time to recover from the initial shock of being captured and for McClure's foot to heal so we could be transported.

MODERATOR. Were you ever bothered by American aircraft at this time?

SMITH. In that area there were some overflights, but no harassing fire in the swamp. But the day that we met Rohrback and McClure, that same day we were under extremely heavy attack by B–26's, helicopters, and everything that the Air Force had in '63. They strafed us, bombed us, and we happened to be in a village. They evacuated us from the village into a swamp area where we were luckily not bombed by B–26's.

MODERATOR. By this point you seemed to have the feeling you were not going to be tortured or executed but you had made reference to that. Why, specifically, did you think you were going to be tortured or executed?

SMITH. Well, that was what I would call common knowledge among the Special Forces people that if any of us were captured in South Vietnam, that we'd had it. They certainly hated us very much, and they would surely do everything to us, at least as much to us as we did to them, and that was kind of frightening from the stories that I heard in Vietnam.

MODERATOR. Did you ever think about the way you'd been treating prisoners before you were taken prisoner yourself? How your camp was treating prisoners?

SMITH. Oh certainly, I was sure that I would be subjected to at least that bad a treatment, the beatings and living in barbed-wire cages, and probably much worse than that because they were reputed to have chopped heads off and tortured prisoners by any means that you could imagine.

MODERATOR. So now you left the swamp, and where did you go then?

SMITH. We went on a long march that led generally north or northwest, I would guess because we passed by the Tay Ninh mountain and went into the heavy jungle area. It was a long walk and very difficult for us because we didn't have shoes, three of us. It wasn't because they had taken our shoes, they did try to give us some shoes, but unfortunately the Vietnamese have small feet compared with Americans, and they just don't fit.

MODERATOR. You say it was difficult, was it because the Vietnamese were making you do something that they weren't doing or what?

SMITH. No, as a matter of fact we carried only the things that were necessary for existence, our hammocks and a change of clothes.

MODERATOR. And they carried the rest?

SMITH. And they carried all the food, and the weapons—and those big weapons they were carrying were some of the ones that we wouldn't carry because they were too heavy, like the BAR rifle that weighs 20 pounds fully loaded. They were carrying those plus sacks of rice around their neck which can weigh 10 to 15 pounds, all of their equipment, and some of our stuff that we weren't able to carry.

MODERATOR. Were you bound and gagged?

SMITH. Never at any time was I gagged; I did, as I mentioned earlier, have a rope around my wrist, that they sort of held on to me so that if I would decide to run away that they could pull me back a little bit.

MODERATOR. Not around your neck though?

SMITH. No, not around my neck.

MODERATOR. And you arrived at something like a permanent or semi-permanent installation?

SMITH. Yes, as permanent as they could build anything in the jungle there, because nothing was very permanent; if it wasn't eaten by termites they went away and left if after a month.

MODERATOR. Were you ever interrogated in this swamp?

SMITH. They asked us what our names were, that was the only thing they asked us.

MODERATOR. No attempt at interrogation?

SMITH. Absolutely none, it was very surprising.

MODERATOR. Were you ever interrogated?

SMITH. Finally, I was interrogated after about three months.

MODERATOR. After you were a prisoner for three months, they finally got around . . .

SMITH. Right, about three months.

MODERATOR. What type of military information were they looking for?

SMITH. Well, he told us that he certainly wasn't interested in any military information that we had, because it would be outdated anyway, and he reminded me that their intelligence was far superior to any information that we might have.

MODERATOR. Well, what form then did this interrogation take? It sounds like they weren't after information, so what, what were they after, or what form did it take?

SMITH. He wanted to present the views of the National Liberation Front, concerning the war in South Vietnam. In other words, tell their side of the story. And he asked me if I would think about it, and try to rationalize whether we were right or they were right, and to come back later and talk with him about it, and try to have a discussion about South Vietnam.

MODERATOR. Would you think of this as brainwashing?

SMITH. I would think not, unless you would say that what they did at Fort Bragg was brainwashing.

MODERATOR. If you could, elaborate a little bit. In what sense?

SMITH. Well, before we went to Vietnam, they tried to impress upon our minds that the South Vietnamese were something less than human, and that it was quite all right to go over there and kill them because this was the only war that we had anyway. Yeah, its a report from a Lieutenant in a

secret class, they call an area study, and he said that I'm sorry, you know, that it's not much of a war, but it's the only one we have, so we'll have to make the best of it.

MODERATOR. Could you compare this interrogation session then, let's say, to a command information class?

SMITH. Yeah, you could compare it with the Saturday morning Information and Education classes where they told us about different things that were happening in Vietnam and the way their life was compared with what we were let to believe it was.

MODERATOR. What were the physical circumstances of this class or interrogation session?

SMITH. Well, we sat at tables, approximately like this, except that it was hand made in the jungle, and they served tea and sugar cubes if they had it. They really didn't have chocolate candy for us, but . . .

MODERATOR. How long would a session last?

SMITH. Usually an hour or so, and they gave us cigarettes while we were in interrogation, and gave us a pack to take back to our hammock with us—or the bed as the case may be.

MODERATOR. At any time—you were a prisoner for two years—at any time were you ever physically abused?

SMITH. Never physically abused. I was really surprised to find that out because contrary to everything we'd heard, they never once laid a hand on me; except when I was captured they pushed me around a little bit, which I would expect to do myself if I captured somebody.

MODERATOR. But still and all, you were a prisoner of war. There must have been difficult times. What was the attitude of the guards towards you and the other three prisoners?

SMITH. Their attitudes varied from time to time. They could be very friendly, and at times they would appear very hostile towards us. We learned during our stay with them that these were reflections of political activities in Saigon, that when the NLF soldier was executed in Saigon it usually influenced their attitude to a certain extent. But it seemed that there was enough control from their commanders that they never took any hostilities out on a prisoner. They may have disliked us intensely because of what was happening, but they still were under the control of the commanders. We were told at one time that our men would like to kill you, but we have discipline and we don't allow them to do so. And I can understand that because of the things that we were doing to them in sixty-three.

MODERATOR. Are you aware that when these NLF soldiers were being executed in Saigon that the American government was being warned against that?

SMITH. Absolutely, they let us listen to Radio Hanoi; they brought the radio around every evening. Of course they didn't force us to listen to it, they turned it on, and if we wanted to talk that was all right. But Radio Hanoi was warning the United States and the Saigon regime that executions had been taking place (we had heard about them) and they were warning the United States if any more executions took place (I think there were threee prisonrs being threatened at the time), they would definitely retaliate. They said the United States must bear the responsibility for these executions, and so this sort of put us in a crimp, because, you know, who are they going to execute besides American prisoners of war if they want to retaliate against the United States? It worried us a great deal.

MODERATOR. This did in fact lead to such an act. Would you go into that in a little detail?

SMITH. After they had warned for probably a week that the executions would take place, I heard that the executions did in fact take place. At about that time one of the members that was captured with me, a Sergeant Rohrbach, was taken from our camp area. And it was later found out that they had reported that they had executed him; the strange thing is that they never told us that they had executed Rhorbach; they never used it for coercion. As far as we knew, he had disappeared from the earth and his name was never mentioned again.

MODERATOR. For the record, there was another man executed at that same time?

SMITH. Yes, I understand it was a Captain———.

MODERATOR. Right. But that was after repeated warnings about the execution of NLF soldiers.

SMITH. Yes, well this was like a final warning. They had warned some months before when they executed somebody in Saigon that had tried to blow up McNamara, but wasn't successful. But they executed him for the attempt. They had warned at that time that they were going to retaliate, but as far as I know, they didn't retaliate at that time.

MODERATOR. How did it make you feel? I mean you were there as a prisoner and the warnings are going out and these executions are still going on?

SMITH. It's kind of a panicky situation, really, you know, that there's nothing you can do about, you know that the United States is so stubborn and bullheaded that they won't listen to someone like the NLF because they don't recognize that they exist. So how could they listen to them protesting? So really we were in a bad position, almost hopeless, because we knew that the United States wouldn't listen to them, and they were saying that they would retaliate, which I didn't appreciate, but gee, they were certainly within their rights. If their soldiers were being executed, there was no reason why they shouldn't retailiate.

MODERATOR. George, I know you can't testify to POWs in the North, but we have heard a lot about POWs in the North, much of which relates to the subject of food. You were a prisoner for two years under some rather strange circumstances in the jungle. How would you describe the food that you had in terms of whether it was sufficient, adequate, whatever?

SMITH. I usually had more food than I could eat; I usually ate better than they did. They brought in things like sardines for us, which they didn't eat themselves. They brought in cases and eases of sardines. And it sort of worked in a cycle, like I would be able to eat the food for a certain period of time and then I would build up an intolerance toward it and I would become ill, and wouldn't be able to eat the food for a while. But strangely this only affected Comacho, McClure, and myself; Rohrbach thrived on the food. He ate mountains of rice, and everything else he could get. If one of us was sick, he of course ate what we didn't want. The man was really well-fed and he got fat.

MODERATOR. In other words, there was nothing wrong with the food. There was something wrong with your head, is that what you're—?

SMITH. I would suspect that this was the problem. It was a matter of being under the circumstanecs of being bombed daily, and having rice to eat for breakfast with the sardines, and the whole thing of looking into the future.

MODERATOR. Did you ever eat rice before you went into the service?

SMITH. Oh, of course I ate rice, but not that much, but I was rather fond of rice, and I do still eat rice.

MODERATOR. When you were released, finally, in November of '65, it was, right?

SMITH. Yes, November '65, almost two years to the day.

MODERATOR. What was your weight in relationship to your weight at the time of capture?

SMITH. I probably weighed about the same as I did when I was captured.

MODERATOR. You mentioned sardines, that they were giving you sardines as sort of a special little diet supplement or something. How about other special things?

SMITH. Well, as I said they gave us sardines and they brought in canned milk for us. It wasn't limited to that. On Christmas, our first Christmas, they brought in a woman who spoke English and asked us what we would like to order for Christmas dinner. We told her, well, a chicken would probably be good, with some bread, and of course this was an asinine request as far as we were concerned. But sure enough, they brought a chicken and bread, along with a paper star with a candle in it, so I had it hung in the cell for us.

MODERATOR. And when you say cell, uh . . .

SMITH. It was like a little house, it was made of poles that they had cut nearby, in the forest there.

MODERATOR. It's not a permanent installation, though, it's something that—

SMITH. It's something they just constructed, with pegs, and bamboo string.

MODERATOR. When you say "bread", they had bread in the camp?

SMITH. No, they told us that they did not eat bread, and they didn't even buy bread, but since we requested it, they sent men to wherever the nearest bread factory was, and got us some bread. It was at least two days away, I"m sure of that, because there were certainly no towns large enough to have a bakery, and when the bread came, it was long loaves of French bread, so it definitely wasn't made in some jungle.

MODERATOR. And how about smoking material, and things like that?

SMITH. Tobacco they usually gave me more than I could stand, because it was an extremely strong variety that they smoked themselves. If they had the tailor-made cigarettes, they gave us what they had. They'd give us a pack if they had a pack. If they had a couple, they'd divide them with us. They gave us cigarettes, and as I went to talk about this Christmas thing, this prompted us to capitalize on the fact that they recognized our holidays. So we told them how important birthdays were, and about Easter and the Fourth of July, and Labor Day, and Thanksgiving. We were trying to just be kind of silly about the whole thing, but it turned out that the people recognized the fact that, you know, we felt this way about our holidays, because they would bring us a bottle of beer and a chicken dinner, usually something special. If they could get bread, which they couldn't always do, they brought us a loaf or so of bread apiece. At Christmas I think we had twelve loaves. That was a lot of bread for them.

MODERATOR. How did your rations of food, tobacco, whatever, how did that compare with your guards'? In terms of quantity and so on?

SMITH. Oh, the quantity of tobacco, we always had the biggest share of tobacco. They brought us so much one time we didn't know what to do with it. We had to store it all over the house trying to keep it from being soaked up with water from the rainy season. But the guards would run out of tobacco very soon after we got our supply because they seemed to get just a handful. They would occasionally bum a cigarette from us. They'd come up and ask if they could have it; they never took the liberty to take our tobacco away from us. They always asked us for it, and we would usually give it to them, if we had some. But they would stand around without a cigarette, watching us puff away all day long while we lay around on our beds and they were out working and digging holes or what have you.

MODERATOR. Did you ever receive mail? As a prisoner?

SMITH. Yes, I think I received about four letters, three or four letters, anyway, while I was a prisoner, from my mother.

MODERATOR. Back in the jungle.

SMITH. Right.

MODERATOR. Were you allowed to write?

SMITH. They allowed me to write as often as I wanted to. I didn't write often because I didn't believe that the letters would be delivered if I wrote, and possibly they might use it against me at some time or another. I wrote two letters, I believe, two solid letters. But they asked me and said, "You may write every week. We'll furnish you with the paper and material which is necessary to write." But I normally declined. McClure wrote a number of letters himself. How many were delivered, I don't know. The ones I did write were finally delivered to my mother.

MODERATOR. How would you describe the attitude of the prisoners towards your captors?

SMITH. Well, I can speak for myself. I was extremely hostile and very arrogant with them. This ethnocentrism thing was strong enough that even though I was a prisoner I still looked down upon them. And how they were able to tolerate my attitude for a year or so until I finally decided that these were people, and I could look upon them as such, I don't know. But I was really a bad prisoner, and they told me at one time that I was the worst prisoner they had.

MODERATOR. But despite that, you were never physically abused.

SMITH. Never physically abused; and finally released, which was the most unusual thing.

MODERATOR. Did you ever make any statements while you were a prisoner?

SMITH. Yes, I made statements. Like I was telling you, these classes that we had where they presented their views and we would go back and discuss them at some length. I stated that I believed that they were basically right about Vietnam—that I didn't have any business there, that the war in Vietnam was wrong, that we were violating the Geneva agreement, that I certainly didn't want any part of it, and that all the troops should be withdrawn. This was basically what I said. We, of course, elaborated on different points of it. But these are statements I made, and I wrote a letter to that effect in one of the letters to my mother, describing the situation there and how I now felt about it, according to what I had observed from that frame of reference.

MODERATOR. You've been out of the service now five years, about. How do you feel about those statements now?

SMITH. Well, when I first came back, I was not positive that I was taking the right position, so I did considerable research on my own to find out just where I was. The more research I did the more entrenched I became in my beliefs. And now I feel very strongly that what I said then was right. In fact, I say even more then than I do—even more now than I did then, and I'm not under the duress of being a prisoner of war.

MODERATOR. How old were you when you joined the Army?

SMITH. I was seventeen.

MODERATOR. And what are you doing now?

SMITH. I work for the post office in New Cumberland, West Virginia.

MODERATOR. You going to school?

SMITH. I go to the Kent State University branch in Ohio.

MODERATOR. Rather appropriate. Did any of the other prisoners make statements while they were there?

SMITH. All of the prisoners as far as I know made statements very similar to mine and McClure made more statements than I did, I believe, because he wrote more letters to his wife than I did. But everybody that was there were making the same statements because we got together and talked about it after the interrogation. We all generally agreed that it was a bad situation, we really didn't belong there, and that we would just be glad if the war ended and we all went home.

MODERATOR. And, Sergeant Comacho made these statements also?

SMITH. Oh, absolutely, he and I lived together. In fact, he was the senior N.C.O. among the prisoners and when they were asking us to make a statement one time concerning our views (a written statement so they would have something to retain in what would be considered our records I suppose) Comacho said he thought that was a good idea. That we should go ahead and write a statement if we felt that we wanted to do so. They didn't tell us that we had to write anything, but they said that if you would like to write something they would be glad to have it.

MODERATOR. It's a matter of public record that in 1965 Sergeant Comacho, Isaac Comacho, escaped from the same camp that George was at, thereby becoming the first prisoner of war to successfully escape since the Second World War. At the time that he did escape, as it appeared in *Life* magazine, Comacho made the statement that what made it possible for him to escape was the fact that George Smith was the one that covered for him, so he could. In other words, one man could go and one man had to stay and cover for the other to give the other one a head start. What was the net result for Comacho after he got back?

SMITH. Well, from what I heard after I got back (the Army refused to tell me where Comacho was even), after I got back——

MODERATOR. I mean, what recognition was given to Comacho?

SMITH. This is what I was getting to. I found out after I got back that Comacho had been returned to the United States, to his home in El Paso, and that President Johnson made a special trip to El Paso to personally decorate Comacho with a Silver Star for escaping.

MODERATOR. In November 1965, you were finally released. Did they ever tell you why you were being released?

SMITH. Yeah, the NLF told me that I was being released in direct response to the peace movement in the United States, and more specifically to replace Norman Morrison and a woman who had immolated themselves, Norman Morrison in front of the Pentagon at that time, I believe. They stated that they realized that the American people were basically peace-loving people and did not condone the actions that the United States Government was taking in South Vietnam, so they were returning two of their sons to them for the replacement of the two who had given ther lives for the cause of peace in Vietnam.

MODERATOR. Where were you actually first released?

SMITH. I was turned over to the Australians in Pnom Penh, Cambodia.

MODERATOR. And when did they tell you this about the peace movement and so on?

SMITH. Well, they had mentioned the peace movement back at the camp before I was actually taken to Pnom Penh. And at Pnom Penh of course they set up a press conference for us. International reporters were there. And someone asked me a question of what I intended to do when I got back to the United States. I told him that I was going to tell the true story of Vietnam as I could see it, from my experiences. That the United States had no business in Vietnam, that it wasn't in the best interest of the American people, and that therefore we should all get out immediately. And someone asked me, "How do you intend to tell this story?" I said, "I'll probably get in touch with the peace movement when I get back because I understand they're saying similar things."

MODERATOR. Had you ever heard of the peace movement before you were captured?

SMITH. On Radio Hanoi. I had heard of demonstrations.

MODERATOR. But not before you were captured?

SMITH. I didn't know anything about such a thing existing.

MODERATOR. You had no way of knowing what the attitude of Special Forces toward the peace movement would be?

SMITH. Right, I didn't know what the peace movement did, even.

MODERATOR. So, did you look up the peace movement?

SMITH. No, I never did.

MODERATOR. Now, if I can get this straight, Sergeant Comacho, who made the same statements, and who escaped with your assistance, was given the Silver Star?

SMITH. Right, exactly.

MODERATOR. And you are now under court-martial charges which hold the ultimate penalty of death.

SMITH. Seems rather curious.

MODERATOR. Yes. Would you comment on that?

SMITH. Well, I suspect the fact that I opened my mouth and said I was going to look up the peace movement when I got home didn't set very well with Special Forces and the Army. And to be able to stop me from doing this, they brought the charges against me, which allowed them to hold me on Okinawa indefinitely, until maybe the peace movement forgot about me or I forgot about the peace movement.

MODERATOR. Before you were released, you had to sign a piece of paper relating to classified information, and they specified certain information you were not to discuss.

SMITH. Right.

MODERATOR. Would you give us a couple of examples, a couple of things you weren't supposed to discuss?

SMITH. Well, one of the strangest things (this was a secret you know, I'm under violation of the National Security Act if I discuss this thing, so I expect to to be arrested as soon as I finish saying this) but I wasn't allowed to tell anybody that I received a Red Cross parcel while I was a prisoner of war.

MODERATOR. You did receive a Red Cross parcel back in the jungle?

SMITH. Oh, yes, yes we received—Comacho, McClure and myself each received a large Red Cross parcel, probably weighed fifteen pounds apiece.

MODERATOR. They had to be tracked on somebody's back into the jungle?

SMITH. Right. They had to carry it maybe fifty miles at least because they certainly didn't have any roads in the jungle.

MODERATOR. Thank you, George. We're now going to hear from our second prisoner of war, Dr. Marjorie Nelson, and I wonder if she could just begin by saying in her own words how she was captured and what the experience was like in the hands of the Viet Cong.

NELSON. Well—can you hear me?—I had gone to Quang Ngai in October of '67 and I had been there for four months when the Tet holiday was coming up. I went to Hue for Tet to visit friends, and, of course, you know, Hue was overrun and held for some time by NLF and NVA forces. I was staying with a friend, Sandra Johnson, who was working for International Voluntary Service teaching English in Dong Thaien High School, which is a girls' high school in Hue, and she and I spent the first four days of the attack in an improvised bomb shelter in her dining room while the fighting went on outside. On the fourth afternoon, NLF soldiers came to the house and pounded on the front door. We were too frightened to respond, so they went around to the kitchen door and broke in through the kitchen. We could hear them kind of rummaging around the kitchen, and then they came to the door between the dining room and the kitchen, which was bolted from our side by two bolts,

and they began to shoot the bolts off the door. I said to Sandy, "I'm going to talk to them." And so I asked them in Vietnamese, "What do you want?" and they said, "Open the door," so we did. There were five of them. They came in, asked just a few questions—asked us if we had any weapons in the house, to which we replied, "NO," and then they searched the house. We talked a bit more; they attempted to reassure us that we should not be afraid and that they did not intend to take anything. Then the fighting sort of began again and we moved out of the living room and just about that time I heard something coming. I don't know what it was, but I jumped back into the bomb shelter and whatever it was hit the living room where we'd just been, and demolished the living room.

So they went back outside and left us alone for two more days. Then, on the sixth afternoon, they came back and told us that we should go with them.

We were in Hue about three more days before we were officially registered as prisoners of war. We had to fill out forms in triplicate, giving our passport number, our name, who we worked for, etc. And then, finally, someone who spoke English—for the first time we met someone who spoke English—he told us that because of the continued heavy fighting in the city they couldn't keep us safely; that we were going to be taken to the mountains to study, and that when there was peace, we'd be returned to our families. So we expected to be there for the duration of the war.

That night we left with about fifteen or twenty Vietnamese prisoners. We walked into the mountains and were held then in the mountains for a little over six weeks before we were released.

MODERATOR. Just to emphasize one point, when you were captured, Hue was still very much a battlefield, was it not?

NELSON. Absolutely.

MODERATOR. And so, they seem to have taken a great deal of care with you. All this was done while a huge battle was raging throughout the city. Now, once you were in the mountain camp there, and even before, could you say whether there was any physical molestation of you, any abuses taken of you as a woman or as a person?

NELSON. No. This is a question that I know comes up in the minds of, well, certainly of any GI who's been in Vietnam, and many other people. Certainly this thing could have occurred and I think on a couple of occasions, we were simply lucky that it didn't. However, once we were in the camp, it was quite clear that the cadre also were concerned about this, and they made sure that our privacy was respected. In the first camp we were living with a Vietnamese family, and were living family style—I mean we didn't have a separate room. And then in the second camp, we had our own house.

MODERATOR. How many other prisoners were there with you at the second camp?

NELSON. At the second camp Sandy and I, that is, my girlfriend and I, were the only ones there during the whole time. When we were separated from the main group of American prisoners, two fellows came with us. They stayed a couple of days and then went on.

MODERATOR. And in the first camp, you were with how many other people?

NELSON. We were with about fifteen or twenty Vietnamese prisoners, and when we got there we found about twenty-five American men already there, all of whom had been captured in Hue.

MODERATOR. Do you have any knowledge that any of these other American or Vietnamese prisoners were mistreated by the Viet Cong?

NELSON. I can't speak about the Vietnamese prisoners. I didn't see any Vietnamese prisoners mistreated. I talked with all the American men. None of them had been maltreated or mistreated, except that at the time of capture, I mean when they were captured, several of them had their shoes or watches or rings taken away from them. One man said that he had been, and I think I quote exactly, "They made me walk over barbed wire on the way out." He did not indicate whether he thought that was a deliberate act or simply an order to go that way and he went.

MODERATOR. This of course was during the heat of battle.

NELSON. This was during a battle, when he was captured. I think two or three others had received wounds before they were captured, you know, fragments and that sort of thing.

MODERATOR. And was there medical attention given to the wounded people?

NELSON. They received medical attention and a nurse came two or three times a week to dress their wounds, which was adequate except for two of them: that was the man I mentioned, whose feet were in bad shape, and another man who'd taken a big piece of something in his side; they needed more medical attention. I spoke to the camp commanders in the best Vietnamese that I could about this. I said that I felt they needed more medical care and they should be sent to a hospital, if possible. He seemed very uncomfortable with this. He said, "I'm sorry. We'll do the best we can. The situation is temporarily very difficult for us, but please don't worry. I'll do the best that I can for these men."

MODERATOR. What about yourself, did you get adequate medical attention?

NELSON. Yes, I did. I didn't need any medical attention at that camp except for blisters, which I could take care of myself. But about two weeks later, at the second camp, I came down with amoebic dysentery, and the cadre, I call him, that is the man who spoke English and who was in charge of prisoners, immediately had a nurse come and see me. She gave me a standard antidiarrhea treatment, which didn't help very much. And so, after about a day and a half, when it was apparent to them that I was really quite ill, I heard them talking about trying to get me a doctor. So I waited all that day and all the next day and finally, just before supper time on the second day, a doctor did arrive, a young man who'd been educated in Hanoi at medical school, very well-trained. He examined me and prescribed appropriate therapy. Any of you who know medicine, he gave me chloromycetin, and I was really surprised, because I expected at best that I'd get tetracycline, but he did have chloromycetin. He also gave me fluids, intravenous fluids, by dermoclysis, and in four days my symptoms were gone.

MODERATOR. After you were released from prison by the Viet Cong, did you stay in Vietnam?

NELSON. No, I returned to the United States for about four months, and then I went back.

MODERATOR. And what was your job when you returned to Vietnam?

NELSON. I returned to the project in Quang Ngai that I was working with before, which was basically three things. It was a child day-care center for refugee children, and a rehabilitation center for civilians (primarily war-injured, though we had some like polio and other cases). The third thing that I was doing was, once or twice a week, I was going to the local civilian prison, that is, the provincial prison, where I was examining sick prisoners.

MODERATOR. What kind of prisoners were these?

NELSON. Well, this is basically the province jail. In normal times, this would be where any person convicted and sentenced to jail would be sent. But at present, that is, at the time I was there, I was told both by the prison officials and by the prisoners, that eighty per cent or more of the people in the prison were there because they were accused of political crimes.

MODERATOR. So these would be Viet Cong or Viet Cong suspects?

NELSON. Well, presumably, though in my conversations with prisoners it seemed to me that many, many of them were there because, one, they didn't have proper papers; two, they'd been picked up in an unauthorized area, someplace it was thought they weren't supposed to be; or in the case of the women (and there were usually somewhere between a hundred and fifty and three hundred women in the prison), they couldn't account for there their husbands were, so they were put in jail for that.

MODERATOR. Did you have any chance to discover whether or not these prisoners had been mistreated in prison?

NELSON. Yes. As I say, I was examining sick prisoners. Almost every time that I went I would see one or more prisoners who had been tortured, not in the prison itself, but in the province interrogation center, which I was told by the Vietnamese was the American interrogation center. I examined people who had been severely beaten. On at least two occasions, I was able to document broken bones by X-ray, and I kept very careful records and after several months I went to the province senior advisor, who is the highest-ranking American civilian in a province, and I took my records along and I said, "Look. This is what I'm seeing, and the Vietnamese tell me that this takes place in the American interrogation center. What do I do?" And he said, "Well, yes, the province interrogation center system was started by the Americans. The idea was to teach South Vietnamese enlightened intelligence in interrogation procedures. It's intended to be a total isolation center, but no torture is to be going on, and if it is, we'll stop it." So I said, "Please do." I saw him two or three days later and he was quite embarrassed. He said, "I'm sorry; I didn't know this, but the province interrogation center has been turned over to the Vietnamese. We're no longer in control of it." There was still an American adviser assigned to the center, however. He said, "Since that's the case, I suggest that you go directly to the province chief," which we then did. The province chief at that time was Col. Than Tat Kien. I took my records along and I presented this to him, and he said, "Well, you know, most of the prisoners that we take have been forced to work with the VC and they're very cooperative and they tell us everything that we need to know. But sometimes we meet people who are very hard." Those were the exact words he used, "very hard, and we have to use other methods, and these are used." He said, "There are limits." And I said, "Well, it seems to me that any reasonable limits are being exceeded, that this is inhumane and furthermore, even from your point of view, I would think it would be politically counter-productive. And I'm asking you to do something to stop this."

He did not promise that he would stop it. After about two weeks I began to see the same thing again, and it's still going on.

MODERATOR. So you saw bruises and broken bones from beatings. Any other kinds of torture that you had experience with?

NELSON. I was not able to document by physical examination any other methods, though my patients told me of the electrical torture, such as has been described, with the field telephones. They told me of being forced to drink concoctions containing things like powdered lime. They also told me of being tied up and hung from the ceiling, sometimes upside down, but I couldn't document this.

MODERATOR. Marge, just one last question. What dates are we talking about? When were you working at this?

NELSON. This was from September, 1968

until October 1969 in Quang Ngai province, which is south of Danang.

MODERATOR. Thank you, doctor. Mrs. Warner, I must apologize for having kept you sitting here so long. I hope you have been somewhat reassured by some of the things you've heard here, however. I would just like you, if you would, to express your thoughts. I don't see that we need to ask questions.

Mrs. WARNER. First of all, I want to say, I am an American. I'm sure I'm going to be labeled Communist; I'm sure I going to be labeled revolutionary, but I am not. I am an American. I love my country. It's being torn apart by this war. I want to appeal to the middle-aged, middle-class America. We have to wake up and realize what's happening to us. My son's been a prisoner, and, of course, I'm interested in him coming back. I'd love to have him back, and I know he wants to come back, but this isn't the only consideration. We have to consider the people in Vietnam. What would we do, what would you and I do, if a Vietnamese plane flew over and bombed our town? How would we react to somebody that we've captured?

I think my son isn't being humanely treated. I don't think he's been brutally treated, but he doesn't get steak; I'm sure he doesn't get chicken like George Smith got. But I think he has food enough to sustain him. Lt. Frischman said the food that they get is enough to sustain them, and if we can sustain him till he comes back, fine. We're allowed to send him a package every other month. We send, oh, aspirins, vitamin capsules, and such things as that. We hadn't heard from him for two and a half years. We knew he was a prisoner. We knew he had been captured by the North Vietnamese. We began to write letters for foreign newspapers and letters to foreign governments to try to get the Vietnamese to tell us about the prisoners, where they were and who they were. Now we've gotten two lists. I don't understand why we claim the lists aren't complete; I don't understand that. Of course, maybe it's because my son's name has appeared on it and you know, in the back of my mind, maybe I'm satisfied. But I've talked to other families and the circumstances of their son's disappearance or their husband's disappearance is quite different and it's perhaps that the North Vietnamese don't know where they are. These are the things we have to rationalize with. We have to stop and think what's happening to our country and to that country. Is it worth going on, is it worth tearing everybody apart? I think, I don't know what else to say. I'd just like to say that since Hanoi has said that if we set a date, they'll talk about the release of the prisoners, is that asking so much, just to set a date? Let's put them on the spot. Let's put them on the spot. Let's set a date and see if they really will live up to their word. They've told the whole world that this is what they'll do, and if they're interested at all in world opinion, like we've been told they are, I think they will. I think they'll listen. And will America listen? Will middle-aged, middle-class America listen? Don't let our country be torn apart by this.

MODERATOR. Thank you, Mrs. Warner. Stephanie, did you want to add anything?

Mrs. CALDWELL. No.

MODERATER. Fine, thank you. We're going to break the format here a little bit. Mrs. Warner has to go back to work, but I know some of the press, if Mrs. Warner does not mind, might like to direct some questions directly to her, and then we'll go on with the rest of the format. Does the press have questions? Would you identify yourself please?

QUESTION. What relationship has the President or his aides had with you? Has there been any attempt to propagandize you?

Mrs. WARNER. No. We get a Christmas card, that's about the size of it.

MODERATOR. Yes? Over there, please.

QUESTION. Mrs. Warner, do you think the POW's in North Vietnam are being used for political purposes by the President?

Mrs. WARNER. Well, it seems that way. The Song Tay raid, well, it was called a success, even if there weren't any prisoners there, it was labeled a success; suppose there had been prisoners there? Is it reasonable to assume that they could have captured, rescued twenty? How many lives would have been lost? It just seems like it raised the hopes of prisoner families for really no good reason, no good purpose.

QUESTION. Have you been in contact with any other prisoner families?

Mrs. WARNER. Yes, I have, sir.

QUESTION. Do they share your opinions?

Mrs. WARNER. I think not. I wish if they did they'd step forward. I feel like I'm on a mountain top all by myself, my husband and I.

MODERATOR. The question was have you tried to express your opinions to the United States government?

Mrs. WARNER. Sir, I've written many letters. A month or so ago, when the bombing was renewed over North Vietnam, my husband called everybody he could think of, because I'm sure you understand that we didn't want the prison camp where my son was to be bombed. It's sort of like batting your head against a stone wall. I've written many letters to the President, many letters to the Free Press and the news media but never mailed them because I felt that I'm being put on the spot. I'm isolated, I'm alone in the way I feel about this, and it's kind of frightening, you know?

QUESTION. But I believe every prisoner of war family, let's say, has someone that they can contact. The Defense Department has an advisor let's say. You've had personal contact with your adviser. What sort of reaction did you get from him?

Mrs. WARNER. Well, it's a Marine officer, and they've always been very kind. I have no complaints whatever. They try to get questions answered for us through the Pentagon, any questions that we have. They're willing to cooperate with us in any way. They have to turn in a report every three months, I understand, and I have no complaint about these men. They're doing their job.

QUESTION. You're not harassed in any way?

Mrs. WARNER. Not harassed, not yet. Not yet. We were told when Jim was first shot down that if we let his name be published in the paper that we'd probably get harassing phone calls.

MODERATOR. From whom, from whom?

QUESTION. Your objection is that the White House has not been responsive. Is that correct? To your letters and so on?

Mrs. WARNER. Well, maybe not in a way we think they ought to be. I'd like to see us get out of Vietnam. I'd like to see us get out completely, so that we don't tear our country apart more than it already is.

QUESTION. Did you say earlier that your letters to the White House were not answered?

Mrs. WARNER. No, I did not say that. I said I had written them, but hadn't mailed them. I put my feelings down on paper, as a release, I suppose, maybe it's frustration. Maybe I feel if I wrote it, it wouldn't really help how I feel.

QUESTION. Have you tried to contact the White House at all?

Mrs. WARNER. Yes.

QUESTION. You have?

Mrs. CALDWELL. (Sister of POW) Can I answer that? When the bombing was resumed over the North, my father called the White House.

QUESTION. What sort of a reaction did you get?

Mrs. CALDWELL. Well, he didn't talk to anybody. He didn't get in touch with anyone. As Mrs. Warner said, he made a lot of phone calls, and he did make a lot of phone calls, but he didn't get in touch with anyone at all, not directly. He was promised all of these phone calls would be returned, so on the following Monday, or Sunday, he sent a telegram to Melvin Laird, and we didn't get any response from that either.

Mrs. WARNER. No, he got a letter. We got a letter back.

Mrs. CALDWELL. Did he? But the personal letter didn't really give us a justifiable explanation as to why the bombing was resumed without thought for what it would do to the prisoners that were being held there.

QUESTION. Would you say as a flat statement that the United States government was not being responsive to the . . .?

Mrs. CALDWELL. They're being responsive to the families that are cooperating with them and the families that are backing them. They aren't being responsive to us.

QUESTION. What were your opinions on the war in Vietnam before your son was shot down over North Vietnam?

Mrs. WARNER. From the very beginning, before my son ever went to Vietnam, I had mixed emotions about this thing. I've read a lot of things about it, I talked to people about it. Well, I'm anti-war, period. I'm anti-violence, period. I never could figure out why we should be there and why we should be afraid that they were going to come over and take over our country. Obviously, we're fighting on the side of the minority. If it was the majority, we wouldn't have to be there.

MODERATOR. Can you tell us what the basic content of the telegram to Melvin Laird was? What sentiments it expressed?

Mrs. WARNER. I hope I don't get my husband upset about this. He said, "Congratulations on the resuming of the bombing of the North. Whose brilliant idea was it, Premier Ky or General Westmoreland?"

QUESTION. Mrs. Warner, is it your feeling that President Nixon and his staff are using the publicity on the prisoners of war to divert the American public's attention from what they are actually doing in Vietnam?

Mrs. WARNER. I wouldn't say that's my feeling. It just seems we have been kept busy with little busy work, like writing letters to Hanoi condemning them for the inhumane treatment. And we've gotten everybody in America to write a letter to Hanoi. How many was it they took over there and dumped on the steps of the Hanoi delegation in Paris? I don't think they're going to read all these letters, in the first place, and our government isn't swayed by public opinion. How do we think that Hanoi is going to be swayed by public opinion from another country?

QUESTION. Do you feel that President Nixon is using this as a focus for American public attention, rather than having the focus on anti-war activities or anti-war public sentiment?

Mrs. WARNER. Let's not just say President Nixon, let's say our administration. Sometimes I feel yes, that we are being used. I feel that they did not want the prisoner of war families to join with any peace groups, but I'm a peace-loving person, that's why I had to go.

QUESTION. Mrs. Warner, a few moments ago you said that you were alone on a mountain top. Well, I want to say that you're not alone because these people are all our brothers and sisters and we've got to get them back.

Mrs. WARNER. Thank you.

MODERATOR. Are there any other questions from the press? I'd like to thank you personally, Mrs. Warner, and our prayers go with you.

Mrs. WARNER. Thank you very much. Thank you for listening.

FLOYD. My name is Jon Floyd. I was a pilot with the Marine Corps. I was based with Marine Attack squadron 533 in Chu Lai.

Mrs. Warner's son was at Chu Lai. He was

shot down about five months before I arrived there. Most of our missions consisted of close air support (which amounts to blowing the tops off of hills or something for helicopters to land) and what is called a TPQ Mission, which is a radar set. This guides the aircraft in at a high altitude, usually about 20,000 feet; they'll give us an air speed to fly, an altitude, and heading control, and we'll reach a point their gear tells them to tell us and we release the bombs. Sometimes we were told what our target was; the targets might be a suspected enemy truck park, or a suspected supply depot, or sniper fire. Normally we'd go up in either single or section aircraft, two aircraft. We carried normally a load of twenty-eight five-hundred-pound bombs per aircraft, and it isn't uncommon, it was a kind of standard joke, about releasing fifty-six five-hundred pound bombs on a suspected sniper.

The TPQ bombing is a strato-level bombing which is directly condemned by the Nuremberg Principles after Dresden, in World War II, was wiped out because no significant military targets were there. Regarding pilot's living conditions, at Chu Lai we had air-conditioned Quonset huts. We lived there on the beach.

We had access to sailboats, and mainly spent our time in the Officer's Club and nominally doing some sort of job. We also flew into North Vietnam. I was flying an A6A Intruder aircraft, and this is a radar strike aircraft. We'd fly in at a low level at night. They had stopped bombing Hanoi area about two months after I arrived there. This type of mission up into the Hanoi-Haiphong area, called Route Pack Six, was called a "rolling thunder". Primarily what we did, while I was there, was basically going in at night, low level, popping up to about twelve hundred feet, acquiring a target on radar, and through the information from our various systems, it went into a computer; I pulled a commit switch and the computer dropped the bombs. We went back at low level. This was always done at night. I didn't get any rolling thunders while I was there, I'm not too unhappy to say.

Our bombing of the North mainly consisted of between the 17th and 18th parallel. This is where the Air Force and Marine Corps area was allotted when the bombing halt was called above the 20th parallel. The Navy had between the 18th and 19th parallel. Our primary objective was to pick up moving targets, such as trucks, or barges, any convoys carrying supplies, etc. We also had secondary targets, which were normally called a truck park or a gun-emplacement or ferry positions across the river, which we would drop our bombs on if we didn't pick up any moving targets. These were the same targets that we had for months and months, and they'd be bombed many times over each night.

Basically the type of weapons we used there were five-hundred pound bombs, and two-thousand pound bombs with what we called "daisy-cutters", which was about a yard-long 1 fuse, to make sure that the bomb doesn't go ahead and penetrate the ground when it explodes but it stays above ground so the frag pattern will be large enough. We also used CBU's, (cluster bomblet units) which are classified, a secret I believe, which amount to a canister which releases a number of small bomblets which are anti-personnel. Also, we mined the rivers and roads with five-hundred pound bombs which were set to go off normally in the twenty-four-hour period following to catch trucks and barges coming along at later times.

Anywhere in North Vietnam basically is a free drop zone. There were no forbidden targets. If you didn't find any particular targets that you wanted to hit, then normally you'd go ahead and just drop your bombs wherever you wanted to. They had zones off in the water where you could go and jettison your bombs, but this was very seldom ever used. Many times, I know, a lot of pilots I've talked to said they would drop their bombs on the City of Dong Hoi, which is the main city between the 17th and 18th parallel there on the coast. We had gotten information that the North Vietnamese had told us that they had a prisoner of war camp in Dong Hoi. It was always blacked out, but no one seemed to believe this and they'd go ahead and dump their bombs on the city there. Referring to Dr. Nelson's experience in Hue, our government claims that most of the people that died there were executed by the Viet Cong, after the cease fire, but a great deal of the city of Hue was destroyed by our own bombing and I'm sure a great deal of these people that died were destroyed by our bombing. I wouldn't doubt but that her living room was blown up by one of our bombs. This war from the pilot's standpoint, is a very impersonal war. You go over there and whether or not you believe the goals that the government prescribes for us to fight for or whatever, most of the pilots just go along and figure, well, it's a job. And that's the way we all looked at it. You fly. You see flak at night. That's about as close to war as we get. Sometimes you get shot down, but you don't see any of the explosions. You can look back and see 'em, but you don't see any of the blood or any of the flesh. It's a very clean and impersonal war.

You go out, fly your mission, you come back to your air-conditioned hootch and drink beer or whatever. You're not in contact with it. You don't realize at the time, I don't think, what you're doing. It dawned on me, I think, when we got reports of thirteen-year-old NVA soldiers coming across and being captured; that most probably they had young girls driving most of these trucks that we were destroying up north. And as far as the damage reports that were put out by the pilots, it was a kind of a standard joke. Especially when you knew which pilots would not particularly do a good job and every bomb they saw exploding, they'd come back and report secondaries. It was just a standard joke. Among the career officers, especially major and above field grade officers, this was just a place to advance your career. They tried to give everyone a command of some sorts. They made sure everyone pretty well got a medal of some sort. In my unit (it was in a flight status) it was a Distinguished Flying Cross. I got two of these; virtually all of the officers got one. This was just a standard procedure. Have you got your DFC yet? It was a common thing. We had an older bombardier navigator and he used to fly with a lot of the colonels who would come down from Group. They had a high change-over of command to make sure everyone got their command over there. We would send him up with all the colonels to take them up north, get shot at, and bring them back and write up their horror tale of how brave they were, and give 'em a medal. Then they'd probably never fly again with us, after they got the medal.

MODERATOR. Okay, now I'd like to go and talk to a few of the other men here on the panel who were interrogators. First we have John Drolshagen. He was in the army. He worked with S–5 which is the Civic Action Program in Vietnam. This is what he was assigned to. This Civic Action Program is to win the hearts and minds of the people. I'd like John to explain a little bit about how he carried out this Civic Action Program.

DROLSHAGEN. Right. Well, being an interrogator you automatically don't win hearts and minds. Being an interrogator the way I was, you definitely don't win hearts and minds. I've heard about these bell telephone hours where they would crank people up with field phones. I guess we did them one better because we used a 12-volt jeep battery and you step on the gas and you crank up a lot of voltage. It was one of the normal things. I'll give a little background. I started out in Vietnam as a platoon leader, seven months in the field doing little fire fights, killing people, etc. You get a little bit hardened, I guess. You become a superhawk or whatever you want to put it at.

After a while, people in my unit were a little bit weary of going out in the field with me. I started enjoying killing people a little bit more than you're supposed to, I guess. Even for the United States, I guess you can like it too much. I was taken out of there and put in the civic action. The basis of the civic action is to win the hearts and minds of the people, propagandize them to our way of thinking. We're supposedly building schools for them, getting medical aid to them, food and clothing, all the nice things that you can think of that you would want to do for people that are "less than we are" so we can bring them up to our standards—which is amazing for a country that's been there an awful lot longer than we have. Instead of doing this type of thing, we had a major that enjoyed doing other types of things. We worked more as an intelligence unit to gather information for our brigade and division. My area was from the city of Tay Ninh, the Tay Ninh Province, down to Phu Cuong which Cu Chi bisected. Outside of Cu Chi, there's a little village called ——— Tau Chi that has an ARVN battalion and an RND unit outside. A little bit north of that is another village that we had commandeered, some head honcho's hootch, which is a big place, you keep your beer cool in it, and where we could carry on interrogation without outside people knowing what was happening. There was another lieutenant and a major there that was an adviser to the Vietnamese batallion down there. There were Vietnamese officers, enlisted men, and NCO's and American officers, enlisted men and NCO's that were present for the wiring of prisoners. You could take the wires of a jeep battery (it's a tremendous amount of voltage), put it most any place on their body, and you're going to shock the hell out of the guy. The basic place you put it was the genitals. There were some people who really enjoyed that because people would really squirm. The major that I worked for had a fantastic capability of staking prisoners, utilizing knife that was extremely sharp, and sort of filleting them like a fish. You know, trying to check out how much bacon he could make of a Vietnamese body to get information. Prisoners treated this way were executed at the end because there was no way that we could take them in to any medical aide and say, "This dude fell down some steps", or something, because you just don't get them kind of cuts and things like that. That was our basic way of getting the information that we needed from prisoners, suspects or whatever. These people were not taken in to the 25th Division Headquarters which is stationed in Cu Chi. These were utilized out in the ARVN areas. We would go back into base camp at night, and being red-blooded American like we were, we'd go down to the Officers Club and get blasted and talk to people. So I'm sure that my brigade commander, my brigade CO, and all the officers attached to Headquarters and Headquarters Company, 1st Brigade, 25th Division, knew what was happening. There was no condemnation of this. People would request to go out there with us and watch it. We had pilots with us and they don't get on the ground too much. They don't see what's really happening. We would take pilots out with us to show them our side of the war, as it were. You become very hardened after being out in the field, losing a lot of people, killing a lot of people, and when you come in, torturing really is just another way of going over it.

MODERATOR. Would you say, Jon, that these were commonly used tactics for interrogators over there, our interrogators?

DROLSHAGEN. Well, using personal experience, yeah. It was so commonplace, you know, you just do it.

MODERATOR. Just accept it as policy.

DROLSHAGEN. Right. That's just what we do.

MODERATOR. What about the prisoners? Who were these prisoners, normally? How did you acquire them, or where did you get them?

DROLSHAGEN. Well, they would be brought to us by the Vietnamese.

MODERATOR. I see. For what? Were these actual prisoners taken in an engagement of some sort, or what? Or do you know?

DROLSHAGEN. I'm not really positive as to whether they were taken in engagements or whether we're going to label them as suspects. Anybody, and this is the racist attitude of Americans in that country, anybody that has slanted eyes and is our age is a Cong if he doesn't have a South Vietnamese uniform on. And if you find one of these guys (we don't even use the term suspect) he was known, and if he died, he was definitely a Viet Cong. You know he's not going to retaliate or anything. He's used as a body count. We would take snipe fire in that area quite often. There was, I guess, a price on our head. We were told that the North Vietnamese, the Viet—I'm just going to use Vietnamese because they all are—they didn't like us, which I can imagine. They were trying to do away with us so any time we had to slice somebody up and do away with them, it was just another body count.

MODERATOR. Jon, what was the highest ranking officer that you've seen at these interrogations?

DROLSHAGEN. A major.

MODERATOR. Major.

DROLSHAGEN. Right.

MODERATOR. Did he take part in them?

DROLSHAGEN. Well, yeah. He was my instructor-type guy.

MODERATOR. He taught you what you knew.

DROLSHAGEN. Right. He was pretty good at it, I guess.

MODERATOR. Okay, thanks very much, Jon. We have another gentleman here, Don Dzagulones, who was also an interrogator. He was an interrogator for eleven months in Vietnam. I'd like him to describe a few of his experiences to you. If you would, tell us where you were stationed and basically what the set-up was there.

DZAGULONES. Okay. I was attached to a Military Intelligence Detachment which was attached to the Americal Division and it was subdivided further into teams. During the three days of interrogation, MPs were present at all interrogation sessions, which is a rule in Vietnam. All interrogations are conducted in the presence of MPs who are to make sure that we adhere to the Geneva Conventions, but, as it is, the MPs were usually the most sadistic people. As far as the field phone itself, I watched as the MPs applied the torture themselves. Like I didn't have to do it. They did it for me. And that night, the night of the first interrogation, a medic came to my area with a syringe with seven ccs—I believe it was of sodium pentathol—and it was kind of like an anonymous gift.

I was told how to use it and it was left to my discretion whether or not I wanted to. I didn't because I was afraid of killing the guy. I didn't know too much about that particular drug. There were numerous incidents I feel I should explain what our function was as an interrogator. Most of the prisoners were women, children, and old men. It wasn't often that we got a military-aged male and our primary function was to find something that these people had done wrong. In that part of Vietnam (I guess they call it disputed) but it's controlled by the Viet Cong; there's no doubt about it. No one ventures out anywhere at night and the Viet Cong force people to join organizations. The Viet Cong tax them heavily and these people are forced to join various organizations, each of which has a separate interest in aiding the Viet Cong. So anyone that we got as a detainee prisoner who admitted to being in an organization was classified as a civil defendant, which meant that he or she went to the National Police and the National Police applied further interrogation techniques. The National Police were probably, well, they could put the Gestapo or the SS to shame.

In our particular district, the favorite tactic used by the National Police was to string a guy up from a beam or a rafter or anything that would extend his hands out, get a speedometer cable, I believe it was, and kind of whip the person until either he died or talked or was unconscious. A lot of the interrogations were witnessed by officers. As I said, all of the interrogations were witnessed by MPs, none of whom ever did anything to prevent brutality.

When I first got into Vietnam, I was an observer at most interrogations for a couple of weeks just to learn what was going on and how to conduct the interrogations. One of the first interrogations I witnessed took place in a hospital in which a North Vietnamese prisoner was brought in wounded. He was severely wounded. He was going into shock from loss of blood. They had gotten the prisoner at an ambush. We had an interrogation team there that was interrogating the guy, but he wasn't offering information fast enough. The Brigade S–2, which is the Brigade Intelligence officer, a major, was there and he was dissatisfied with the proceedings so he took over the interrogation himself.

He got smelling salts, hands full of smelling salts, and he held them to the guy's face to keep him conscious, to make him talk. That didn't work very well, so he poked around in the wounds and what not. And there were MPs present again. There was a Captain who was a doctor present and two or three interrogators who could easily corroborate what I'm saying. Anything I say can be corroborated. I can get people to corroborate what I say. No one took any steps to prevent the abuse of the prisoner.

As I said, he was severely wounded and he was there for maybe half an hour. They were working on getting a helicopter to medivac him up to Division for more intensive treatment, medical treatment that is. Field phones and beatings were commonplace occurrences. As an interrogator, I was subject to the Geneva Conventions and I was watched by the MPs during the interrogations. However, there were other people in our unit who were counter-intelligence and, during their interrogations, there was no one ever present. They conducted their interrogations on their own. There was no one to supervise, and consequently, they took advantage of it. They always used the field phone. They never bothered to ask the person questions.

One of the incidents that I know of personally, which I witnessed, was a guy who was supposed to be a spy. They'd interrogated him for about four or five hours and they alternated between beating him and wiring him up with the field phone. Subsequent to the interrogation, the guy was unconscious. I don't know if he was alive or not. They loaded him in a jeep, left the base camp, dumped him off Highway 1 somewhere off the side of the road and came back. No one ever found out about the conduct of the counter-intelligence people.

Another time they brought in a woman prisoner who also was alleged to be a spy. They continued the interrogation in a bunker and she wouldn't talk. I don't think she even gave them her name. So they stripped off her clothing, and they threatened to rape her, which had no effect on her at all. She was very stoic. She just stood there and looked at them defiantly. So they threatened to burn her pubic hairs, and I guess it wasn't done on purpose, I'm sure of that, but they lighted a cigarette lighter and she caught on fire. She went into shock. I guess she was unconscious, so they called the medics. The medics came and they gave the medics instructions to take her to the hospital under the pretext of being in a coma from malaria, which they did. And nothing was ever done about that.

I also had experience with Psy-Ops teams, which is basically the same thing Jon was. They were to win the hearts and minds of the people. There was one sergeant in particular who had a reputation for being a sadist. His mission was to go into areas and propagandize the people, try to win their hearts and minds over to the South Vietnamese government's side, which is an impossibility. There was no part of his mission which involved detaining people, but at least once or twice a month, he'd send in a bunch of prisoners. Usually they were old women, and, invariably, all had been beaten. One time in particular, we had five elderly ladies sent in, all of whom were beaten. One had a broken leg, I believe, and another had a skull fracture. We sent them over to the hospital for medical attention and we brought it to the attention of the people at Brigade (the majors, the captains, and the colonels).

We told them that it wasn't an isolated incident, that it happened before with the same guy, but no one took any action to prevent it or to reprimand him or to see that it never happened again. As I said, it was commonplace to beat people. There were many assorted techniques used. The field phone was the most popular, though. I'm sure there's a lot more I could relate but right now I'm too nervous to think of them.

MODERATOR. Okay, how about the dehydration?

DZAGULONES. One of the favorite methods used in coercing a prisoner to talk was dehydration. Our main objective in getting a prisoner to talk was to make sure we left no marks, nothing that was traceable. So the MPs were very cooperative with us. We'd get a prisoner and we'd keep him on a diet of crackers and peanut butter, which comes in C-rations. The prisoner was kept out in the sun for three or four days eating crackers and peanut butter and occasionally they'd make him do a little physical labor. If the guy wasn't suffering enough, they'd make him fill sand bags and carry them around. They did this until it was obvious that the prisoner wasn't going to talk, or the prisoner broke. No steps were ever taken to prevent these actions. There was no supervision.

If people did find out about it, they just let it go, because is was an accepted practice; it was common. They were after the information and since the Vietnamese, as has been mentioned, were treated and held as less than human, anything that we did was perfectly all right. I was trained at Fort Meade, Maryland, and officially we weren't trained to use any kind of torture tactics. A class was supposed to last for an hour. They'd lecture us for half an hour and then they'd turn the class over to Vietnam veterans, people who had been interrogators in Vietnam. It was up to them to tell us what they felt was essential to help us function as interrogators in Vietnam. Invariably the instruction would turn to various methods that they'd seen or heard of or used in torturing people in Vietnam and there are many, many, many methods.

MODERATOR. Also, you related to me earlier about women in the camp and about a mother and a daughter.

DZAGULONES. Like I said, most of the prisoners we had were women. It wasn't uncommon to have a mother and daughter

coming in the same group of prisoners. I don't know why, I can't understand it, but we had a rarity in our unit. We had a black interrogator, which is really uncommon. There aren't too many black people in military intelligence. So we found out that by threatening a woman with having the black interrogator rape her, would usually make them talk. So they'd have the woman and her daughter brought in at the same time. We'd send the daughter into a bunker and tell the mother that we were going to send the black interrogator in to rape the daughter if she didn't cooperate and give us information. Usually they took it only as a threat. There were occasions on which the guy did go in to the bunker, but he was a pacifist, he never did anything. He didn't even want to interrogate. I guess he was considered by the brass to be a malcontent, but he served his purpose just by walking in the bunker. He'd scare the woman and usually they'd talk. They'd tell us what they knew.

MODERATOR. Okay, thank you very much.

DUNCAN. I think the point is obvious here. We talked yesterday about maltreatment of prisoners by combat troops in a combat zone in the heat of battle. And of course what we've presented here with this type of testimony is the fact that this is delivered by professionals n t in the heat of battle. It's common knowledge at all echelons of command. At this point, I'd like to ask John Van Dyke if he would sort of summarize what we have been listening to here this morning.

VAN DYKE. My contribution to this panel is that I did work in the State Department in 1966 for the Office of the Legal Advisor on the question of prisoners of war. Since then, I've kept in contact with the people in Washington that are connected with us and I've tried to find out as much as I could about what the actual practices were—are in the North and the South in connection with prisoners. I've talked with as many of the men who've returned from North Vietnam as I can persuade to talk to me. I've just tried to piece together the picture of what is going on as best as I can.

Now, we've all been deluged in the last eighteen months with this incredible campaign from Washington to get us aroused over the prisoner of war issue. I don't need to go into any great detail about what's been happening. Members of the Cabinet have met with wives and parents of the prisoners, Congressional resolutions have been passed with great urgency. 135 million prisoners of war stamps were issued by the Post Office. Local telephone companies have circulated little notes with the bills telling you to write to Hanoi. The Steve Canyon cartoon strips went through a period of presenting daily sagas of life of relatives of POWs.

This whole effort has been designed to arouse us, get us concerned, and generate hatred toward an enemy that none of us find it very easy to hate. Ho Chi Minh looked like Santa Claus. It's very difficult to generate any hatred toward him. Most people you know just don't want to have anything to do with hating this enemy. The campaign has had some success and I think it's useful to try to understand what's been going on and to acknowledge how closely this is being regulated from Washington.

The Defense Department provides direct encouragement for wives and parents who have organized themselves into a group called the National League of Families of American Prisoners and Missing in Southeast Asia. The chief fund-raiser for this group is a chap called Paul Wagner who was Barry Goldwater's Press Secretary during the '64 Presidential campaign and has since, as a PR man, served clients such as Portugal in its disputes with Angola. The group's chief lawyer is a chap called Charles Havens, who was employed by the Defense Department when I was at the State Department and worked on prisoners of war affairs.

Then just in typical military-industrial complex fashion, he switched over to the private sector. This group has continued to work closely with the Defense Department to get as much interest as it can. Now the amazing thing about this campaign to me is how little evidence the government and the League of Families has come up with about abuse by the North Vietnamese toward our prisoners.

Virtually each of the nine men who've been freed has made statements which contradict themselves. So we're left with a great state of confusion. Two of the three men who were last freed, which was in the summer of 1969, said after they'd had a month of debriefing in Washington, that they had been mistreated to some extent. These are the prime witnesses for the government.

These statements that they made in September 1969 directly contradicted statements they'd made when they were freed. And at that point, none of the other seven prisoners who had been released would corroborate the statements that the two of the nine made. I called one of the other seven, Air Force Captain Joe Carpenter, after the two, Robert Frischman and Douglas Hagdahl made their statements, and asked him whether he had experienced any of the kind of mistreatment abuses that Frischman and Hagdahl announced or whether he'd heard about any. He said, "No," but that he could not make any public statement because he'd been contacted by the Pentagon. He'd been contacted right after Frischman and Hagdahl held their press conference. They had told him not to say anthing, that there was an elaborate plan being organized and that his role at this point was to stay quiet, which he did, because he was still in the Air Force and still wanted to make a career of it.

Last September, September 1970, which was some two years after Carpenter was released, he finally did make a statement on ABC news and gave a generally mild account of his captivity. He said that soon after he was shot down, he was, of course, terrified when he arrived, but he soon got over his fears when he realized that his life was being protected by the militia that quickly arrived. The most serious problem that arose was that some villagers pulled at his mustache. He was, once he got used to the prisoner's camp, kept alone in a bunker and he found the isolation somewhat difficult to get used to.

But it wasn't total solitary confinement because he had a window out on the street, kids would come by and they would communicate as best as they could without knowing the language. He'd make faces at them and they would make faces back. They got along and eventually the older people came over and he sort of dug it. Friendship developed and he had no charge of brutal treatment at all toward his captors.

Well, since that statement of September 1970, two of the other released pilots have made public statements and indicated that they had some rough times, especially when they were being transported around North Vietnam during periods of heavy bombing. They had to suffer the same inconveniences as the North Vietnamese. As we know, our government and the pilots who fly for our Air Force, Navy, and Marine Corps, have been making it very unpleasant to live in North Vietnam. There's been no explanation of why these two pilots that have recently made statements waited two, and in one case, three years, before making any statements. The remaining charges against North Vietnam involved procedural irregularities.

In those areas, North Vietnam has responded and has made dramatic improvement. There's been an official list that has been released and mail is now coming regularly. Mrs. Warner indicated that since March, she's gotten a letter about once a month. That's the general average that most families have been getting. Now what's the comparable situation in South Vietnam in terms of the legal structure? We've heard a great deal about what happens before prisoners get to formal prisoner of war camps. It's fairly clear that life is made very unpleasant for any prisoner before that happens.

Now, there are six formal prisoner of war camps in South Vietnam which hold some 35,000 men and the International Committee of the Red Cross does make inspections of these camps. The Department of Defense, for some reason it's not been announced, classifies as confidential information about the number of prisoners who have died in these formal prisoner of war camps. Richard Dudman, who is the Washington Bureau Chief for the St. Louis Post-Dispatch, and a man who was incidentally himself a prisoner in Cambodia for a month last year, did some investigating and discovered that the figure of prisoners who have died in the formal prisoner of war camps in South Vietnam is at least 899 out of the 35,000 and that includes at least more than 300 North Vietnamese and another 500 Viet Cong soldiers.

The comparable figure of Americans who have died in captivity in North Vietnam is five. I'd like to mention some other aspects of the legal situation. There's been an effort in one or two cases to bring to trial men accused of killing prisoners of war in the South and the record of convictions is so amazing that it just elevates what we've heard here as unofficial and what really happens to an official policy. The trial of Lt. James Duffy in March, 1970 indicates the somewhat hypocritical attitude that our government takes.

Duffy was in command of a company in Binh Phouc district, September 1969, attempting to set up an ambush. The company discovered a man hiding inside the bunker with documents indicating he was a deserter from the South Vietnamese army and they suspected he was a Tiger Scout for the Viet Cong and imprisoned him.

Subsequently, according to allegations which the Court Martial panel accepted, Lt. Duffy told Sgt. John Lanasa, "It's time to get up and get out and shoot him." Lanasa replied, "I always wanted to shoot a gook between the eyes." Lanasa then put an M–16 to the prisoner's head and did in fact shoot him between the eyes. This is uncontradicted testimony. Lt. Duffy reported to his superiors that the man was shot while trying to escape. Duffy's lawyer, in the defense in the Court Martial, did not deny that any of these events took place, but instead argued that Duffy was acting in accordance with an Army policy not to take prisoners in combat operations.

Two fellow 1st Lieutenants in Duffy's company testified in his behalf at the trial that there was a conscious policy to avoid taking prisoners. And we've heard plenty of evidence here that this has been a policy throughout South Vietnam. The eight-man military court martial accepted this defense. They first concluded that Duffy was guilty of premeditated murder, but upon learning that such a finding required a sentence of life imprisonment, they changed their verdict to involuntary manslaughter and gave him a six month sentence.

Duffy continued to be paid by the army while in prison with a forfeiture of $25.00 per month. He was allowed to remain in the army. The court martial panel, in fact, wanted to avoid imposing any penalty on Lt. Duffy and they only gave him a six month sentence after they were told that they could not completely suspend the sentence. Sgt. Lanasa, who was put on trial in July of last year, was acquitted by the court martial entirely. There's another trial that I'd like to mention and it happened more recently. Last month a court martial panel was being organized to try Sgt. Charles Hutto for participation in the My Lai massacre.

In the process of impaneling the group of officers to try Sgt. Hutto, an army colonel

was questioned to determine whether he could be an impartial member of the panel. He was asked whether it would be appropriate to execute a prisoner of war in Vietnam, his answer was, "This is not a conventional war. We have to forget propriety." It's an army colonel that makes this statement. He was then accepted as foreman of the court martial panel being deemed to be an impartial observer of the situation.

I think that that elevates a policy of killing prisoners of war to an official level. Since then, Sgt. Hutto, of course, was acquitted by this court martial panel and since then all but five of the twenty-five people originally charged with the My Lai massacre have also had the charges dropped against them. So it would appear that we will not even get a scapegoat for the My Lai massacre. I'd like to touch on one other aspect of North Vietnam's prison treatment: the question of inspection of camps which generally comes up. The North Vietnamese have always refused to have an international body inspect the camps and I think that position ought to be explained a bit. The North Vietnamese genuinely doubt whether any international body can be neutral in this war.

The United States has for some time tried to persuade North Vietnam to allow the International Committee of the Red Cross to visit the captured American pilots. The United States views the International Committee as an impartial body. It's composed entirely of Swiss nationals and they cannot understand why North Vietnam does not similarly view the committee. Well, the history of it is that Asian nations were first introduced to the Red Cross by Western countries which brought it along with their colonizing missions.

The Red Cross is still viewed as an arm of imperialism. Although the International Committee of the Red Cross has done as best it can to be neutral in the war, the Swiss naturally find it easier to communicate with other westerners and they've maintained a close relationship with the United States. North Vietnam has in turn, grown to mistrust the Red Cross. Second, and perhaps a more important reason why the North Vietnamese do not want any foreign organizations inspecting their prison camps, is that they fear a renewed and even more intensive bombing campaign by the United States if the United States learns the exact locations of all the prison camps.

The North Vietnamese reason, I think correctly, the Air Force and Navy would be free to begin a saturation bombing campaign in all other parts of the country and to send over more commando raids on the camps themselves. The bombing attacks on various parts of North Vietnam in January, February, May, September, and November 1970 and again during the past month, provide new reasons for North Vietnam's fears. In fact, I think the recent commando raid would end forever the possibility of any international inspection of North Vietnam's prison camps. The North Vietnamese should not, however, be viewed as intransigent on this issue of prisoners of war. Mrs. Warner mentioned the Viet Cong offer about prisoners of war. In September of 1970, Madame Binh said that if the United States would set a definite timetable for troop withdrawal, the Communist forces would refrain from attacking withdrawing U.S. troops and in addition they would begin immediate discussion on the exchange of prisoners. Never before in modern warfare has there been a general prisoner exchange prior to the end of hostilities. It's a really remarkable offer. The Nixon Administration ignored the offer.

Instead of responding directly to it, President Nixon made an address the following month, October, 1970, in which he said he favored the immediate release of all prisoners but he would not link this gesture to withdrawal of American military forces from Vietnam. Another obstacle in the way of complete settlement of the prisoner of war situation is the U.S. insistence that those men now held in Saigon's POW camps be given a choice of whether or not they will be returned to the North.

And there's evidence that we may be undertaking some kind of reeducation program in the POW camps in the south similar to what we did in Korea to encourage the men in those camps not to return to North Vietnam. This issue of voluntary repatriation delayed the Korean truce by some 18 months during which 140,000 casualties occurred and it seems possible that the Nixon Administration is going to use this issue again in an attempt to gain time for what they hope might be a military victory.

In contrast, we see that the issue might backfire on them. Mrs. Warner is not alone; there are at least half a dozen other relatives that have gone on record as favoring Madame Binh's proposal. Fred Thompson who was released in the summer of 1968 has gone on record in favor of Madame Binh's proposal and the day may come in which the majority of these relatives turn around and force the administration to accept Madame Binh's proposal as the appropriate way of getting out of Vietnam and getting the prisoners out of Vietnam.

It would seem that this is a possible course that we can take. In the meantime, however, government officials are talking about more raids into North Vietnam to rescue prisoners. Before the November raid, the administration's use of the prisoner of war issue seemed a cynical attempt to manipulate popular support in order to gain emotional hatred toward the North Vietnamese. The raid raises deeper questions. Unlike President Johnson, Mr. Nixon has given no assurance against American military expeditions to the North. As we know, an American invasion of Laos seems imminent. The Administration is exploiting the prisoner of war issue to generate emotional support for military actions as a pretext for yet another expansion of the war. Thank you.

MODERATOR. Relating directly to the concern of the American military and the American government to the release of prisoners, at the time George Smith was captured, three other American Special Forces people were captured in Vietnam in November, 1963. Steve has a leaflet, part of an after action report, relating to those three people, Sergeants, Versage, Rowe, and Pittser. Rowe, I think, was a lieutenant.

NOETZEL. This is a copy I showed you before of an after action report. It's an official report which was forwarded to the Pentagon which included every major piece of civic action that was accomplished by this particular Psy war team. I had an extra copy. I brought it home with me. Before I explain the leaflet, I want to give an example of the kinds of leaflets we did use in a leafleting campaign all through the IV corps or the Mekong Delta, then I'll show you the leaflet that relates to a ransom for the three sergeants. One is in Vietnamese and there's a translation with it. I'll read it quickly to you. "To the people in the VC-controlled area. On 3 February 1964, government military units on the way to liberate the village of Can Chu engaged in a battle with the VC unit. The battle was very furiously fought and both sides suffered casualties.

As a result four of our members and Mr. Nyguyen Van Do, an innocent civilian, were killed. We confirmed the exact figure in order that we might be able to keep a record of soldiers killed and their families. The bodies of these brave men killed by VC were removed from the battlefield by the comrades and taken by helicopter back to Camp Long Kanh were their leaders and comrades helped their families and shared their grief. After their bodies were washed and prepared for burial, in accordance with their particular religious customs at the camp dispensary, all expenditures of burial, including coffin and incense stick, were beyond the families' concern.

We also provided transportation by helicopter to those families who wished the bodies of beloved soldiers to rest in their home towns and substantial payment was made to the survivors of each soldier killed by VC. Dear Countryman, it is evident that the government of the Republic of Vietnam always cares for each and every brave soldier sacrificed for his nation. How about you? Have you ever thought of your life? You have already witnessed that when your comrades die, their bodies will be hidden beneath the mud or thrown into the river. Their families will never get neither gratuity nor the least of condolence. On the contrary, they will starve and peril will be brought down on them.

From the miserable life of present time to the shameful deaths sooner or later and a stormy outlook for such beloved people, have you ever thought about it? Be sincere and answer the question by yourself and bravely change sides which are integral to your life. We are always delighted to welcome your return to the nation and to your families." This leaflet was used. The leaflet that I will read now was not used. Never dropped.

Communique of IV Corps Tactical Zone Leaflet. There's the leaflet in Vietnamese. It says: "1. Commanding general of IV Corps Tactical Zone will have a reward of 300,000 Vietnamese piasters to the one soldier or civilian who releases or helps release the three Americans Versage, Rowe and Pittser. 2. Pro-communist members are able to benefit from this reward too and when they return they will also benefit from the government's clemency in the surrender inducement campaign, now known as Chieu Hoi. 3. Inform or conduct the three Americans to the nearest strategic hamlet or military post. 4. Procedure of collecting reward will be simplified and prompt. Reward will be drawn within 48 hours after the release of the three Americans. Signed Phong Dinh, 27 November 1963 by General Nyuen Hu Ko, Commanding General IV Corps, the ARVN Army."

Special Forces commanders in Trang Nha, Vietnam, saw this leaflet, read it and decided that they were not going to ransom, not going to pay any money to communists whether civilian or VC, to release American prisoner. This amounted to a total of $3,000 or $1,000 a piece because they didn't want to contribute that to the war effort of the Viet Cong. That's how interested they were in the release of these three Americans.

MODERATOR DUNCAN. The testimony we've heard so far, of course, continues to relate between Americans and Vietnamese. Much of it, I hope at least, is not very pleasant to listen to. Much of it must seem rather incredible. Is this what we can do to people? Other people? Vietnamese? I have two people who I'm going to bring on very briefly to show you we are capable of it. We do it to ourselves. Denny Leonard and Thomas Carroll come forward, please. We've talked of prisoners of war and we think of it usually in the classical sense of being captured by an unfriendly power or hostile power. Denny Leonard was a member of the United States Army, an American Indian. He was in basic training and as part of the command information classes there, to show the elitism and the esprit de corps and the buildup of esprit de corps, they were shown the proud tradition of the 1st Cavalry, which included, of course, the massacre of his people and this was considered the way to build esprit with the troops. Denny left. Subsequently, he did return and was confined to the stockade at Presidio, California,

United States Army stockade. Denny, would you just very briefly talk about, first of all, your briefing on entry and maybe one or two other little incidents?

LEONARD. When I entered the stockade in San Francisco, they made you go through a process, a special processing detachment—they called it a black cell. It was downstairs and they used all black soldiers there. These soldiers were returning AWOL's and they promised them that they would be set free or not be court-martialed if they would teach the new people that were coming down there that going AWOL or defying the army was a very bad thing. And so, all the black soldiers that were in this black hole would counsel new people that were coming in. That was GI's that were being returned by the armed forces patrol from AWOL, or those people that were transferred to the Presidio from other stockades. When I was down there, there was two prisoners that were beaten. They were both white. I wasn't bothered because I was an Indian and the black GI's dug Indian people, but the whites were treated pretty badly. That's how the army was utilizing racism when I first went into the stockade.

DUNCAN/MODERATOR. The man sitting next to Denny is Thomas Carroll, formerly of the United States Marine Corps, who went AWOL and was subsequently court-martialed for that, is that correct? We don't have time to go into the whole story, Tom, but perhaps the press can ask you questions about it later, if they want. I have on your sheet here that you were held in stockade for nine months, four months in solitary. Would you just relate some of the conditions under which you were confined?

CARROLL. Well, I was in solitary confinement for 120 days for not going along with the brig program. I was confined at 3rd MAF, outside Da Nang, first if you didn't go along in your cell, then you were put on diminished rations which was bread and water three times a day and dehydrated vegetable. But, you never got the vegetables and they'd spit in the water and step on the bread. Charges were written up against you for talking in your cell. You weren't allowed to do anything.

MODERATOR. How much did you weigh when you went in there?

CARROLL. About 170 pounds.

MODERATOR. How much did you weigh when you got out of there?

CARROLL. 98 pounds. I had malaria when I got out that was why they let me out. But they'd spit in the water and step on the bread and most of the time in my cell there were handcuffs and leg irons. They'd come down and give you injections of thorazine to immobilize you.

MODERATOR. Can you explain what thorazine is used for? Or do you know?

CARROLL. Well, the only thing that I knew it was used for was an antidote to bring someone down that was on LSD or to quiet someone down. They'd do this about three times a day and then they'd come in and throw water in your cell and kick the door and once they sprayed five gallons of DDT to kill a spider while I was still in there.

MODERATOR. Would you briefly go through the routine that you went through to go to the latrine?

CARROLL. Well, when you were in solitary you didn't go to it. There was a bucket in there with you.

MODERATOR. This was in medium compound?

CARROLL. Right. But when I was in maximum compound, first you'd have to request permission to speak to Sally Quarter NCO who's the guard walking the aisle. To do this you'd say, "Sir, prisoner so-and-so requests permission to speak to the Sally Quarter NCO" and he'd make you say it four or five times and then he'd give you permission to speak. And you'd say, "Sir, prisoner so-and-so requests permission to make a head call". You'd go through the whole thing again and he'd keep you standing there. He'd give you permission and then you'd have to ask permission to leave where you're standing and step over into the aisle and go through the same routine to first to speak, and then to get permission to do this, and then once you got that far, he'd tell you whether or not he was going to let you go all the way. Then you'd request permission again to do it, and he'd march you down there and you had a limited amount of time. You had to go through the same procedure to get back. And all during this time, after you requested permission to speak. Then you had to ask permission to ask whatever question it was that you were going to ask him.

MODERATOR. How did they usually address you when they responded to your questions?

CARROLL. "Turd" or "Scum" or a few other choice names. And while you were standing there, they'd go over all the things that was wrong with you. If your boots weren't shined or you didn't have shoe polish or your uniform was dirty (you had no place to wash it) and then if you'd talk back, they'd mark it down in the book.

MODERATOR. Would you consider this type of training demeaning? Did it make you a better Marine?

CARROLL. No, that's what the worst part of it was. That was the purpose for it; it was for discipline so they got you completely disciplined to kill without question. You weren't allowed to question orders and this was the reason and they told us they did this. We had to go through all this stuff to learn not to question an order and to do exactly what you're told, when you're told, and how to do it, how you were told to do it.

MODERATOR. Thank you Tom. I have one more question. Let the press have their licks at it. I'd like to ask Dr. Zinn about the treatment of the prisoners in North Vietnam again, and specifically, can you relate what George was saying about food and starvation and so on to anything in the North?

ZINN. I don't want to take too long with this but the point about the food given to the prisoners of the North Vietnamese, but when Father Berrigan and I were in Hanoi to pick up the first three of the nine pilots who were released by the North, we met them for the first time in the prison compound inside the building in the outskirts of Hanoi. We were introduced to them and we wondered what condition they were in. We wanted to see if they had been well fed or ill fed and they looked as if they'd been well fed, that is they looked pretty good. To put it another way, they looked better than we did, which may not have been saying very much. But when we talked to them later, they said they'd been given adequate food; in fact, they'd been given double the ration that the Vietnamese themselves were getting because the Vietnamese assumed that the Americans were big, which was true. They needed more food. They gave them more food. They also told us that they had plenty of French bread all the time—all the French bread apparently that they wanted, more than they could eat. We wondered if they, these three particularly, because they'd been selected for departure from North Vietnam had been given special treatment in the way of food and we asked them about that.

They said they were quite sure that all the prisoners in the camp were getting the same food because, although they didn't see the other prisoners very often, when they would go out to pick up their particular tray of food, they saw all the other trays of food, and all the other trays of food looked the same. So it seems that the prisoners were being adequately fed. Just let me make one point to re-inforce what has been said several times about the fact that the American government, despite all its heart-rending pleas about doing something for the POWs, and deluging the North with letters and so on, has never cared for the fate of the American POWs. It has taken us a while to realize.

We also knew that the American government didn't care what happened to the Vietnamese but it was assumed that they cared something about what happened to Americans. It turns out that that's not so either, and I suppose it should occur to anybody who thinks about it that if the American government were concerned about the treatment of POWs in the North, the first thing they would do is not to add to the number of POWs in the North by more bombing raids. And the second thing they would do is not intensify the bombing raids in order possibly to provoke the North Vietnamese into worse treatment of the prisoners that they hold?

Of course, this hasn't happened. Father Berrigan and I had one graphic and close at home illustration of this. When we were talking to the Prison Camp Commandant in Hanoi about the release of the three pilots, he said to us, almost offhandedly at one point in the conversation, he said, "Of course, you realize, that if your government bombs Hanoi while you are here and while we are talking about the release of these three pilots, we may not release them." And we thought about this. It seemed on the one hand cruel and upon second thought, understandable. That was a Wednesday. I remember, and we were to leave Hanoi on Friday with the three men.

The next day was Thursday and we were having a conversation with several North Vietnamese and the air-raid alert sounded. There had been several days of no bombing. Later the American government claimed that they hadn't bombed in deference to the POWs and the fact that we were bringing them home. By a remarkable coincidence those were days of bad weather. It wasn't easy to bomb on those days. Thursday was the first clear day, on Thursday the bombers came, and they bombed Hanoi, And, as Dan Berrigan and I were sitting there in the shelter listening to the bombs fall on Hanoi, we wondered about what was going on in the minds of the people in Washington and the generals in the Air Force and whether they really gave a ——— about the American prisoners or about anybody else.

Just one more point, before I conclude, and that is that Mrs. Warner said at the very outset of her remarks that she wanted to make it clear she wasn't a revolutionary, she was an American. Of course, I suppose you can be an American Revolutionary. But, I think, she was concerned to make it clear that there is something about America which she cherished and which she cared about and which was inside her. I was thinking as people were talking here, as ex-GIs were talking about their experiences and listening to Randy Floyd talk about a bombing (I was a bombardier once)—I remember how we just dropped bombs and everybody claimed we were doing pin-point bombing. We never knew where the bombs were falling.

But I thought those were crude times. We're in sophisticated times and technology has improved. Johnson and Nixon said we were doing pin-point bombing; maybe it was true, of course. Technology is secondary to human will and the fact is, we don't have the will not to bomb civilians. That's the crucial thing. But listening to all this testimony and thinking about what Mrs. Warner said about America, it occurred to me that what is happening in this country now is something very special and that is that we were all brought up to really believe that there is something about America that is great. We were different from other countries. We were different from tyrannies; we were different from totalitarian states.

These other countries were cruel; they were brutal; they invaded countries. They sent armies across borders; they bombed; they

bombed civilians; they destroyed cities; they lied also to their people—these other countries did; they tortured. America was different and what's happening now in the United States is that all the things that we believed about America and which were part of the American tradition—our ideals, turn out, well, not to be true, if they were ever true, and certainly not to be true now.

I guess it's very important for us to hold on to this original notion about what America stands for because what's happening now as more and more Americans become aware of the gap between what America is supposed to stand for and what we are really doing, not only to other people but to ourselves, we are going to see a Mrs. Warner multiply a thousand times. We're going to see these GIs, veterans, multiply a thousand times. We're going to see the people in this room multiply by thousands of times and when that happens, things are going to change in this country. At that point, maybe we'll begin to match the traditions that we always claimed we stood for.

MODERATOR. We'll take questions from the press now.

QUESTION FROM THE AUDIENCE. I'd like to ask the former interrogaters to comment further on the American forces' attitude toward and treatment specifically of women, female prisoners of war.

PANELIST. The interrogating I did was basically with the men. That's all we did. With the pacification, we used to round up a lot of women; we would separate families, when we brought them in from the field. We put the children in an area, away from their parents and take the women away from their husbands and just totally separate the whole family. We wouldn't let them know what was coming off. I never worked with any torture against women, but we did mess up their minds by taking them away from their children and the rest of the family.

ANOTHER PANELIST. None of my experiences in interrogating women had any sensationalism, if that's what you're seeking.

SAME QUESTIONER. I wasn't really asking for sensationalism. I was, more than specific incidents of treatment, asking you to talk about the general attitude toward women.

PANELIST. Oh. Most of our prisoners were women and they were treated basically like a Viet Cong soldier was. They weren't taken advantage of in any way. Only if they had a child or something, we would separate them from their child—try to use that to make them talk. Our basic job was to get information. That was our basic mission and if the situation was that we could exploit a woman, a woman with a child, we would do it. Other than that, women were treated no differently than the men prisoners. They were treated the same way, they were kept in the same areas. They weren't segregated or anything. They were all kept together with the men.

PANELIST. I'd like to add to that. I tried to make obvious the fact that of all the people that I had encountered in military intelligence, this guy was the only black man, that I had encountered. I can't attribute it to official Army policy, but to me it seems that the ratio of blacks in military intelligence would have been more than one out of maybe five hundred people that I had seen. I tried to bring that point out. That this was the only black man that I had encountered in military intelligence in two years in the Army.

QUESTION FROM THE AUDIENCE. In a discussion with black GIs yesterday, I was informed that, especially in the 3rd Marine Division, black GIs were always given the dirty work in torturing villagers, slapping around villagers. They always made the black GIs look like devils to the villagers to strike terror into their hearts. Perhaps this is related to the theory that the villagers had about blacks interrogating.

PANELIST. Well, I'd like to make a comment on that statement. In my experiences in Vietnam, the blacks were more apt to identify with the Vietnamese, than the white GI was, because, they, the blacks, are suffering from racism as the war in Vietnam is a racist war against the Vietnamese people. Therefore, they can identify with them in my estimation. I believe that black GIs were less apt to be sadistic and violent with Vietnamese people. The black interrogator that we had refused to interrogate people. Any classification that he put on the prisoner would intensify. If he found the prisoner to be guilty of any of the numerous crimes that they can be guilty of, you know, belonging to Viet Cong organization, they would go to the National Police and he wanted no part of it. He tried to remove himself from it completely.

QUESTION FROM THE AUDIENCE. Was there a difference in attitude between the heads and the alcoholics?

PANELISTS. Well, generally, the alcoholics were the career types and their attitude was body counts. Killing people was what they were after, but they didn't have to do it so they were really anxious to send people out into the field to do it. I imagine if they had gone out into the field, they may have tried grass, but seeing as they were in rear areas they had alcohol. It was readily available. But had they gone out and had they experienced some of the combat conditions, which they expected other people under their command to go through, I imagine maybe they would have tried other things.

QUESTION FROM THE AUDIENCE. I was wondering if drug abuse . . .?

PANELIST. I never saw anyone interrogate anyone under the influence of any drugs, other than maybe alcohol. But, I think that had anyone been stoned during an interrogation, they would be less apt to use torture than somebody who was straight or especially drunk.

QUESTION FROM THE AUDIENCE. Earlier, when you testified, you referred to the Viet Cong forcing people to join them. How did you get this information? Was that information extracted from them under duress or force?

PANELIST. Normally they'd volunteer the information. Saying that the Viet Cong had forced them was probably a bad statement to make because to them, especially in the northern part of Vietnam, the government of Saigon is a remote intangible entity. The only government that they've known and they identify with is the Viet Cong. Because the Viet Cong don't own the land that they're farming. The Viet Cong don't tax the land that they're farming. The people in Saigon own the land and it's the constant struggle between the poor and the rich. They give their allegiance to the Viet Cong because Viet Cong are the people they encounter in their daily lives; the people that live in the same way that they do. The people who are fighting for them, as opposed to the government of Vietnam, the official government of Vietnam, the American-sanctioned government of Vietnam, which has nothing to do with the people except levy taxes and kill them.

MISCELLANEOUS PANEL

Moderators

Jan Crumb, 28, SP/4, 18th Aviation Co., from December 1961 to October 1963.

John Kerry, 27, Lt. (j.g.), Coastal Sq., Coastal Division, 11 & 13, U.S.N.R. from November 1968 to April 1969.

Veterans testifying

Michael McCusker, 29, Sgt. (E-5), Public Information Office, 1st Marine Division from 1966 to 1967.

David Cohen, Naval Coastal, Division 11, from November 1966 to November 1967.

Sam Schorr, SP/4, (E-4), 86th Combat Engineers, from September 1966 to September 1967.

Dennis Butts, 24, SP/4, (E-4), HHQ Co., 2/12, 25th Infantry Division and "E" Co., 4/39, 9th Infantry Division from September 1966 to September 1967.

Thomas Heidtman, 26, Pfc. (E-3), 3rd Bn., 5th Marine Regiment, 1st Marine Division from October 1966 to November 1967.

Paul Williams, 24, L/Cpl., (E-3) "A" Btry., 1st Bn., 12th Marine Regiment, 3rd Marine Division from May 1966 to May 1967.

Donald Donner, 24, SP/4, (E-4) 20th Brigade, 86th Combat Engineers, from August 1967 to July 1968.

Joe Galbally, 23, SP/4, (E-4), 1/6, 198 L.I.B., Americal Division from October 1967 to April 1968.

Ed Murphy, 23, Sgt. (E-5), 1/6, 198 L.I.B., Americal Division from October 1967 to September 1968.

Timon Hagelin, 21, SP/4, (E-4), Graves Registration Platoon, 243 Field Serv. Co., 1st Logistics Command, from August 1968 to August 1969.

Russel Kogut, 22, WO–1, 155 Assault Helicopter Co., from May 1968 to March 1969.

Dennis Caldwell, 24, CWO–2, "A" Trp., 3/17, Air Cav., 1st Aviation Brigade from October 1968 to October 1969.

Don Pugsley, 23, SP/4, 5th Special Forces. from October 1969 to December 1969.

Steve Pitkin, 20, SP/4, "C" Co., 2/239, 9th Infantry Division, from May 1969 to July 1969.

MODERATOR. This panel is comprised of various units from Vietnam which is why it's called a Miscellaneous Panel. Each vet will introduce himself, tell what unit he was in, what years he served in Vietnam, in some cases months, and briefly summarize what he will give testimony on. After the testimony we will talk very briefly about why these things happened and about the changes that occurred in them between the time they went and came back. So, we'll start at this end and work on down.

MCCUSKER. My name is Michael McCusker and I'm from Portland, Oregon. I was in the 1st Marine Division, in I Corps, in 1966 and 1967. I was discharged on 19th October, 1967 as a Sergeant E–5. This ragged piece of paper here is a Xeroxed copy of my discharge papers. I was in the 1st Marine Division with the Informational Services Office which meant that I was an infantry reporter-photographer. I spent all of my time out in the field with the infantry on infantry operations. I went out with damned near every Marine outfit in all of I Corps from 1st Marine Division and 3rd Marine Division units. And so, these things in the field, the torturing of prisoners, the use of scout dogs in this torture, the Bell Telephone hour as has been described with the field phones, by seeing all of these units, I discovered that no one unit was any worse than another. That this was standard procedure. That it was almost like watching the same film strip continually, time after time after time. Within every unit there was the same prejudice; there was the same bigotry toward Vietnamese. All Vietnamese. There will be a panel tomorrow on the press censorship that a military reporter goes through. At this time I'm not going to speak much of that because we're going into detail in tomorrow's panel. Today I just want to mention a few atrocities of a larger scale that I saw. All three of them were ironically with the same battalion, 1st Battalion, 5th Marine Regiment, 1st Marine Division. All three atrocities happened in the month of September and October, 1966.

Now the first one took place around September 6th or 7th, 1966, about ten miles northwest of the Province capitol of Tam Ky near the mountains. It was in a pineapple forest and a Marine had just been killed. He had been hit by a sniper and the entire battalion, in revenge, destroyed two entire villages, wiping out everything living, the people (and that was men, women, their children), all their livestock, burning the huts, destroying the paddies, their gardens, their hedgerows, just wiped them out—erased them. They did not exist the moment after

the Marines were finished and they might never have existed. The next instance happened also in the same month of September when a squad of nine men, that was a Chu Lai rifle squad, went into this village. They were supposed to go after what they called a Vietcong whore. They went into the village and instead of capturing her, they raped her—every man raped her. As a matter of fact, one man said to me later that it was the first time he had ever made love to a woman with his boots on. The man who led the platoon, or the squad, was actually a private. The squad leader was a sergeant but he was a useless person and he let the private take over his squad. Later he said he took no part in the raid. It was against his morals. So instead of telling his squad not to do it, because they wouldn't listen to him anyway, the sergeant went into another side of the village and just sat and stared bleakly at the ground, feeling sorry for himself. But at any rate, they raped the girl, and then, the last man to make love to her, shot her in the head. They then rounded up ten villagers, put 'em in a hut (I don't know how they killed them—grenaded them or shot 'em down), and burned the hut. They came back to the company area where it was bivouacked for the night while on a regular routine search and destroy mission. I personally came into contact with this when the squad came back, told their C.O., who was a lieutenant, and they hastily set back off again towards that village with the lieutenant. I sort of tagged along in the rear and when I got up there they were distributing these bodies that were charred and burned and I asked what these bodies were. They said, "Oh, we were hit by an ambush. These were the people who ambushed, but we got 'em." Okay, I didn't want to ask them how they killed them because all the bodies were burned as if they'd been roasted on a spit. There was a tiny little form, that of a child, lying out in the field with straw over its face. It had been clubbed to death.

As later was brought out, the Marine that clubbed the child to death didn't really want to look at the child's face so he put straw over it before he clubbed it. The woman survived, somehow, and crawled to a neighbor; the neighbor ran off to the ARVN commanders. The commanders were rather angry, put pressure on the Marine Corps and these men were tried. However, they got very light sentences—a little slap on the wrist. I don't know exactly how much time they got nor do I know how much time they actually served, but they're on the streets again because I ran into one about two years ago in New York. The third atrocity was a village called Pho Duc which was farther northwest of Tam Ky, across the first range of mountains into several valleys. This area was not touched for two years until the Army started taking up operations in that area. Jonathan Shell wrote a very very graphic two-part story for the *New Yorker* concerning that area, mentioning that nobody had been in there for two years after the Marines had passed through. Nobody had to. There wasn't really much left after we went through. In this one particular village of Duc Pho, another man was killed by a sniper. He was a lifer by the name of ——— and I really don't know whether a sniper blew him away or not because ——— was not one of the most popular men in the company. This involved Bravo Company, 1st Battalion, 5th Marines, and I believe it was the 1st Platoon with the Company Commander along. Well, the C.O. pulled us back. We were sweeping across the party when ——— got hit. He pulled us back and called in for nape, which is napalm, or which the military now likes to refer to as incinder jell as if it were as harmless as jello, an after-dinner dessert. But it was napalm. We walked into the ville after the fires burned down and there was an old man lying on a cot, burned to death with his hands stiff in rigor mortis, reaching for the sky as if in prayer or supplication forgiving us for what we had done. We walked past him and across the hedge row there was an old woman lying dead curled into the fetal position as if she had been just born. An old man lay beside her. Over the next hedge row there were thirty dead children. They had been lying out there in this courtyard for us to see them before we got into that village. They were laid out there by survivors who split into the jungle. Now these kids, thirty of them, none were over fifteen; some of them were babies. Some looked like they had just been sunburned, that was all. Their skins were a very ruddy, ruddy pink or scarlet color. Others were just charred with their guts hanging out.

Ironically it was my mother's birthday, 27 October, and I somehow seemed to feel that there were her children. An officer, a captain, walked up to me and said, "Well, Sgt. McCusker,"—remember I was the reporter—"Do you see what the Viet Cong did to their own people?" And I said, "Captain, I saw our planes drop the napalm." He says, "Well Sgt. McCusker, you had better write that the Viet Cong did it." I told the captain politely what I thought he should do to himself and I walked off. Now these things happened. Now these were some of the more gruesome things that happened, or more gruesome because of the numbers. But daily things like this happened, a kid shot down in the paddy because, well, it looked like an adult running away. I couldn't see, so we walk up to him, and it's a kid. The philosophy was that anybody running must be a Viet Cong; he must have something to hide or else he would stick around for the Americans, not taking into consideration that he was running from the Americans because they were continually shooting at him. So they shot down anybody who was running. I was in a helicopter once and I saw this farmer in a cart. Suddenly the farmer in the cart just blew into all sorts of pieces and the helicopter I was in was shaking like the devil. It wasn't hard to put it together because I watched the gunner finish off the rounds. He had extra ammo. The tortures started in the villages. Prisoners were picked up by the average infantrymen who really didn't have much idea of exactly what intelligence was needed. So, therefore, you're all prisoners. We'll let interrogators take care of it. The method of taking prisoners was that you take the villagers that were left in the village, not those that had run away. You tied them to a tree and got the dog handler to let the dog jump and bite at the person tied to the tree. Or again, with the field telephone, you wired it up to his ears, his nose, his genitals. This was done to women; I've seen it done to women. In Ben Song, which was the province capital, in a prison, this guy was telling me all about why war was hell. He took me down to this dungeon where South Vietnamese troops were pulling finger nails out of an old woman. There was an American captain standing by, rocking on his heels, rather enjoying the show. I could testify to the systematic destruction of village hospitals, by mortars, by air, by artillery, believing that if those hospitals were destroyed the Viet Cong could not use them for their wounded. I was also on an operation in the Rung Sat area just north of Saigon which is just mud flats, like the Mississippi delta at high water.

It was in April, 1966, with the 1st Battalion, 5th Marines again. They were a battalion landing team at that time. We came across a big NLF hospital complex and destroyed it out of hand. Now interestingly enough, in Portland Oregon, where I was a medic in the student strike, we had an unauthorized hospital tent in what was called the park blocks out in front of the college. The city decided to destroy it because it was an unauthorized hospital. We did have patients in it, but these were unauthorized people too. They were long hairs. So the cops came in, the tactical squad with their sticks. They bloodied up about thirty of us pretty badly and did a lot more damage to perhaps fifty more. So not only in Vietnam do Americans destroy hospitals. It was graphically pointed out to the people in Portland that they were destroyed too by police power, except of course, the hospital was not officially authorized. Nor are Vietnamese hospitals in the villages. Doctor Margarette, who was in Quang Ngai, can testify to the condition of the provincial hospital in Quang Ngai, the Vietnamese hospital for the province. That hospital is so over-crowded that they can't get anything done. People are dying in those wards; they just shove them off the beds and put somebody else on them. One of the reasons that that hospital is so crowded is because all the little hospitals within the villages were all destroyed. Quang Ngai, in that province of Quang Ngai, an entire war of attrition is being put across there. My Lai is in Quang Ngai; My Lai suffered that war of attrition. When Calley and his people went through there, it was not the first time anyone went through My Lai and put the torch to it, nor was it the last time. You can prove it by a Reuters dispatch of October, 1969. They were doing it again, and in the villages of the whole Son My Province. The entire Quang Ngai area was slated for destruction. The Vietnamese were slated for relocation and forced urbanization, which is what is happening in this country as a matter of fact. So the methods don't differ. I guess, really, that's the end of my testimony, except right now, while I'm speaking, it's happening in all of Southeast Asia, some guys are going through what I did, what all of us did; they are going through it right now. The Vietnamese, Cambodians, and Laotians are dying right now, at this exact moment, and they will continue to die tomorrow, maybe even next year. So remember that and maybe you're going to find one of these days an F–100 flying in napalm strike on a ghetto; you're going to find an F–100 flying a napalm strike on where the long-hairs live. It's not too far off. They've used tear gas from helicopters already; they've used shotguns; they've blown away Black Panthers—it's not too far off.

COHEN. My name is David Cohen. I was with Coastal Division 11, USN, over in Vietnam, stationed down in IV Corps in the Gulf of Siam, from November '66 to November '67. I left high school to enlist in the Navy. When I left the Navy, I was thoroughly disgusted with everything I'd seen and everything I was still seeing. I tripped around for a long time trying to figure out where I was at. And now what I'm doing is full-time GI organizing, because I know. I'm convinced, that one of the best ways to end this war is to get all the active duty GIs to say we are not going to fight your war anymore. I can talk about the dehumanization of the Vietnamese. I can talk about the brutal treatment of the Vietnamese. But one thing that I saw, and that I participated in as government high-up promulgated policy, was the hiring of Cambodian and National Chinese mercenaries by Special Forces Teams who operated in Cambodia, South Vietnam, other places. I only participated in operations in South Vietnam and Cambodia.

SCHORR. My name is Sam Schorr. I'm from Los Angeles. I was in the US Army, 86th Combat Engineer Battalion in Vietnam from September 1966 to September 1967, in the area of Lai Khe, the Iron Triangle, the Mekong Delta around Dong Tam, Ben Luc, and Tan An. I was an E–4. That was the highest I ever got; they wouldn't promote me after that. I will testify to the destruction of crops and rice paddies, ripping off graves, random fire on civilians, recon by fire, indiscriminate firing in mad minutes, throwing people out

of helicopters, throwing C-rations at kids along the side of the road, killing of water buffaloes, and last but not least, the whole major issue, the issue of fighting in this imperialistic war.

BUTTS. My name is Dennis Butts and I'm from Madison, Wisconsin. I was an infantryman with the 4th Division and the 9th Division in 1966 and 1967. My testimony will involve the killing of civilians, the playing of games with mortars—setting them so that they will burn down civilian homes, and also I will try to give my insight into why this happened.

HEIDTMAN. My name is Thomas Heidtman and I'm from Ann Arbor, Michigan. I served from October '66 to September '67; I served with Third Battalion, 5th Marines all this time. I can attest to prisoners being shot. I've seen it; I've done it. Villages being burned was a common everyday thing in the "Burning 5th Marines." Prisoners were tortured. They were forced to carry other wounded prisoners on bamboo poles for up to seven hours. Women and children were brutalized. I've seen water buffaloes killed. Anytime you have to dig a hole, you find a nice soft bean field. You destroy crops. Rice is contaminated with CS. For three months they were attempting to burn rice with illumination grenades, which never did work, but they kept on trying. Destroying villages was a common practice. On one occasion, a captain ordered the burning of a villa because we were staying in this area for a day and a half and it was "too close."

WILLIAMS. My name is Paul Williams of Fayetteville, Arkansas. I served from May of 1966 to June of 1967 in the 1st and 3rd Marine Divisions. I was a Lance Corporal and I was a Forward Observer in the field. Among other things that I witnessed were POW's being beaten, the condition of children after air strikes had taken place in their villages, H&I (harrassment and interdiction) fires, and most particularly the command that I received at Khe Sanh that after dark anything was a free fire zone for H&I's. Further, re-con by fire, FSCC orders, at Khe Sanh, to do this on unidentified targets, and, in the northern part of Viet Nam, the killing of unarmed individuals, destruction of houses, property, crops, the use of prisoners of war as pack animals, the use of CS grenades, the forced evacuation of villagers, and refugees being moved without prior notification, without time to pack their own personal belongings. In Operation Hickory, which was within the DMZ, we made an amphibious landing. We were given the order that anything north of the river there, which marked the demarcation line at that point, was to be considered a free-fire zone.

DONNER. My name is Don Donner. I'm also from Fayetteville, Arkansas. I served with the 86th Engineers from approximately September '67 to July of '68. I'm going to testify about the refusal of medical attention to civilians wounded by Americans, the allowing of desecration of dead Vietnamese bodies by ARVN's, corroboration of the destruction of livestock, and many of the other things that have been mentioned.

GALBALLY. My name is Joe Galbally. I'm 23, I served as a PFC in the 198th Light Infantry Brigade from October of '67 to April of '68 when I was medivaced to Japan. My testimony will deal with the gasing of hungry children, the use of scout dogs on innocent civilians, indiscriminate leveling of villages, killing of livestock, and pollution of water supply. In other words, they made it totally impossible for these people to live in their ancestral homelands again.

MURPHY. My name is Ed Murphy. I'm 23, I was an E–4 rifleman in the 198th Infantry Brigade, Americal Division, and I served in Vietnam from October '67 to September '68. I'm from Philadelphia.

HAGELIN. My name is Timon Hagelin. I'm from Philadelphia. I was in the Graves Registration Platoon attached to 233rd Field Service Company, 1st Logistic Division. I'll testify to the racism of human remains, the rape of women, the misconduct and child molesting of children, and just an all-around bad attitude of Americans towards Vietnamese and Vietnamese attitude towards Americans.

KOGUT. My name is Russel Kogut, I'm 22, I'm from Flint, Michigan. I was a Warrant Officer Helicopter Pilot with 155th Assault Helicopter Company in Ban Me Thuot. I will testify on illegal operations in Cambodia, on the destruction of livestock in free-fire zones, burning of villages, forced evacuation of villages, and attitudes of American towards Vietnamese.

CALDWELL. My name is Dennis Caldwell, I'm 24 from Ypsilanti, Michigan. I was a Warrant Officer flying gun ships from October '68 to October '69 in Vietnam. This was the Cobra Gunship Helicopter. I flew for the 3/17th Air Cav, which was not part of the 1st Air Cav. It was part of the 1st Aviation Brigade. I have testimony concerning the destruction of hootches, destruction of crops, destruction of animals, treatment of prisoners, and also, I have some comments on censorship which I witnessed.

PITKIN. My name is Steve Pitkin, age 20, from Baltimore. I served with the 9th Division from May of '69 until I was airovaced in July of '69. I'll testify about the beating of civilians and enemy personnel, destruction of villages, indiscriminate use of artillery, the general racism and the attitude of the American GI toward the Vietnamese. I will also talk about some of the problems of the GI's toward one another and the hassle with officers.

PUGSLEY. My name is Don Pugsley. I served as a Spec 4 as a Green Beret Medic in South Vietnam. I will testify about some of the little known organizations that worked within the Green Berets in South Vietnam. When I was in Vietnam I carried a Secret Classification and I had several close friends who had top-secret classifications. Also, I have a photograph that I was ordered not to take at Nha Trang. It's a picture of an aircraft that serves the specific units my testimony deals with. I also want to say a few words in the capacity of a medic regarding the most abused drug in South Vietnam, alcohol.

MODERATOR. Joe, you talked a lot about the use of dogs in interrogation, as well as the treatment which kids received and about rape I wonder if you would elaborate on this.

GALBALLY. I'll talk about the rape first. As I said earlier, I was a Pfc in an Infantry Company, which meant that there was about seventy-five of us turned loose on the civilian population in Vietnam. We would set up our night perimeter between three and four every evening. If we had passed any villages on the way to this night perimeter, there would be patrols mounted and sent out. On several occasions, one in particular, we sat upon a hill which was strategically important, I suppose. There was a village sitting at the bottom of the hill. We went back down to the village; it was about an eight man patrol. We entered a hootch. These people are aware of what American soldiers do to them so naturally they tried to hide the young girls. We found one hiding in a bomb shelter in sort of the basement of her house. She was taken out, raped by six or seven people in front of her family, in front of us, and the villagers. This wasn't just one incident; this was just the first one I can remember. I know of 10 or 15 of such incidents at least. The gentleman on my left can corroborate my testimony because we were together the whole time; served in the same squad, the same company.

MURPHY. At the time most of this happened, our platoon leader was a minister. He's dead now so he can't really be found out and questioned. But when he got there, he was a pretty well high-character man because he was the minister. By the time he got killed he was condoning everything that was going on because it was a part of policy. Nobody told you that it's wrong. This hell changed him around. And he would condone rapes. Not that he would do them, but he would just turn his head to them because who was he in a mass military policy.

MODERATOR. Joe, you told me about a guy who collected ID cards. Do you want to talk about that?

GALBALLY. Okay. There was an individual, I won't mention his name, he was a friend of mine, a Spec. 4, and he was, I guess you would say, the platoon hatchet man. Anytime that he had a prisoner that nobody in the room wanted, this guy would take his ID card and tell him to "Di Di Mau" which is "run" in Vietnamese. The guy would get about ten feet, and get a full burst of automatic, which is 20 rounds, in the back. As I said I was Medivac in April of '68 and as of April I know that he had at least five or six ID cards also. He was, I guess, more or less proud of the fact that he was the hatchet man and was all the time showing everybody the ID cards. "Look where I got this guy and, how about this, and look at this." It was common knowledge what was going on. On certain occasions, if there was something that had to be done, the commanding officer would call up and ask for this guy by name over the battalion radio. I'm sure that somebody had to be monitoring this, you know, listening to it, but it was never stopped and no action was ever taken.

MODERATOR. Joe, you also said something to me about the dogs and wells.

GALBALLY. On occasions we were on the road. I don't know the name of the highway. As I said, I was a Pfc., and nobody ever told me much. It was between two LZs—LZ Baldy and LZ Ross. It was a fairly secure area. I don't think we ever received any fire. As I said, we were with a company of maybe 75 of us taking a break along the road. A Vietnamese civilian, wife and child, were riding down the road on a motorcycle, small motorcycle. Vietnamese were very ingenious and this guy had probably most of his possessions packed on the back of his motorcycle. We were sitting with this guy; I don't remember his name or rank. He had a scout dog with him. As the motorcycle was approaching us, he told the scout dog to get this guy. The dog jumped over the handlebars of the motorcycle, grabbed this guy off, had him by the leg and was really doing a job on the guy's leg. This caused the motorcycle to crash by the side of the road; the woman went one way, the baby went the other.

All the possessions were all over the place. When we got to the guy, the dog trainer took the dog away from the guy. We went through his pockets. He had an ID card and a pass. As it turned out, he worked at either LZ Ross or LZ Baldy and had a pass signed by some military personnel. His motorcycle was wrecked. His wife had to push it down the road. He followed, limping, because he had blood pouring out of his leg, carrying most of his possessions and his young child. No action was ever taken against this guy. This was amusement, I suppose. There were at least 75 people watched this—four officers and I don't know how many E–7s and E–6s. Nothing was done.

MODERATOR. Timon Hagelin, you served with Graves Registration and I believe you have some observations on how Vietnamese are treated. In addition, I believe, you have some testimony about a young girl who was mistreated at Dak To.

HAGELIN. I was at Dak To at two different times. The first time was about a month after I got in the country. I came in the country with the MOS of shoe repairman. And when I got to my field service unit they said that I had a choice of baking bread or picking up dead bodies. So I told them that I wanted to go to the field to see what was happen-

ing. They sent me up here. While I was on the base taking care of KIAs as they came through, I made friends with people in my company that I considered basically nice people. We used to get together at night and talk. I went down to a certain place where * * * or the Montagnards are just treated as animals. They know they're human beings but they really don't treat them that way. It's like they're a lesser thing; they're a lesser type human being. Anyway, it was a KIA from a straight force, a Mike force. That was Special Forces, you know. The special forces guy came in and he said, "I'll just put the body back on the runway because it's just a dead yard you know. Just leave him out there." This was the person that was supposedly helping these people out. And going out in the jungles with them was "it's just a dead yard, you know; like forget about him". There was also an incident in Pleiku where the Special Forces E–5 from Pleiku did 'em a favor. He put a Montagnard body in one of our reefers. We had two or three reefers turned on for American KIAs and When we had spare reefers that we didn't always use ——— refrigeration to keep the KIAs. The yard was in there for about five days. The guy that put him in there forget that he was in there and the body was just laying inside this reefer for five days. That's like putting it in an oven. And finally, two of my friends were walking through the mortuary, and they smelled something. When they opened it up, the guy was really very ——— like, you know, he was really, after five days inside that thing. And the action taken against the E–5 that did it was Article 15—you know, they called him stupid.

MODERATOR. Why don't you explain to people what an Article 15 is.

HAGELIN. If the Army court-martialed everybody, they'd have court-martials all the time. So they made a lesser thing. A lesser way for them to burn you. If you do something wrong, they just take your money away from you. They took some of his money away from him for destroying a Montagnard body.

MODERATOR. Sam, you talked about recon by fire and mad minutes. I wonder if you'd explain these terms, as well as talk a little bit about the incident with the helicopter?

SCHORR. Recon by fire is when you go into an area and you're not exactly sure what is in the area. You want to find out, so you just fire into the jungle or into the surrounding vegetation in the hopes you hit the enemy or something. But they really didn't know who was out there or what was out there. And mad minutes is just where everybody on perimeter, around the base camp, (you have bunkers all the way around it) opens up and fires away with all their fire power for about a minute, two minutes. I saw several incidents of recon by fire. This was on convoy duty. The convoy would stop. Tanks would pull out to the edge of the convoy. These are around inhabited areas; there were villages all up and down the highway. This was highway 13, Thunder-road. And they would point their muzzles down into the vegetation and fire a cannister round. Now a cannister round has something like 7000 oblong bearings in it. It's got a range of about 400 meters and it spreads as it goes. It goes in at an angle. Starts out at a small angle and just goes out like this. It's kind of like a Claymore mine. It just rips everything to pieces that's in the way. If there's anybody out there—any animal, any person, any kid, any hootch—it's going to be destroyed, flattened. Knocks trees to pieces. Regarding throwing people out of helicopters, I only saw one incident to this. I was coming out to do bunker guard during the day and right outside their perimeter, this was Lai Khe, there was an armored personnel carrier and a Huey chopper, which was warmed up and ready to go. There were people standing around the APC. There were five Vietnamese people. I do not know if they were civilians, Viet Cong or Viet Cong suspects. Three of them were wounded, had bandages on their bodies and their legs and their arms looked in bad shape. The other two were older men, somewhere around fifty years old. The Lieutenant from the armored personnel carrier and the Captain from the chopper helped place these people in the helicopter. He got in the helicopter and took off. He got a couple of hundred feet up and three bodies came out. The lieutenant who was on the ground radioed up to the 'copter and he asked, "What happened to the prisoners?" The reply was point blank, "They tried to escape."

MODERATOR. Sam, you also spoke about the random destruction of crops, including some fields with graves, and shooting of people. Do you want to discuss that at all?

SCHORR. Right. The destruction of crops was fairly widespread. I was in an engineering outfit. I operated a bulldozer and also an earth mover, which is a very large piece of equipment for removing eighteen cubic yards of dirt at a time. When we had to build a base camp or we needed dirt for a road, we just drove off the side of a road into somebody's rice paddy and just started scraping away and taking their dirt. It didn't matter if the Vietnamese people there were using it at the time, or if they were going to use it at a future time. We just went in there and got it anyway 'cause we needed the dirt. Along almost all these rice paddies, they have graves on the dikes, at corners of the dikes, and these are the fathers, mothers, and grandfathers of the people who lived near that particular rice paddy. If there was a grave in the way, we just went right through it. I scraped up several graves into my pan and probably dumped it on a road somewhere. And there were sergeants and lieutenants watching it. They never said a thing. I was never reprimanded for doing something like this. Also, this was kind of a contradiction in army policy. When we were at a base camp that had a rubber plantation in it—this is thousands of rubber trees planted for the use of taking out the sap and using it for latex—when we ripped off a rubber tree we paid the French owner of that plantation 700 piasters per tree. This was the deal they had worked out. Somebody was getting rich off of taking down these unused rubber trees. But when we did it to these local Vietnamese peasants, or anybody living around there, we didn't pay anybody anything. We just went off and did it. As far as random fire on civilians, this happened quite often, especially on bunker guard. You sit on bunker guard for a week, 24 hours a day and you get pretty bored. So we'd play little games. The Vietnamese would be working out in their rice paddies with South Vietnamese flags stuck in the rice paddy so you would know they were there. And we would try and knock the flag down. I had a machine gun. My friend had a grenade launcher. We would shoot all over the area and the Vietnamese would just take off for the hills. They thought we were friendly and they put the flag up there to let us know that they were there and we fired at it anyway. This was just out of sheer boredom and also because we just didn't give a damn. Also, we threw full C-ration cans at kids on the side of the road. Kids would be lined up on the side of the road. They'd be yelling out, "Chop Chop, Chop Chop," and they wanted food. They knew we carried C-rations. Well, just for a joke, these guys would take a full can if they were riding shotgun and throw it as hard as they could at a kid's head. I saw several kids' head split wide open, knocked off the road, knocked into tires of vehicles behind, and knocked under tank traps.

MODERATOR. Dennis, if I can switch to you quickly because I remember you mentioned something about the rubber plants too and about payoffs. Do you want to discuss that and then talk about the destruction of that perimeter village?

BUTTS. I'm going to talk about the perimeter at Dau Tieng, which I was on for about two months. I spent about every night on it. Dau Tieng is on the Micelin rubber plantation owned by the French. When someone is not there on this perimeter protecting these rubber trees, well, they might be just a little bit confused or embittered at what they're doing. It came down from battalion. We wondered why we weren't too careful when we were in the rubber about getting mortared and battalion said the reason we weren't mortared was because the French were paying a volunteer fee to the Viet Cong for not mortaring the rubber. Where did the French get this money? Did they raise their prices on the rubber? No, they got it from the American government. So the American government was paying the French rent at Dau Tieng and then the French were paying the VC. The VC were carrying out the war in other parts of Vietnam with this money. This was part of why you might feel a little bit confused in Vietnam at what's going on around you. I'd like to talk about the general situation on this perimeter. It was really a confusing thing. I don't know if I can make it clear. We had concertina wire up. The people in the village were friendly. In these two months I never saw any sniper fire coming from that village. The girls would come in at night and stay in the bunkers with us and smoke pot. A lot of guys would go in the village and sleep in the village at night; they'd go through the concertina wire. And it was that friendly. The army has a policy of putting people who are in a rear echelon in the perimeters, such as cooks, mechanics, and mortar people (like I was at that time) who have really no experience at combat or anything and might feel a little bit uneasy at what's going on. They put these people on the perimeter, just after they've got off a day of being book, or working in a motor pool. They're using World War II equipment also which wasn't designed for Vietnam, so they got 50 caliber machine-guns for the mess-halls. Well, the mess-halls don't really need 50 calibers so they put them out in this perimeter. Now the perimeter of the village was about 150 to 200 feet from this 50 caliber. And anybody who knows what a 50 caliber can do, if he can see any logic in that, I would like to know. But, anyway, they got this 50 caliber sitting there and the bullets on a 50 caliber are about that long (approximately six inches).

With some guys, not everyone, it just got to be a game of shooting at lights in the village. One night there was a light or something in the village, and this one guy, he was from a rear echelon, a mechanic, he was on this 50 caliber. He saw something and he opened up onto the village with a 50 caliber in about a ten second burst. Then the rest of the perimeter opened up. Not everyone, but a lot of firing. And all I could hear—it was just people screaming all of a sudden, people screaming, you know. So a few guys started yelling, "Come on, cut it out. Cut it out!" And everybody was wondering what was going on because there was no fire coming from the village. Then there was a big silence, and all of a sudden, just babies crying. And, you know it just—every time I hear a baby cry right now, I—that comes back to me. In another incident that happened, at the time perimeter, up about 100 yards, and this gives a little bit more insight into why this thing happened. They had a man whom I know. He wasn't a close friend, but I'd known him pretty well. And he just didn't want to be in Vietnam. He started out to be pretty straight, a pretty straight guy, pretty legal-headed. He tried everything to get out of the army. He took court-mar-

tials and Article 15s and he finally shot himself in the foot to get out of the army. They patched up his foot and sent him on this berm. He was on the berm and there were a couple of other guys there with him. I was on the next bunker and we had field phones in between us. There was a kid out there urinating. And this guy talked the other two and himself into shooting. Now, I think the other two guys shot. It was only about 150 feet away. I don't think they tried to hit him. But this guy did with a grenade launcher. They hit him with this grenade launcher and I don't know, he must have been about 13 to 15 years-old. I witnessed this. We went into the village and he had shrapnel in his back. The medics did treat him and take him into the first aid station. This guy did not get a reprimand for this. He was just kind of given up on and he was still put in the field again. I don't know whatever happened to him, after that. But, I'm just trying to say the things that happened to people. They go in the army pretty sane or level-headed or adjusted. They tell the army that maybe they shouldn't be there and nobody listens. They just put them in a worse situation and this is how some of these things happen.

MODERATOR. I might just point out to the audience that a 50 caliber, which is the bullet which Dennis was talking about, is outlawed according to the Geneva Convention for use against people. It is not an anti-personnel weapon. It is actually anti-vehicular. However, in Vietnam it has been used by every unit as one of the major staples of weaponry for people. Paul Williams and Don Donner, you both talk about mistreatment of refugees amongst other things. I wish you two would amplify upon the mistreatment of refugees first.

WILLIAMS. Well, in Operation Hickory, an operation inside the DMZ, we were told that the reason for our being there was to evacuate Catholic refugees. We had a detachment of military police with my company at that time, who were to handle these refugees. After making our landing on about the second or third day, in May of 1967, I went out with the platoon to a village about 1000 meters from our position. From all appearances the villagers had not been notified that they were to be evacuated and, they obviously didn't want to be evacuated. About 30 or 40 villagers were rounded up; they were not given a chance to collect any of their belongings. They were taken back to our position where they were loaded on amtracks and taken down the beach. We were told they were being taken to Gio Linh to the refugee camp. I don't know what actual disposition was made of them after they left our position. On another occasion a couple of days later, we saw refugees about 1000 meters in front of our position, moving south. I checked them out with binoculars to see if they were troops or what. They were all people carrying belongings on their back. There were no weapons present. The platoon that I was with at that particular time was in a position about 500 meters from the rest of the company and there were no officers present. Some of the men in the company, or in the platoon, rather, fired upon these refugees. They were too far away for any accurate firing. I don't know if any of them were hit, but there was no command given for them to cease. This went on until they got tired of the sport.

DONNER. First of all, I would like to corroborate a little bit which has already been said. I was with an engineer unit, the 86th, with the other gentlemen at a much later date. The engineer unit is not allowed to have 50 calibers as a standard weapon. We had borrowed two 50 calibers from an infantry unit and we had them the full ten months that I was there. We also had borrowed an automatic grenade launcher from a naval unit, much the same as is mounted on Huey Cobras; a very, very effective anti-personnel weapon as far as killing and maiming goes. I'm an OCS drop-out. I decided I couldn't stand the extra year. It was a hard decision there at the last. But in OCS Fort Belvoir, Engineer OCS, Combat Engineers, recon by fire is a standard technique for convoy duty, which is taught to all the officers and suggested to be used. We often fired on flags in the field, both VC and VA flags, and South Vietnamese flags. We often shot water buffalo while on convoy, sort of to relieve the boredom. Cleaned weapons, things like that.

We threw C-rations at kids. Part of the feeling behind this being the poor gooks are so hungry, you know, give them some food. We don't want these damn C-rations. Some of the people did a pretty good job of aiming the C-rations. I never saw anybody get killed because of one, but there were a few kids who were pretty fast jumpers. We were on a bridge site, building a bridge over the Com Nuong Choi River. We had the two 50s, one at each end of our position on the one side of the river. Standing orders were that at night time any sampan which came along the river was to be fired and sunk: any sampan. The two or three which I remember being sunk were basically sampans which had broken lose from neighboring villages. This was about fourteen, fifteen miles outside Saigon and had floated down the river. We had binoculars. We checked them out. We knew that nobody was in them, as close as we could tell. Standing orders were to sink them and it was a good chance to get in some target practice. Mad minutes we didn't do too much of. The one situation that I can remember, was Tet '68 before we ever heard word that Tet had actually broken out. We'd spent the entire day with neighboring villagers, getting gassed up on rice whiskey (which is a very, very effective form of home brew) and many other forms of dope. When midnight rolled around we unloaded everything we had into the sky and it was quite a sight to watch the tracers climbing up and back down. Again, this is like fourteen miles outside of Saigon. I don't know how far 50 caliber bullets carry when shot in the air, but the entire circle of sky as far as could see around us was completely red with tracers going up—a fantastic sight. When I was in Vietnam I usually drove a jeep, except for a few weeks. It gave me a unique opportunity to get out and see the country which most of my fellow men didn't have. It gave me a unique opportunity to meet with the people. One time—I'm going to give some background so you can understand my feelings on it. I was running a steel convoy after we left the bridge site, back to Bear Cat. We had a large truck loaded with steel and it was barreling along about fifty miles an hour. I was in a jeep trying to keep anybody from a crossroad from getting in the way. So we were pretty well back to Saigon, back to Bear Cat, rather, past Saigon, past the last turnoff, and we slowed down to about thirty-five when an oil-tanker came hustling around, moving much faster than we were. About two miles on up the road, we came upon an accident where the oil tanker had hit a civilian car. There were two kids in the car, boys, twins, about 12 or 14 and two older men. They were pretty well broken up. I got on the radio and called for MEDIVAC pretty fast. It took a while, but normal length of time, before there were medics out there and the kids were medivaced out with no questions asked.

Okay, that's the background. We were down at base camp Linda on the Mekong River, or just off the Mekong, rather, running a convoy up to Saigon again. Bunch of five tons, jeeps, vehicular stuff. We were about, I'd say, about ten to fifteen miles out of base camp Linda. We came upon a bridge with a village around it. The truck, oh five or six vehicles ahead of me, made a dash for the bridge at the same time a forty-fifty year old Vietnamese civilian man was trying to go on the bridge. He was on a bicycle. He saw he wasn't going to be able to make it so he slipped off the bicycle, straddling it, trying to back it up off the bridge. The rear wheels of the five ton caught the bicycle, pinning him underneath it. The metal seat caught in his crotch and quite a bit of blood was pouring out. Our medic checked him over fast and said he couldn't do anything for him. They'd have to get him on to a different hospital or something. So, I got on the radio and called for another MEDIVAC which would take about 15 minutes to get there. I called in on the straight MEDIVAC band. My company was monitoring that band and, unfortunately, I guess, the CO of the company was walking by at the time. He came back and asked me what was happening. I explained we had a wounded Vietnamese civilian. He said not to do anything till he got there. Now this fellow's bleeding to death very fast, very fast. There's a crowd of thirty to fifty villagers standing around in a half-circle sort of watching, talking to themselves. So I argued for a couple of minutes and said, "Okay, you know, hurry up and get here." About five minutes later the civilian was in much, much worse shape. It was obvious that he was going to die by now. I called back to the company again and said, "We got to have a medivac now. It's not right just to leave this man bleed to death in front of his own people. We're the ones who wounded him, therefore we should at least try to show that we're trying to help him." Again the captain came back. Said, "Don't do anything till I get there. He's a civilian, you know." Another five minutes later and the medic brought my poncho to cover him up with. He was dead. About fifteen minutes twenty minutes after that, the CO finally got there. He took quite a while leaving. The body was turned over to advisers working with the ARVNs that were guarding our perimeter and I don't know what happened to it other than that. But, you know, what can you say? What can you say? The other major instance I'd like to talk about was the one time that I actually saw a dead Vietnamese body. It sort of got to be a game with us. This was after Tet and there was a slight push by the VC later on in the year. Let's say this was around May '68 or so. They were trying to block supplies coming up from the southern Delta region to Saigon. And we were trying to keep Highway 4 open for those supplies. So every day we would go out and work on the roads. Dig up the mines and the VC's lay low and take a shot at us. We'd lay down beside the road and fifteen or twenty minutes later, we'd get up and go back to work. They'd take another shot at us. We'd lay back down again.

They didn't seem to be really, at that time, trying to kill us; it was more of a game. We had ARVNs providing our security. Whenever a shot was taken at us, we'd lay down and sweep the ARVNs through the area. They'd go through, say everything's fine, all clean, no VC. We'd go back to work and then get shot at again. Usually they'd go through a field until they received fire. As soon as they were shot at they would sit down, wait, call in our airstrikes, our artillery. Then go forward again. The VC were wise to this. They wouldn't shoot at them. They'd run back to their shelters, wait for the air strikes, artillery to get over, then come back out and shoot. This time the ARVNs were being pushed by a new advisor who got them moving instead of calling in air strikes and they caught a VC who was hiding in a bunker. And they shot him. They towed his body back to camp, oh four, five miles behind a jeep. They drug up outside our area. Everybody came up to look at the VC. After a while, there were quite a few GIs standing around. We were company size strength. Some of the people wanted to cut his ear off—this sort of thing. It was the common short of thing which we understood as being done. I can't testify to any though. But

quite a few of the EMs there, like myself, didn't particularly like the idea and notified the officers, at least the good ones, who also didn't like the idea. The ARVNs then took the body, sat it up along the roadside, and let it set. This is what it looked like four or five days later. . . . Sort of frightening to realize I still have this on film. I Almost forget about it because I don't like to look at the film very much. I don't like to be reminded. To the best of my knowledge there was no protest filed with ARVNs or the advisor working with the ARVNs at that time, about letting the body sit there. And part of the importance of this is that, as I understand some of the religions there, is that immediate burial is very, very important in their religion. It's as if you didn't confess before you died. There's no hope. It breaks the cycle of reincarnation if you're not buried, or if your head's cut off, or if the head is mutilated in any way. But to the best of my knowledge, there was no word said about it. The body was allowed to lay there and rot. There was another instance of a body laying beside the road which I drove by for about three days. There was some sort of a sign pinned on him, but it was in Vietnamese. I never did find out if the body was a Vietnamese civilian, a VC, a Vietnamese working for the Americans, or what. And I don't know if anybody else did either. One of the other things which I might mention is this sort of mad minutes which go on. Before I got to the bridge site, evidently one had gone on earlier.

Oh, six months earlier, or so. There was a very pretty, very vivacious little twelve, fourteen year old girl who lived within our perimeter at a hootch. She was permanently disabled. Her leg was stiff, would never straighten out again. She was on one side of the river and evidently somebody thought there was some VC over there and everybody opened up. Most likely everybody was messed up on some sort of dope or other. And she was wounded, could not be helped. To help balance it out though, I might say, that at least at Com Muong Choi, where we did get to know the people, we were fairly good about giving medical attention to anybody who needed it or to taking any Vietnamese who was wounded or sick to a hospital. In fact, I guess that was the only time that I really felt decent over there, was the three or four times that we took pregnant women over to have their babies.

MODERATOR. Tom, burning is something which is pretty much taken for granted in Vietnam but it's the destruction of dwellings which are inhabited by civilians that is a war crime. And, Tom, I think you wanted to talk a little bit about the burning of villages and the Marines and their nickname.

HEIDTMAN. My first day with 3rd Battalion, 5th Marines, I was informed that the nickname of the company was the "Burning Fifth Marines." Once, just before my first operation, we had a company formation, which means that the entire company who was going on the operation is fully equipped with everything they're going to take with them, including ammunition. At the time, our company commander was a 1st Lieutenant, who was hit on Hill 1100 in April, but he said that we're going out in the morning and we're going out on choppers. We're going out into an area west of Tam Ky. Then he said, "We're going to have a zippo inspection right now." And I would say approximately two-thirds of the entire company had zippo lighters. We held them up, lit them, demonstrated that they were filled, would burn. Then put them away. He smiled and let it go at that. When we went out, I would say 50% at least of the villages we passed through would be burned to the ground. There was no difference between the ones we burned and the ones we didn't burn. It was just that where we had time, we burned them. I've seen a gunnery sergeant take a .45 and kill six piglets that probably came from Americans because they had a big program to give the Vietnamese people pigs, ducks, and things like that. They were shot because their area, their pen, or whatever, was right next to a village or a hootch that was burning. The entire village, for about a quarter of a mile, was on fire with illumination grenades or zippo lighters. Everything was burned. Everything was torn down. All the animals were killed. Water buffaloes were shot and allowed to just lay right where they were. They were just shot right in their pen; they couldn't move. It's hard to kill a water buffalo, but when he's standing right there there's nothing much he can do. Everything is burned. On one particular occasion we had been moving on Operation Arizona, in April and May, we'd been moving constantly. About one hour just before dark, the order came right from our first lieutenant to first squad, which I was a member of, to go burn the village because it's too close.

We're spending too much time here. So my squad, myself included, went and put a zippo lighter to the village. Burned it. They were still inside the houses. They came outside and just stood there and cried and carried on. A short while later they wandered off. We don't know what happened to them. That was the only village in the immediate vicinity so we cleared the area more or less. Everything was liable to be burned or destroyed. We would stop along the side of a hill, going up a hill, just to check out the top which is a procedure the Marine Corps seems to adhere to. Everytime we would stop somebody would be taking a machete or some such thing and chopping down banana trees. The people would slice potatoes and dry them out in front of their hootches. They would be scattered all over the place. They would just be kicked and destroyed. Men would urinate on these vegetables that were drying in the sun If they complained they were definitely brutalized. That was a common procedure. The reason I came down here was because I've been living with this thing for two and a half years. There was an aura of hate in my outfit. I mean, a Vietnamese . . . there was no such thing to my unit as a friendly Vietnamese. Every Vietnamese was a gook. I've hardly ever heard the term Vietnamese. They were always gooks. There was no difference between a good one and a bad one except that the good one at the time is carrying no weapon but he's still fair game. The games that some of the Marines in my outfit played, myself included, would be to find older papa-sans with long whiskers, which I guess is the symbol of his identity in their culture, and they would just be cut. Every man in my outfit had at least a combat knife and they would just cut these whiskers. They would brutalize anybody who complained. We would move into a village and we would just sit down. We owned the village while we were there. These people would do what we told them, or they wouldn't be allowed to stay in their own house, or would be beaten inside the house. In one village we were using this particular hootch for the command post. There were officers, two officers and two senior enlisted men inside. The old grandfather appeared to be about sixty or seventy years old. He would not cooperate and go get water for some of the enlisted men and officers, so he was picked up by two marines; each had a wrist and an ankle and they just pitched him in about 15 feet out the back door; he just landed there and split. To the marines, there was no such thing as a free fire zone in my outfit. Every place was a free fire zone, whether it was 50 yards from the perimeter or five miles or whatever.

MODERATOR. A free fire zone for the information of somebody who just came today is an area designated by the command, whichever command has jurisdiction over an area, stating that anything in it is fair game. Any moving thing can be shot. Anything can be destroyed. It's a VC area. Many of these areas were designated such without any American presence for two and three year periods.

HEIDTMAN. One other thing that was more or less like a joke, like cutting the whiskers off, and it would get a laugh every time from somebody, was if we were moving through a village and there was a woman present. Her clothes, at least the top half of her clothes were just ripped. I've seen that happen and done it several times, probably thirty, forty times I've seen civilians with their clothes just . . . just because they were female and they were old enough for somebody to get a laugh at . . . their clothes—the top of their clothes, at least, would be ripped. Just torn right down. It only takes one hand to rip those kind of clothing. They're real thin silk or whatever, and they would be shoved out into the ditch and we'd just keep going.

MODERATOR. Now, when you first arrived in Vietnam you told me that they burnt a village just to show you how to do it. Is that true?

HEIDTMAN. Well, it was more or less demonstrated. We were on our first operation and it was an operation so it just followed the procedure. They were used to it and we were just shown how you destroy a village. How you cut anything taller than you are down, unless it's a big tree and will take time. Banana trees are chopped down. Everything is set on fire. My squad leader personally ignited the first two hootches and then just told us to take care of the rest so we could learn how this procedure was carried out. And he said, "Now you know that everything in the way gets burned," and we just proceeded to follow that procedure.

MODERATOR. David, you wanted to testify about U.S. operations in Cambodia as far back as 1967 and I think two others also have testimony on this subject with slides. Why don't you go ahead.

COHEN. I was in the Navy and I was on swift boats which are patrol boats. Their primary mission is board and search. And all they do is search every junket and sampan they see, looking for VC suspects and contraband. But it was a very mundane operation. It wasn't really exciting. I was really bored and I figured well, what the ———, here I am in a war zone, let's go see some war. So I went and I volunteered for any sort of special operations that were going on. Our base was on this island about fifty miles off the coast, on the Gulf of Siam, and there was this town right on the coast. It was called Ha Tien. There was a special forces, mercenary group, there which was a team of special forces who were provided with money. I mean, I've seen the safe full of the million piasters. They hired Cambodian and Nationalist Chinese mercenaries. Most of them were bandits, you know, who hired themselves out to anybody. They would go out on these operations. The base was five miles from the Cambodian border. So anything in that direction would have had to have been in Cambodia because we always went more than five miles in a northerly direction. I went out on operations with them anywhere between five and ten times. Sometimes it'd be out riding the boats and sometimes I'd be out relating to the Special Forces. Supposedly, my capacity was coordinating naval gunfire support. But fifty miles inland there are no naval guns that are going to do that. The special forces maintained arsenals of unregistered weapons. That is, weapons that are not registered anywhere in the United States. Not even with the manufacturer. So that if anybody was captured, if any of the weapons were captured, there would be no Amelrcan implicated. There would be no Americans implicated in anything that happened. Nobody

ever wore uniforms. They were either black pajamas or camouflaged fatigues and tiger greens. I would like to say that one of the reasons they hired mercenaries was because the ARVN troops realized that the NLF were really representative of the people and they didn't want to fight against the NLF. So they had to hire these bandits to do it. I saw NLF. We talked about racism here. The terms VC and Viet Cong is racist. The terms for the supposed insurgent forces is the NLF, National Liberation Front.

MODERATOR. Russ, I believe you were a helicopter pilot, and participated in dropping Special Forces teams in Cambodia. I think at this time we might show your slides and you can explain that operation.

KOGUT. In July of '68 I worked with the Special Forces unit, B–50, out of Ban Me Thuot. Their main support were these air force helicopters here, the UH–IP, and you'll notice there are no markings on the aircraft. We were just being used as backup because they were running more missions than they had aircraft for. And we supported them like this, on and off, for the whole year I was there and it continued after I was there.

Our company took over a good deal more of this mission, as I was told by a friend of mine who came back. We worked out of a base camp at Duc Lap down on the border. We put recon teams in consisting of two or three Americans and two or three hired, well, I can't swear that they were hired, but they were Cambodes or Montagnards, sympathetic with the U.S.—either for money or other reasons, and we put these teams in. We went anywhere from one to three miles inside of Cambodia and, in the briefing that we received, they told us that their mission over there was to gather information on a known NVA unit that operated out of that area.

The NVA had a base camp there of approximately 15,000 of them by the estimates gathered from these reports, from these spies that we took in. These missions were secret. The president had knowledge of these. I am informed that a copy of what goes on, goes to him. I can't verify that so I shouldn't say it, I guess. But, these missions continued up until the time of our going into Cambodia on the legitimate side and now they're no big thing.

Other testimony I have would be corroboration of these mad minutes. These things took place in our compound. They were quite common. Also, evacuation of villages. On occasion in De Lat, a village southwest of Da Lat, we evacuated all the inhabitants and the ARVN's went through afterward and burned the whole village. The livestock that they didn't kill, they stole and brought back for themselves. It was on a similar type operation at Tuy An on the coast. A whole peninsula on the coast was said to be uninhabited and we went out there on these little search and destroy things.

On one occasion they found a woman. We took her prisoner and she had a whole basement full of rice. They destroyed the house and I believe they destroyed all the houses in the village. On one of these operations, as we were leaving the pickup zone, which is where we operated out of, somebody gave the okay for all the crew member to load rocks aboard the helicopter. Apparently, the province chief, who is like God in these areas, said that it was okay for the gunners and crewchiefs to play bombardier by dropping rocks in the bay. He said anywhere over in this one part of the bay was okay to drop rocks. We took off to go pick up the troops.

On the way we passed over this place, and all the crew members were throwing these rocks out. One sampan I know of was hit and sunk. There were two people in it. They swam to shore and another old man was hit by an ARVN captain. He threw the rock out and hit this old man right in the chest and at that speed there's little doubt of what happened to him. The ARVNs burned the villages whenever they found rice because these missions were strictly one-day things and they didn't have time to haul rice out or investigate. The province chief decided where everybody was going to live, so if they didn't live where he wanted, they took the risk of having their houses burned. Free fire zones are all over the place, wherever somebody decides to have one.

We had one where we regularly tested our gunships after they came out of maintenance. We took them out there, they would check them out, and anything in there was a free target. On one occasion I was flying north near a village called Ban Dong on a sniffer mission. For anybody not familiar with it this is a device in a helicopter which detects ammonia scent emitted by humans. It's also emitted by monkeys. When they got a high enough count, they would bomb it, and either get monkeys or VC by their book. On this particular mission the gunships had to turn back early because they were low on fuel, and there was just myself with a sniffer and the commanding patrol ship which was a ways above me with a map. I saw an elephant and made mention of the fact. The captain was in charge of the overall mission told me to go back and look and see what was going on.

I went back. There were four adults and a calf. I circled them several times. There was no village in the vicinity, so they were not friendly elephants, and there were no (this was by the captain's definition) there were no marks on the elephants or packs or any signs of any people around, so I assumed they were wild. The captain assumed they were enemy and told me to have 'em destroyed. So I had my gunners shoot 'em. And this is the price an animal pays for being wild in Vietnam. The same thing goes for water buffalo. Several times I've seen water buffalo shot for sport. If they were on a certain side of a ridge or on the other side of a river, they were considered fair game.

MODERATOR. Russ, you told us about taking special forces into Cambodia. Sitting at the end of the table is Don Pugsley, who was in Special Forces with Project Delta. Don, do you have another slide to show and explain?

PUGSLEY. Well, first of all, it's kind of an involved rap, but just like our large universities have colleges within them, the Special Forces in South Vietnam have different subsections with in—A teams, B teams, and C teams, all of which you know about through the media, movies, and that ridiculous song.

There are other sub-sections of this special forces that are not too well known to the people of the United States of America. These are known as C & C North, C & C Central, and C & C South. I'd estimate about a hundred green berets, and then I don't know how many more mercenaries, work in these different sub-sections. There is also an organization known as Project Delta B–52, of which I was a member.

I will explain the functions of these units. I'd started off in 1964 as SOG, Special Operations Group. It evolved some time between '64 and when I went to Vietnam, into C & C. C & C stands for Command and Control, which is just an army term that has absolutely nothing to do in regard to explaining the unit it represents. C & C North's sole function was to run reconnaissance and related missions into North Vietnam. C & C Central's sole function was to run reconnaissance and related missions into Laos and northern Cambodia; C & C South did the same thing in Cambodia exclusively.

Project Delta did the same thing only within country, within South Vietnam. I served with Project Delta as a Green Beret Medic. I had a very close friend, who will have to remain nameless because he chose to make the Army a career, who was a weapons expert. In Green Berets you are given a speciality—medics, weapons, demolitions, operations and intelligence, communications. He carried a top-secret clearance because he wanted out of country. I carried a secret clearance I worked in country. He was at C & C South. His first mission into Cambodia (and this is all prior to our official invasion of Cambodia) was sanctioned by the CIA because all these C & C units take their orders directly from the CIA. A man in civilian clothes, who my friend did not know, he would come into the room and say, "Okay, men," and put a map on the wall. "An aerial photograph shows that this particular NVA installation in Cambodia has armor.

"We don't know if they're mock-ups or real. We want you men to go in on the ground and determine if they're real or not." Then the man would leave the room and my friend and his fellow teammates decided whether they wanted to go in or not. He went in, and encountered an approximate NVA company. He went in with another American and three Montagnards. I might point out that Montagnards are not allowed to serve in the South Vietnamese Army because they're considered sub-humans, and contrary to what this man said down the table, I have never seen an instance where a Green Beret was down on Montagnards.

Perhaps it happens, I never saw it when I was over there because the Montagnards, we really loved them. The Montagnards women were never molested, ever. We just didn't touch them. They were something different thar a South Vietnamese. In his particular photograph here, this is a C–130 aircraft, right in front of it on the flight-line is a C–123 aircraft. This photograph was taken from the Nha Trang airport. Nha Trang is the headquarters for the Green Berets, and my particular unit was a gypsy unit. We had our main base in Nha Trang, but we went all over the country.

I was wounded and injured in a helicopter accident on the Cambodian border about fifteen klicks west of Kontum, the highland. In the front, the first aircraft is an official American aircraft. It's got a different type of camouflaging. The official camouflage of South Vietnam is a light sand, light green color. It carries numbers on the side of the aircraft that register with our government plus the usual insignias, etc. This here is called the blackbird. It used to be known as the SOG bird. This is a C–130. They have several C–123s like the other one painted the same way and used for the same functions. You'll notice that the only marking on it is a star here to the rear.

My friend flew in these—well, as a matter of fact, he flew into Nha Trang trying to visit me one day on this. People in C & C fly only on these aircraft right here. He told me that the pilot and the co-pilot, all crew for this aircraft, were of Chinese nationality. Not related to the Americans in any way. On the front right here, there's a boom which at the moment is folded back, There's another identical one on the other side. When that boom is folded forward, it creates a "V" with the apex of the nose. In that "V" is a winch.

For those of you people who saw the James Bond movie "Thunderball", at the end of it, James Bond put on a rubber suit which had a cable running up the back that went to a balloon up in the air. An airplane came by, snagged that rope, and yanked him out of the water. This is what this is functioned for: to snap agents out of North Vietnam, Laos or Cambodia when they get into hot spots and they aren't able to get choppers in to get the teams out. The uniform, etc., is dropped in an aluminum cocoon and the man puts it on and is snapped out. This is the only aircraft I ever saw with that particular device in the nose. I saw this device demonstrated at Fort Bragg, North Carolina, the United States headquarters for all of our Special Forces. My friend did not wear a uniform. He carried a

special weapon. I carried a thing called a Car-15, which is a kind of a sub-machine gun, a cut-down version of the M–16 weapon. Only officers in the regular army units carried them. All Green Berets carried them, those in C & C South specifically.

I carried a weapon known as the Stoner system, which is eight weapons in one. It incorporated silencers for silent prisoner snatches in Cambodia. You'd wound the man in the leg, grab him and get out of there with the man. These particular agents for C & C South carried cards, which I saw, that were from MACV which said to anyone stopping these people, they have a right to carry whatever particular weapons found on them; they're not to be molested in any way by MPs or what have you in the country.

In Nha Trang, when I was speaking to my friend, he had a friend with him who was in C & C South. We were at the bar and he was telling me about all the craft they were putting on Cambodia, in regard to bombing, etc. This was when we weren't supposed to be bombing. He also told me about a group of men within C & C South code-named then as the Earth Angels.

I said, "What do these Earth Angles do?" and he said, "Well, this guy here is an Earth Angle." This guy hadn't said one word to me throughout the whole night, and he said, "I really don't know what they do. I know that they go in one and two-man teams, they come back, and it's rumored that they commit assassinations and atrocities." I've heard that same rumor, not only in Vietnam, but at Fort Bragg, North Carolina, several times from several different sources, sometimes officers, so I just began to assume that it was true after a while.

MODERATOR. Dennis Caldwell, you were an attack helo pilot. If we could just move very quickly through your testimony, we'd like to get to another area.

CALDWELL. I'd like to just briefly explain exactly how we worked, because you probably haven't heard much testimony on this. I was a helicopter Cobra gunship pilot. I worked with another aircraft at all times; 90% of the time it was called a hunter-killer team. A hunter-killer team goes out and does reconnaissance on certain areas. The other aircraft that was with me was a small observation helicopter, normally OH6A Cayuse. Every morning we'd go out and look at certain targets, certain coordinates that were given to us in the morning. We spent about two hours in the morning, plus or minus an hour, sometimes all day, looking at targers, and also just before sundown we would do this. During the day we were on call for any ground units that got into contact. I was told by the other pilots in the unit how to tell a VC from a civilian—if they were running, they were VC. If they were standing there, they were well-disciplined VC, and shoot 'em anyhow. They also told me that when we were flying over a village, or near a village, if people started to leave the village, civilians, it was a good sign that there were VCZ in the area, that they were expecting a fight. While speaking with my hootch-mate (I had it pretty good over there in Vietnam, I had a mate) she says, "When American helicopters come through, people run. They think they're going to be killed."

So you put these two things together, and you see civilians are in a kind of bad spot. Recon by fire has been mentioned—I've seen this happen many times, I couldn't even begin to count. It was a perfectly normal, standard operating procedure for my unit and many other units, to recon by fire. It's done with a mini-gun which fires (I can't remember exactly what it is) three or four thousand rounds a minute. It was done using CS grenades; it was done using 40 millimeter grenades; it was done using 2.7 5-inch rockets, with either ten or seventeen pound warheads of various combinations. As far as clearance to fire went, my first three months I never heard of the term clearance to fire. If there was somebody that we thought might be VC by his actions, by running or hiding, he was a dead man.

Ninth Division were people that we supported mainly when I first got to Vietnam. We had pretty much our own show. We didn't have to ask anybody what to shoot. We didn't have to ask for clearance. After that we worked closer to Saigon. We worked probably within a thirty or forty mile radius of Saigon in all direction, and we had extreme trouble receiving clearance to fire. An Air Force Forward Controller, who coordinates air strikes from jets, told me one time, "If you have trouble obtaining clearance to fire, just holler out that you're receiving fire, and we'll send jets in to bomb the hell out of the place, whether or not you actually receive fire or whether or not there are any weapons in the area at all." Free fire zones—I worked in many free fire zones.

It's kind of hard to number them because almost everyday, someplace, we'd come in contact with a free fire zone. I've seen hootches burned down which were not proven to be military targets. I've seen hootches CS'ed to drive people out. When the people were driven out, naturally running away (who wants to hang around and breathe the CS for an hour), they were killed. There was one night at Tan An, which is south of Saigon, I believe in Long An Province, February 23rd of 1969. It was about midnight and somebody detected some movement out on the perimeter. Somebody climbed on top of a hootch to see what it was. Well, actually what they were doing, was shooting at them. Somebody was trying to get them out. It was a high ranking officer. We played around with them for a while. They didn't get anywhere, so they sent our firefly ship up, which is Hue Vuey with a cluster of seven landing lights to light up the ground, brighter than the sun, especially at night when you're looking right up at it. They sent the firefly ship up.

The Viet Cong had set up some rockets right outside the perimeter, rockets, RPG's, things like this. So they scrambled, the gunships off and through the rest of the night, for approximately six hours, there were, I would say, at least ten full loads of armament expended from Cobras in that area, plus several loaches. We scrambled the whole unit from Di An, which is my home base. Di An was my home; they scrambled our whole unit to come down to Tan An and to work on this area.

The next morning, the reports were that there were many civilians killed. This was the village on the south end of Tan An, there were many civilians killed. There were reports of Americans killed by this attack. I believe there was one injury. This is from the report that I got. In the same general area, probably within one or two blocks of the same exact location, several months later we were working on a canal. We were just looking around, doing a recon with the firefly and one Cobra. The firefly ship saw a man in a sampan. He was an old man with a bunch of nipa palm leaves in the sampan. Because he was out after dark, he was killed by the door gunner of the Huey. I have seen a prisoner beaten. He was in a cold area; no fire was received from this area. This was to the northwest of Saigon, to the south of Cu Chi. I can't remember the exact location. We'd been called out to do a recon in this area. It's quite desolate. It was at least a couple of kilometers from any real village, any settlement. Along this canal line, this man was hiding. I do not know whether or not he was armed. But I know that there was no fire received in that area from any enemy soldiers. They flushed this guy out. They tied his hands behind his back.

The water was approximately a foot deep in this rice paddy where they were working him over. I was watching from approximately 500 feet. He was kicked. He was beaten in many ways. Kneeling in this water, with his hands behind his back. I don't know if he was blindfolded or not. Being repeatedly knocked down into the water, set back upright, hit again, and knocked down. Concerning 50 caliber machine guns, many, many times, I have seen them mounted on the doors of Hueys, specifically to be used against ground troops. That's what you go up for is to kill ground troops. Go up in conjunction with firefly ships used at night, used at day, and this is fairly well known among us. I have seen, several times, C–123 Aircraft working to the west of Saigon. There's a large river that's to the west of Saigon, runs roughly north and south.

I can't remember the name of it at the moment, but beyond this river there is absolutely nothing left. There were hundreds and hundreds of villages, marked on the map that I had with me, all kinds of names on the map, but you get over that area and there's nothing there at all. It's all been wiped out long ago. Now the C–123's are going out to that area with defoliant, I don't know exactly what chemical it was. I've seen formations of six C–123's out there, low level spraying with Air Force jets providing cover for them. And, I believe there was one time we were to be on stand-by for these people; in fact, I'm sure of it.

There was one time we were to be on stand-by for these people in that general area in case they ran into any ground fire. I have seen a herd of water buffalo CS'ed, because nothing was going on, the pilot flying the loach was getting bored and saw the water buffalo; he dropped one or two CS grenades on them and they stampeded. They crashed into a bunch of foliage next to the river and they went head overheels into the river, you know; it just completely drove them crazy. I don't know what happened to them after that. I don't know if water buffalo can swim or not. I never saw any of them swimming.

MODERATOR. We are running short on time and we do have a couple of things we wanted to do. One was to throw the panel open to a couple of questions, but before we did that, many of the vets, particularly the vets participating in this panel, have expressed the fact that they could go on and on for a long time, talking about various instances of brutality, torture, rape, everything that's been talked about here for the last two days. But one thing they felt was very important and which hasn't, in a sense, been done by many of the veterans was to say why this happened. What happens to them that this happens and how these things came about. Steve Pitkin in particular felt the need to try and express something about how these men become animals in a sense. I know several of the other vets on the panel want to mention it very briefly. So Steve why don't you start off.

PITKIN. I've sort of got a little hassle by the idea of coming up here, sitting down and telling basically war stories to everybody, because I'm sure, besides the FBI agents that we have in here, most of you people are against the war. Most of you people know atrocities have been committed. The thing I sort of wanted to impress was that there are different sorts of atrocities being committed. It doesn't necessarily have to be in Vietnam, although those are the ones that get the most attention. But, I'm sort of directing this one at the present because I think one of the most atrocious things about Vietnam is the way it was covered in the press. I guess it's sort of like you shouldn't have news reporters over there; you ought to have sports writers, box scores and everything. I guess the war's winding down, because this week we only lost 27 men and because Richard Nixon said so.

But ask anyone of those 27 men if the war's winding down. Bet you won't get an

answer, you know. Well, what I'm trying to say is one of the saddest experiences I had is when I returned from Southeast Asia and I was waiting to catch a plane from Frisco Airport to Baltimore. It's like two o'clock in the morning or something and four long-haired people came in. And, you know, it's okay with me, but they laughed at me and in a sense I really had to fight back tears, I didn't say anything. I tried not to let it faze me that much, but we're not tin soldiers, we're people; the people they sent over to Vietnam are blacks; they sent a lot of college graduates and college students over there. I don't know if this is a form of genocide, but believe me, if you look up the definition, it sort of hints to it.

I feel that if people knew more the human part of the American soldier in Vietnam and about the enormous underground and how well organized it is over there, they might have some second thoughts before they called me a pig or before they called me a tin soldier, laughed at me. I figured before I went over to Nam I had a choice of either going to jail or to Canada or making it over there. I figured that I was doing more in a capacity to attack it over there in Vietnam, where the problem was actually happening, than I would be sitting in jail. Although, believe me, anybody who does go to jail or does go to Canada, has my full support. I think it's an atrocity on the part of the United States Army, (I don't know about the Marines, Navy, or anything else) to allow eight weeks of basic training, nine weeks of advanced infantry training, and then to send you against an enemy that's been fighting in his own backyard for twenty-five years. The training that they gave us, the infantry, really amounted to nothing but familiarization with the small-arms weapons and the explosives you would use once you got over there. We attacked a mock Vietnamese village in the snow at Fort Dix. An interesting point: a lot of times when we were put on line to attack a point of something, you were told not to fire until your left foot hit the ground. I remember asking a drill segreant, "Do they really do this in Nam?" "Yeah, you know."

When I got to Nam, it was like black had turned into white because I was totally unprepared. I was put into a recon unit operating in the Mekong Delta. I hadn't been taught anything about the weather, the terraine. I had been taught a little bit about booby traps, but that's really up to the guy who lays them; they can just be anything. It was just a hit and miss thing. You go over there with that limited amount of training and knowledge of the culture you're up against and you're scared. You're so scared that you'll shoot anything, that you'll look at your enemy and these people that you're sort of a visitor to. You'll look at them as animals and at the same time you're just turning yourself into an animal, too.

I'd say that's got my head spinning a little right now. The fact that I was actually at one time sort of animal and that now I have to come back and be civil again and people sort of expect a purpose and expect you, just to have a definite purpose. You know, you're going to school, yeah, you're going to work, yeah. But there's like more and more veterans now that are just finding that there's no purpose, because nobody's ever given us one. The only purpose I had was surviving and getting the hell out.

STATEMENT FROM THE AUDIENCE. One of the things I really wanted to say, and I feel is really important, and points up that not only are they using GIs to kill our sisters and brothers over in Asia, but they use GIs to police our ghettos and to scab in labor disputes. They use GIs on campuses to put down dissenters and the main reason that they are able to do this is because there's this huge isolation between civilians and GIs. GIs hate the way they look, I mean it's amazing the ends they go to to disguise the fact that they're GIs. Wigs, god; and it's because people, civilians, don't relate to them. A short-haired dude hitch-hiking they don't pick him up. They don't do anything and that's the way the military operates; they isolate you from the people; they isolate you from each other; they just build on this isolation and your fear. Like I said before, the only way that I think this war is going to be over is for active duty GIs to say that they're not going to fight this war; not go over to Vietnam and not fight that war.

PITKIN. I'd say that the government, and a lot of the people who sort of run this nation, have been telling a lot of GIs that the biggest detriment to our morale has been the long-haired, protesting, pinko sympathizer-type, but I think the biggest lift for my morale came when I was lying in Okinawa in the hospital there and a girl wrote me about a place called Woodstock, where 500,000 people had come together and it was so beautiful. It was the first time I smiled in a long time.

PANELIST. I wanted to say something also. A funny thing happened when I was in basic training. They had this flick about what is a communist and, it was pretty cool. They showed, you know, the dictatorship of the poletariat, socialized means of production and the people relate on a socialist basis and they're trying to get rid of the government. Wow, that sounds pretty cool, so I went up there, I went up to the guy, and I asked him, "Well, what's wrong with communism?" And he goes, "What are you? A communist?" I said, "No, I just watched your movie and I think I'm beginning to understand what a communist is." And they sent me on to somebody else and I was getting into trouble with that, so I cooled it. I went over to Vietnam and I found out that the Viet Cong and the National Liberation Front are called communists because they're fighting for people. I came back to the States, and got out, and I find out now that I have to fight for people. And I'm called a communist. Well, ——— it, I am one.

MODERATOR. Apart from the suggestions which have been made now and we've been making in the past, I wonder if one or two of you who did express a desire to say something about this earlier want to say something more about how you actually went through a transition and about what it did to you. Particularly if you were against the war and went over, or express your feelings as to how this came about and then we would like to take some questions.

DONNER. It wasn't till OCS that I started realizing some of the things that were being done to me. One of the things that we found out after we had been in OCS for a while was that there was a purpose for all the Mickey Mouse harassment which we were put under. We were put under immense physical strain, running several miles, several tens of miles each day. We were put under, that is for the Army, at least, the intense mental strain, the studies there, but they weren't that tough. We were put under intense emotional strain, being away from everybody, being not allowed to leave the barracks for about five months. And we were told later that the purpose of this was sort of a Pavou's dog type thing. That after a person is put under immediate strain for a long period of time that he sooner or later snaps. After that snap occurs, he becomes much, more receptive to any ideas which are given him and that was the entire purpose of all the harassment. Well I started looking back and putting that together with AIT and basic.

The same forces were operating there. They shave your head. They make you lose your entire sense of identity. Instead of reacting as the individual, you are reacting as a group. The group, honorary eliteness, that's not quite the word, but it's forced upon you. You must react together or you're all punished. This continues and continues and continues. I was lucky in the sense that when I was at OCS, Dr. Howard Levy was on trial, and Dr. Levy changed my thinking for me in a very large fashion. He at least made some of the others think. I don't know what else I can say except for that. I'd like to also point out that GIs are a repressed minority which should be able to relate with the black movement more than anybody else in that each time you walk off that post and into the next Leesville, or Fleasville, or whatever the name of the town is offpost, you're charged more money for anything you buy. You're hated more by the civilians, there. You live in your own sort of ghetto which you usually escape from by going further out and growing long-hair. Unfortunately, our black brothers can't escape.

QUESTION FROM THE AUDIENCE. I'd like to ask one question of anybody on the panel, and that is did anybody here try at any point when he was in Vietnam to fight the policy which called on him to do these things and if he did, what happened? Or if he didn't, why didn't he?

MODERATOR. Does anyone want to tackle that?

PITKIN. You were so contained in how much liberty and how much mobility of thought that you were allowed in Vietnam, while you were serving there, and due to the circumstances no matter where your head's at, you were under somebody. If you're being fired at by the enemy, he really doesn't care who you are and you really don't care who he is. I think one of the biggest ways the guys fought the army, or any policy, was through lingering or shamming. We had a lot of guys who would use a P-38, which was something you open C-rations with, a can opener. They would cut their legs, take a cotton ball and soak it with lighter fluid, tape it to these cuts, walk around in it, and some beautiful sores would appear. Any way you could damage yourself.

The first time I walked into my unit, I walked in and a brother was laying on a bed, stoned out of his mind. Another brother came down with a bat on his leg, broke it right in front of me and like, you know, I asked what's happening, and he says, "Why don't you go out and hunt bush for a while and you'll find out!" That was about the only way you could do it unless you fragged any of the officers or NCOs or got them out in the field or else beat the —— out of them. But a lot of times we found that we were such strangers to this game, and you had a captain and a lieutenant who knew how to call in really good artillery; who could get your ——— out of a tight bind. You'd sort of, you wouldn't want to frag him. But, the CID, which is over there, they tried busting a unit of grunts, who had just come out of the field for a rest period; four of them were killed, this is before I got there, and they went to bust my unit when we got out of the field, too. Five of them walked in with my captain, my lieutenant, and a lieutenant from Bravo Company and the first one in line says, "You gentlemen are smoking the wrong cigarettes, I suggest you put them out." His eyes lit up, he turned out and walked off with everybody. I turned around and every ——— guy in my platoon had his gun raised and I guess he sort of got the message. I guess the idea behind that was that if we were out there and we didn't know if we were going to be alive from day to day, I didn't want a man with spit shine jungle boots and starched fatigues coming in and tell me he's going to put me away in LBJ for smoking a harmless weed.

MCCUSKER. I'm going to try and lead to it. It's going to be hard to articulate, in a way, because it's very complex. The atmosphere of the military is definitely a repressed minority. It not only operates on, but it feeds on

fear. The unity that is pounded into you is yet a separate unity, because each is afraid of the other. Each is supposed to police each other and keep the other from doing anything extreme which might get the unit in trouble because they're punished similarly together.

If one man does something, the whole outfit pays for it. So this form of unity is one yet built to separate you from each other. Each man is supposed to know his way around a litle bit. He gets to know how to get around regulations for his own personal safety or he learns how to operate where he can keep some form of freedom for himself, however minor. It could be the way he wears his clothes at particular times or what he does on the base. Like a young woman Marine I was talking to on the airplane last night. She was telling me about these medics that she knows at Camp Pendleton who, when many lifers come up for discharge, the medics can't find their medical records so these lifers are put on a medical hold. They just say the records are somewhere in Japan and they can hang on for one or two years.

So there's many small ways in which you can try to screw up the brass and the lifers; from record books all the way to fragging the guy and that happens many, many times. Now, within your own conscience, in the spectrum of war, that whole Vietnam thing is based on fear. You're scared to death all the way over there.

You're told continually that you're going to die if you don't do this, if you don't do that. That every Vietnamese is going to kill you; that booby-trapped babies are going to be sent against you and old grandmothers are going to throw bombs at you, which can be very, very true and in many instances is true, but the question is not asked why that old grandmother wants to throw a bomb at you. That's the part of the discussion that doesn't occur. But even in the Nam, as many atrocities as there were and as many people committed atrocities, there were many, many who did not and tried to prevent them in their own small ways. You could tell a man, "Hey, don't fire that hut or don't ding that round" and sometimes it worked and sometimes it didn't work. Men went on their own to not do those things.

They're having a problem in Vietnam r.ght now, at least the military's having a problem in Vietnam; a lot of guys aren't firing their guns. It's like World War II again. In the last parts of the war, they said maybe one out of seven were firing their rifles. I think the average now might be one out of ten. Because now, like when I went over to Nam, there wasn't really much political dissent. What political dissent there was, was squelched. So we didn't have too much to guide by.

The captains over there right now has had five years of a very strong anti-war movement that reached every level of society and he knows what's going on. He's been pretty well educated outside the military education. So though he's over there right now, he knows what to do and what not to do and what steps to take to prevent atrocities. So it comes down to an individual consciousness and discipline of action, and when I say discipline, I killed men because I wanted to survive. I didn't question why I should survive over the men I killed. I killed so that I could feel the guilts and question myself as to why I wanted to survive and that's a bind in which we were all put.

Some men exceeded the self-defense and did a lot of things they would be locked up for doing here in the United States. Vietnam has been pictured as a good football game; it's been pictured as a legal rumble. For a lot of people, it's been that way. In the streets I learned how to feel like a Vietnamese, I've been clubbed; I've been maced. Now I have a little bit of feeling and I needed that and maybe most of us need it. As a matter of fact, Portland, Oregon, itself, finally got clubbed back in the spring and a lot of the white kids, middle-class white kids learned how to feel like a black man in this country and like a Vietnamese in Vietnam.

There is only one real true way, unfortunately of learning something to your bones, and that's to have something try and break them. Okay, so now many, many vets are out in the streets. The soldiers that they send against us are clubbing down veterans who are trying to prevent them from going to Vietnam. These soldiers are clubbing us down so they can have the privilege of going to Vietnam. The soldiers themselves don't consider it a privilege, of course, but I find that a great tragedy. Because as more and more vets get out into the street and the soldiers are used against those vets, that to me is a very great tragedy.

PANELIST. Yeah, but the soldiers that are used against vets in this country are enlisted reserve and National Guard and they aren't going to go any place except to a meeting once a month and to summer camp every summer. Those are the real cowards in this whole mess. People that split to Canada have guts because they're leaving their families behind.

MCCUSKER. Well, wait a minute. We ran a little jamboree against the American Legion in Portland this summer and we had reformed ex-Marines who wanted to be elite and join the police forces and get into tactical squads. We had the National Guard against us, who were the people that you spoke of, and they were in the guard for many, many different reasons. Some pure cowardice, others because of mixed up emotions. Then we had Army units, regular Army units, and remember the 82nd and 101st has been used to blow people away, so they infect at all degrees. Now the politicians in Oregon were trying to raise the fear of Genghis Khan coming to Oregon, so that they could justify blowing us away.

In other words they wanted the parents to justify the deaths of their children. They almost succeeded because of their propaganda and their fear-raising. That fear-raising is the same kind of fear-raising they use on each GI before he goes to Vietnam. Get him so scared that his only morality is his own survival and he doesn't think beyond that. You've got the POW issue here in this country. That's just an emotional issue to disguise the actual intelligent issue of what the ——— we're doing in that country. And as brought out this morning by Howard Zinn, it keeps us from questioning the government that continually sends over more people to become prisoners.

THIRD WORLD PANEL

Moderator

Donald Williams, United States Army; refused to go to Vietnam, went to Sweden.

Allen Akers, 25, Pfc., "E" Co., 2nd Bn., 4th Marine Regiment, 3rd Marine Division from May 1965 to March 1966.

Panelists

Scott Shimabakuro, 21, L/Cpl. (E-3), "C" Battery, 1st Bn., 13th Marine Reg., 3rd Marine Division from October 1967 to November 1968.

Barry Romo, 23, 1st Lt., "A" Co., 2/1, 196 L.I.B., "C" Co., 3/4, 11th Inf. Brigade, Americal Division from June 1967 to November 1968.

Evan Haney, Naval Support Activity, United States Navy, Da Nang.

Earl Rose, 3rd Marine Division.

Charles Stephens, 24, Pfc., 1/327, 101st Airborne Division, from December 1965 to February 1967.

William Light, 22, E-3, "E" Co., 1/6, 198 L.I.B., Americal Div. from May 1968 to June 1969.

Veterans testifying

Orville, Carey, 1st Logistics Command.

Larry Brooks, 21, Pfc., 2nd Bn., 7th Marine Reg., 1st Marine Division (July 1969–January 1970).

Murphy Lloyd, 27, Sgt. (E-5) "D" Co., 4th Bn., 173 Airborne Bridgade (February 1967–February 1968).

Mike Nakayamo, 1st Bn., 5th Marines, 1st Marine Division.

MODERATOR. Can I have your attention? The Black veterans are coming up to speak on the Black experience with racism in Vietnam and we'd like for you to give your attention, if possible. Any Third World people, you know, people of color, all of us. Do you think the minority groups could have some water, please?

Excuse me, is this the bulk of the press that's going to be covering; this panel? You're not even from the press, so the press is not even covering this, right? Can somebody on the staff go see about the press?

VOICE FROM AUDIENCE. We're here and we're important. We'll pass the word right on.

MODERATOR. Say, people, isn't this typical racism for the press? Okay, we're ready to deal. My name is Donald P. Williams. I spent eight years in the service. My unit was alerted to go to Vietnam in March of 1968. They went to Saigon, but I went to Stockholm. When I got to Stockholm, I sent my commanding officer a big picture postcard and told him good luck. I want to make an opening statement, and then we're going to have the brothers from the Third World give an opening statement. Then we'll give it to the panel.

We, the Black veterans of the Vietnam war, are expressing our experience with racism in Vietnam. We intend to show by our testimony that the war in Vietnam is nothing more than an extension of the racist policies as practiced here in the United States. Racism is the motivating factor in determining America's genocidal policy against non-whites. The overwhelming majority of people killed or maimed in Vietnam are non-whites, whether they are Vietnamese, Viet Cong, or American Blacks. Whites' statistics say that Blacks constitute only ten percent of the total population in the United States, yet they represent at least forty percent of the fighting forces in Vietnam, and, in many cases, due to racism, Blacks are the overwhelming majority in the combat areas. The statement you will hear this afternoon reflects the reality of American society's attitudes towards non-whites. This attitude emanates from years and years of oppression based on the refusal of American people to eliminate racism. At this time I'll turn you over to the brothers from the Third World and they're going to make an opening statement.

SHIMABUKURO. My name is Scott Shimabukuro and I'm representing the Asian brothers and sisters, not only in the United States and veterans, but also in Asia. Now this tribunal, or investigation, is into the treatment of Asians, and I'm relating this not only to Asians in Vietnam but to Asians all over the world. The United States has a policy of racism that in Vietnam is only an extension of this, and we feel that since this gathering is to bring these things out, we think there should have been a bigger representation from not only the Asian people in this community and in this United States, but of all Third World people, because we are the people who are receiving all these crimes against us and we feel we should be heard. We've been quiet too long.

ROMO. My name is Barry Romo. I represent, supposedly, the Chicano community, which isn't hard to do, because I'm the only one here. Chicanos constitute the largest percentage of deaths of any minorities, which is way out of proportion to their numbers. It's because of language and culture. This thing has turned into a horror show. The people

dying are Third World and the people getting hurt are Third World, and that has to be brought out.

HANEY. My name is Evan Haney. I'm an Oklahoma Indian, and I would like to say that I am probably the only one here who is an Indian, and there should have been more here, but we have our own fights to do in our own communities. And, I represent the Indian community all over the United States and I would like to say that I hope to convey the feeling that you know that we are out fighting and not in a position where . . . well, I don't know what to say right now, but I represent the Indian community across the United States.

ROSE. By name is Earl Rose, and I'm a representative from the West Coast. I'd like to talk about the mis-education and how they take Third World people and through mis-education and using the word Cong as a symbol of killing, instead of using the words "Go out and kill Vietnamese people," how the word "Cong" is used against Third World people to manipulate and to kill them. That's all.

MODERATOR. At this time, I'd like to introduce the co-moderator, Allen Akers, and he's going to introduce the rest of the members of the panel.

AKERS. Yes, my name is Allen Akers. I was a Pfc. in the United States Marine Corps. I was attached to Echo Company, Second Battalion, Fourth Marines. I was in Vietnam from 1965 to 1966 in the Chu Lai area. I was an infantryman and the bulk of my duties was search-and-destroy missions.

MODERATOR. Steve?

STEPHENS. My name is Pfc. Charles—*ex*-Pfc. Charles N. Stephens. I was in the 101st Airborne Division, First Brigade, and I was a Medic from December 1965 to February 1967.

LIGHT. My name is William Light. I served in the Americal Division of the 1/6, E-company, Echo Recon. I was a grunt.

COREY. My name is Orville Corey. I was in First Logistics Command in Pleiku. I was a postal clerk.

BROOKS. My name is Larry D. Brooks. I served with the First Marine Division, Second Battalion, Seventh Marine Regiment. I served in Vietnam from July of '69 to January of '70.

LLOYD. My name is Murphy Lloyd. I was in the 173rd Airborne Brigade, Separate. My MOS was 11 F, Recon Intelligence, and I worked from the Saigon area all the way up to Dak To in the Northern region.

MODERATOR. Okay, thank you very much, Larry.

NAKAYAMO. My name is Mike Nakayamo. I was in the First Marine Division, First Battalion, Fifth Marines.

SHIMABUKURO. My name is Scott Shimabukuro. I was in the Third Marine Division, Charlies Battery, 13th Marines, at Khe Sanh.

ROMO. Barry Romo, former First Lieutenant, Americal Division, 196 and the 11th Infantry Brigade.

HANEY. My name is Evan Haney. I served with the United States Navy in Danang, NSA, Naval Support Activity, Danang.

ROSE. My name is Earl Rose, Third Marine Division, US Marine Corps.

MODERATOR. (AKERS). Okay, thank you very much, Mr. Rose. At this point we would like to get into the testimony of some of the personal experiences. Myself, I'll start off and then we'll stem from there. I'm sure if you've been watching some of the news media on television you would have seen some of these mercy missions that are sent out into the Vietnamese villages to help the people there. Now, the hospital ship, Hope, that is docked just outside the three-mile zone in Vietnam, will transport nurses in their, you know, clean white smocks, and everything, and send them into villages to help Vietnamese children, you know, if they're sick or if they have any ailments or diseases. Now this is the picture that they'll portray, you know, the white man coming in with his doctor bag and he's going to help you out with your sick and ailing. Now any time they want to portray the Black man to the Vietnamese, they will have us situated so that on search and reconnoiter missions, we would be the first ones into the village, shooting and hunting; through the huts for Viet Cong.

Consequently, very seldom do you run into a village where there are any men at all. There are usually just women and children, so you can imagine the picture that these villagers see when they look outside their little homemade bomb shelters and see big heavy-set Black dudes with rifles aimed hip-high and grenades in one hand, shooting and firing. So consequently this here is one of the mental tactics that is used over there to keep the Black man from identifying with the Vietnamese people—because for all intents and purposes we are one and the same. There are many relationships between the Vietnamese and the Black man as far as skin tone and a lot of cultural things, for that matter.

Another thing I would like to talk on is the psychological effect of tactics that is used on Black troops. What they would do is they would pull us in to a barrack-like situation and keep us there for about a month at a time. And, consequently, when your're sitting there in garrison, doing nothing but smoldering in the hot sun, you begin to build up friction among the troops. And your white troops might be playing their country and western music and you have your Black troops who will be playing our soul music and that'll get to going back and forth and if we can get hold of any liquor or anything, this builds to the animosity among the groups.

So consequently they get to fighting amongst each other, and the higher brass knows, well, it's about time to cut these guys loose on some villages somewhere. So they check back on some of their old recon reports where they have heard of some Viet Cong suspects being in the area and they just route them out to these particular villages and cut loose with them. They give them an ambiguous order, like something to the extent of "All right, you're going into an area where there are known Viet Cong, so you are to reconnoiter by fire". So that when you get there, anything that moves you're going to fire on. So this is one of the mind-taxing things that he does to make you want to attack somebody even though you know that you don't want to kill another Vietnamese because you feel that he might be, in fact, your brother.

STEPHENS. When I arrived at the base camp of the 101st First Brigade, in Phan Raang, in December, I was told never to go to "B" Company, because "B" Company, that's booboo company. They're always getting ambushed. They're always getting a lot of guys killed. They're always under strength. What I wasn't told about B Company was that "B" Company was all Black.

The only thing in "B" Company that was white was the officers and the platoon leaders, rather, the officers and the platoon sergeant. Also, when I was fortunate to get sick and go to the hospital, I went downtown one day, I went to a bar and I asked for an orange soda. But they didn't have any orange soda. So I asked for a coke, but they didn't have any coke. And the guy next to me, he ordered a coke and he got the coke. So I asked the girl, I says, "Well, I thought you said you don't have any cokes." She says, "Well, you no same same me. Me number one, you number ten." And I was also told that I have a tail. Where?

LIGHT. I'm going to start off with racism on a personal basis. For reasons of my own, I chose not to go over to Vietnam. Behind this, I was railroaded, and handcuffed, and taken under guard to Vietnam. They forwarded orders to my company commander of my background when I was in basic and AIT, relevant to my behavior. From the jump, he discriminated against me. I was commonly referred to as a "field nigger". I was on an operation. We were under attack by a regiment of VC. The outcome was like seven to eight guys out of about thirty-five left. The first thing my first sergeant did when he called in was to find out if I was dead or not. The majority of my company consists of white guys, but the majority of brothers are in the field. The ratio is like sixty to forty and most brothers, Puerto Ricans, and Mexicans, have to walk point to more or less prove their manhood, on an individual basis, that they are just as much man as the next guy. Consequently, there were all forms of racism.

I was in the stockade in Lon Bin for three months. I saw a brother fed rat poison because he chose not to do some of the things that the racist MP's asked him to do. A lot of brothers were beaten, handcuffed, and gagged, and thrown into solitary confinement without food. My first meal in solitary confinement was mashed potatoes and coffee grounds. That was it. You'd be surprised at the things that happen over there. I came home, and I tried to apply for some money from VA. They told me, "Well, look, you wait two weeks or a month. Come back, you know, later on when we get the chance." I came back in two weeks. I had to fill out more forms, more paperwork, I kept getting the runaround, etc. Since I've been home, I can relate this to a lot of guys, white and black. It's hard to find employment for veterans. Dig it. I don't understand what the big thing is. All the guys are coming home from Vietnam and can't find work. Like, it should be some type of system where a brother or somebody coming home from Vietnam is guaranteed employment. I went back to my old job and the guy told me, he says, "Good, when do you want to start, today or tomorrow?"

So I says, 'Well, I'll start tomorrow." And he looks on my DD–214, which is my Army discharge files, and then he saw I was in Vietnam and he said, "What did you do?" and I said "Infantry." And he says, "Oh, wait a minute." He came back two minutes later and told me he didn't need me. I took a test with a hundred and fifty guys and only twenty passed, and just because I had a general discharge, I wasn't accepted at that particular corporation. That's all I got to say. Thank you.

COREY. Well, I was in administrative service for most of my time in the service. Most administrative service is about ninety percent white, maybe ten percent black, and I originally was in Germany. I volunteered to go to Vietnam, to get away from what I considered overt racism that was going on over there. We had Klansmen, white hats, and this was more or less accepted as policy. Nobody worried about cross-burnings or stuff. I probably could have stood it generally a little bit better if I had been maybe in a field company with more Blacks, but it was only about four Blacks in a company of about maybe seventy people, seventy or a hundred people and four Blacks, and it was just a little bit too much. There was no chance for a promotion. You were handed out all the vile details, and in general we got a lot of practical jokes and pranks pulled on us. The only way I could get out of Germany was to volunteer to go to Vietnam. Upon arriving in Vietnam, I found out that the situation in the rear echelon companies is much the same. There are very few Blacks in rear echelon companies, mostly whites. The excuse was, I believe, that there weren't enough Blacks

qualified to work in things like finance, personnel, and the other back-up companies. Okay, thank you.

BROOKS. As I said before, my name is Larry Brooks. I'd like to relate to the people how the racist system over there deals with brothers that was more or less a mental destruction more than material destruction. Like they had their own ways of dealing with brothers that talked up. If a brother talked up and what he was talking about, didn't know what he was talking about, he was given time in the brig, or off his hours, or fined some money. Like brothers that knew what they were talking about or knew where they were coming from, they would deal with them by giving them good jobs.

I was in the First Marine Division and they like had put out the Third Marine Division. They sent all the brothers from the Third Marine Division down to the First Marine Division and they sent all the whites back to Okinawa and back to the States. And then after I got to rapping and telling them how it was, well, they told me, we think something is wrong with you, and they pulled me in the rear and put me in the kitchen. So I worked my way from bottom mess man to chief mess man. Actually, I played on Whitey. I knew that I wanted to get out of the field, so I played on whitey to get a good job and after I got the job I rapped again. So, officially, the captain came to me to say, Well, something just ain't right, son." So he pulls me in and said if you don't start acting right we're going to send you to the psychiatrist" So, boom they sent me to the psychiatrist, and I asked him what his problem was, you dig? After a while, the dude sure enough thought that I was ready to dance, so they sent me back. They put me back in the kitchen and I started washing pots. So officially I was head of all the brothers in the mess section, and so I started organizing a meeting in the mess hall every night.

So they sent me up to the colonel and he checked my temperature and sent me back to the psychiatrist again. I asked him, "You got to let me see somebody." So they thought maybe they'd give me a three-day leave, and I went to Bangkok, Thailand, and stayed for six days.

I came back and it seemed like all the brothers that I had on mess duty with me were going back to the field. so I ran down and asked my first sergeant what happened, and he told me, "Be cool, you'll be leaving here in seven days". This was right up my alley, because I had over half a year left.

Up until today, now, (I got out in January '70) I have a discharge here, I don't even know what I got it for. It doesn't state a reason why I was discharged from the military. This is a good discharge; I didn't do all my time, you understand, I didn't get hurt, and yet here I am. Like when I apply for a job, they ask what did you get out for. So I scratch my head. I say, "Well, really, I can't tell you."

They state on your discharge why you were discharged. Mine is just a blank. I don't have no bad record. I wasn't no hero. You see, I don't know what the deal was. So these are some of my personal experiences in Vietnam. If the press were here, I wish they'd write the government and tell me what I'm doing out of the service. My expiration date wasn't but two days ago, and I've been out a year.

LLOYD. My name is Murphy Lloyd, and right here before me I have two discharges. Yeah, well, I went in twice. I went in in '61 to '63. And something funny happened. Around '66 I got patriotic because the President said he needed men to fight in Vietnam and at the time I really believed that I had just as much to fight for as anybody else in Vietnam regardless of what color he was. I just felt that this was my country too. But upon arriving in Vietnam, I found a different story altogether. For the first thing, I arrived in Vietnam on a Saturday, and Sunday morning I had been awarded the CIB. That's the Combat Infantry Badge, a star. After receiving this, things just started that I didn't want to believe were actually happening. I had been hearing about how racist the Army was, but I didn't want to believe this because I judge a man not by his color but by him being a man, regardless of what he is. But I started finding out; that in the field, I went over there, as a communications specialist, and while receiving my gear the man told me, "I'm sorry, we don't need a communications specialist, we need a grunt."

He got to issuing me claymore mines and things I didn't know anything about. And when I got out in the field, I noticed that ninety percent of the outfit out there were from minority groups. They weren't just Blacks, they were Chicanos, Indians, anything else you want to name. We were there. Quite naturally we couldn't complain about rank, because we were getting all the rank because there wasn't anyone else out there to get the rank but us because we were in the leadership position. This is true; I wouldn't lie to you. You know, it's funny when you look back at it. Like I just jumped up and said "Well, boom, my country needs me." And I went over there to fight, and come back home to this thing here that they call freedom. And last night while on the way home, after leaving the meeting, over on Emerson Street, the police stopped me. So I go in my pocket to give the policeman my license and he happened to see this (Vietnam Veterans Against the War button). And he made a statement about Miss Fonda, I wouldn't like to repeat the words here, but, wow, it was pretty deep. So like I told him I was doing what I feel I had to do. So there I go down to jail. So I spent the night in jail last night. If you see me nod every now and then, it's from that. I could say some more things, but I think I'll pass it on to my man here.

MODERATOR. I just got a message here. Michael Olover, a Vietnam veteran, has a statement to read regarding something very important. So where's Mike?

OLIVER. Sisters and brothers, we have just received word from Detroit that United States Senator George McGovern (Democrat, South Dakota) and Representative John Conyers (Democrat, Michigan) called today for immediate investigation by the United States . . . (Applause drowns him out) . . . immediate investigation by the United States Senate and the House of Representatives of allegations arising from testimony given by a group of honorably discharged United States veterans of war in Vietnam at the three-day Winter Soldier investigation being conducted in Detroit.

Chief amongst these charges are reports that the United States committed ground troops action inside Laos as long ago as February 1969, contrary to affirmations by government officials that no such incursions had occurred. Senator McGovern charged that the Winter Soldier Investigation testimony provides evidence of the administration's growing credibility gap in Indochina military affairs. "Last week," McGovern said, "we were told by Defense Secretary Melvin Laird that our combat troops have not operated outside Vietnam. A few days ago we learned that some of our servicemen were on the ground in Cambodia. Now there are reports invasions into Laos as long ago as early 1969. These are serious charges which require immediate and intensive review. The American people must know all the facts about our military policy in Vietnam.

Congressman Conyers recalled similar reports he received during his 1969 tour of Vietnam. "The charges that our command office sanctioned interrogation by torture and other brutal acts, the occurrence of atrocities without investigation or punishment, and that racism still pervades our Armed Forces require complete disclosure. I shall ask for the full transcript of the Winter Soldier Investigation hearings and I will propose that these veterans be brought to Washington to deliver their testimony before the appropriate Congressional authorities."

During the first day of public hearings, thirty-five veterans of Vietnam service described a wide variety of atrocities and war crimes in which they participated or which they witnessed during their tours of duty, often in the presence or with the approval of their officers. The veterans' testimony included charges of killing of unarmed women, children, and elderly peasants; the use of torture to elicit information from captured prisoners; the shooting of enemy soldiers attempting to surrender; and the wanton burning of Vietnam villages. Veterans who served with the First Marine Division in Quang Nam Province of South Vietnam told of an American ambush executed on Christmas Eve 1969, during what was to have been a cease-fire for U.S. ground troops. The witness said, "Twenty-five Vietnamese were killed, but only one weapon was actually found. An officer then gathered previously captured weapons from other units in the area to justify the labelling of the new kills as enemy soldiers."

The Detroit Free Press confirmed this incident from another Marine who had been present in Vietnam at that time but was unaware of the Winter Soldier Investigation. His recollection was that there had been thirty-one persons killed in the ambush."

SHOUT FROM THE AUDIENCE. Let's go to Washington and tell the world about it! How about it?

PANELIST. Okay, ladies and gentlemen, I think I might throw a monkey wrench into the fine working machine for a second here. For the last couple of days you have been receiving testimony from the war of injustices to non-whites over in Vietnam. Now, if these injustices and these here genocides are perpetrated against the non-whites in Vietnam, the Vietnamese soldiers, and they are solely admitted since yesterday, Sunday, on television, and this morning, what do you think they've been doing to the Black soldier they've been serving along with? Just think about that.

WILLIAMS. I'd like to pose a number of questions to the panel here, and then we want to open it up for some questions from the audience.

VOICES. Let's let our brothers speak. Our brothers from the Third World, minority groups, all of us are called underdogs, masterminds of the world; rap, brothers. . . .

NAKAYAMO. My name is Mike. I wanted to rap about racism directed against Asians in the military and in Vietnam. First of all, I felt quite a bit of racism before I joined the service, okay, that's understood. When I got into the service I experienced amplified racism. As soon as I got off the bus at my boot camp, I was referred to as Ho Chi Minh, which, you know, was. . . .

VOICE. A compliment!

VOICE. Right on! Right on!

NAKAYAMO. Yeah! I can dig it. I was referred to as Jap and gook constantly through my training. Then I knew I was going to go overseas to fight for this country. I can rap about quite a few instances, right in boot camp, but I'll just move on to my experiences in Vietnam. While on Vietnam, I was in the infantry, but a few times they let you come back to the rear. Most Marines are allowed to go into PX's without showing an ID, and I was not allowed to go into the PX on a number of occasions with an ID because I was yellow. I was constantly referred to as "gook" in Vietnam also, and, relating this back to the United States, I know a number of my Asian brothers and sisters who are

being referred to as "gooks" by returning servicemen, by American people in the Los Angeles area.

The thing that bothered me about this investigation is that it seemed as though people were trying to cover up the issue of racism, which I believe is one of the definite reasons why we are in Vietnam. We talked a lot about atrocities, but the systematic and deliberate genocide of all Asian people through the use of racism cannot be allowed any longer.

VOICE. Take your time, man, you're doing good. You're telling the truth.

NAKAYAMO. I'm sure I don't have to go into detail about the racism and atrocities being committed against Asians, because you've been hearing that all week, or since Sunday. But the things that the brothers are relating have been happening in the United States since the Third World people have lived here. Now there's been a thing on relocation of Vietnamese from their homes to relocation camps. That strikes home pretty close, because my parents and grandparents, who were supposed to be American citizens, were relocated during the Second World War, and; that just amplifies the racism that has been coming down in this country. And also, you know about the Indian brothers that this country belongs to. When Evan speaks, he can go into that, how they were robbed. But I want to go into the atrocities against the people here, because the people have been telling you how they treat the Asian brothers and sisters. Now they bring this home with them, and this has a great effect on the Asians here in the United States.

Just to bring this a little more personal, two personal friends of mine were hitchhiking through Ohio and on the road a few of these people (I think they were people) got out of the thing and called them Vietnamese gooks and beat them so bad they were in the hospital for six months. Now things like this should also be investigated, because this is crimes that are committed here too, against all people, working class and Third World people in the United States. And I feel some of the crimes here should be investigated in Washington because these are just as great in magnitude if not greater, because we are supposed to be free, I haven't felt free, because I guess I haven't been. Now you've heard of instances of genocide and murder in Vietnam.

I'd like to relate a few that have happened in the United States. Now you all know what happened in Chicago. The only Black brother on the Chicago Eight was thrown in jail and they're going to try to keep that brother there, I said they're going to TRY to keep him there. Now this is just racism. Now this brother was trying to speak up for his rights and because he was Black, he was treated worse than even the white radicals. Now there's got to be wrong there. You know they've been ripping off the Panthers all over the United States. For what? For their right to be free. That's just like the Vietnamese, they're fighting for their right to be free, so the military is oppressing all liberation struggles all over the world and here in the United States. Now this has to stop. We've been hearing about trying to get this war over, investigations and such into genocide. I'd like the people to get behind trying to end the genocide here and get behind some people like Angela Davis and free ourselves over here. I'd like to say Free Angela, and All Power to the People.

MODERATOR. I'd like to pose some questions to the panel. Anyone can answer them. I would like to know, were those Black men who were considered troublemakers forced to the front before other men more qualified.

ROMO. If I can say one word before you go on, just one word about the Chicano, the Puerto Rican, the Brown. If it's all right, thank you. The brown people, the Puerto Rican, the Chicano, suffer from a problem in America, not only of racism, but of a language and a cultural difference. The ghettoizing; that goes on in his early life, his economic background of relegation to farm work, etc., puts him in a position that when he goes in the service, the only thing the service feels he's qualified for is the front line and infantry duty. As a consequence, when he gets to the field, he cannot relate to his officers or NCO's. He can't understand the language and he can't understand the culture behind it. As I said before, the Chicano, the Brown, the Puerto Rican suffers statistically more casualties than any other minority and the white. I think this has to be brought out and it has to be stopped.

HANEY. My name is Evan Haney, and I would like to point out that if you took the Vietnamese War, of the American war, as it is, and compared it to the Indian Wars a hundred years ago, it would be the same thing. All the massacres were the same. Nowadays they use chemical warfare; back then they put smallpox in the blankets and gave them to the Indians. You could just go right on down the line and name them out and they would be the same thing. One thing I would like to bring up about racism is that I have grown up with it all my life, and when I was small I was exposed to this, and I kept growing and growing and learning. But it was so much that when I watched TV or something and watched the Indians and the cavalry, I would cheer for the cavalry. That's how bad it was. Right now a lot of Indian people are . . . they're not going back to the old ways, but they're thinking about the old ways. You can take any culture of these people up here on the panel, any culture of you out there, and if you look back into it deep, they had something good. Way back, they had it. And then people started getting into a money bag, and that's when it all happened. When we made treaties long ago, it was for as long as the grass shall grow and as long as the rivers shall flow. The way things are going now, one of these days the grass isn't going to grow . . . and the rivers aren't going to flow. . . .

ROSE. I guess most of it's been said. All the brothers said real beautiful, all the Asian brothers, and my Indian brother here. I have been in the Marine Corps for ten years, ten long years in the Marine Corps. Went to Vietnam twice. When I looked around me in those ten years I found out who was really fighting this war, and all I've seen was Third World people and poor whites fighting this war. Most of the poor; whites in the war were in the positions of power, more or less the sergeants and officers.

People can say, how Third World people go in the service and fight? All through the years we've been mis-educated, all through high school, elementary school, and then we have one more choice left, and that's the military. To make this great big American splash, like in Hitler youth, we got to make our name in the sky. So we go into the service. My brother was there in 1965; he felt like it was his patriotic duty. I did the same thing in '65, "I'm going to wipe them all out, really do it, get my medals, really make it on the scene." Then you go out and they keep using words like Cong and Slopehead and Slanteyes. I said, "Hey, those are the same words they use in the States against me, against Third World people." They dehumanize these people so much that it's easy to go out and kill them or blow them away, because they are dehumanized, and it becomes in your mind, they become more dehuman to you. But as you go on, you've got to realize that this is foolish, you're killing our own brothers. So that out of ten years this is what I got out of it and it makes me very bitter. A lot I'd like to say, and I'm not going to say, because the rest is going to be practice. I have no more time to talk.

MODERATOR. I'd like to pose a number of questions to the panel and then we're going to open it up for discussion from the audience. I'd like to ask: Were the Black soldiers, considered as troublemakers, ever forced to go to the field and qualified people were kept back?

LIGHT. They had their ways. Whitey would play this game. He'd have us ready to go in to the field before we even got over there. We were trained to go to the field back in the States so Whitey gets the typewriter, you get the rifle. That's the way it went down. You couldn't beat the game.

MODERATOR. I'd like to know, how did you think the Vietnamese looked upon you as people of color?

LLOYD. I had a few experiences, you know, I met quite a few Vietnamese, old women and children and to me they looked up to the Black man—those that had been oriented properly—looked up to the Black man something like for help more or less. Most of the time we'd go in the village, we'd go in there with food or candy or clothes if we had it and the little kids were always around us and then some of them would come up and look for a tail and different things. When they run it down to you, they try to make you understand that you are part of them by being black in your blood line. We have the same blood that they have, something like, you know, it's just like about that. We related to them and why should we be fighting them and we're the same color? This is what it boils down to.

PANELIST. I'd like to speak to that just two seconds—about how we feel. We went over in Vietnam the first time in 1965. Vietnamese people, because of the economic factor—(and that most of the GIs over there, say more or less white, went into town and spent all the money)—the Vietnamese people in the towns looked at us more or less Black people as down on because we were more or less discriminated against. White GIs discriminated against Black GIs, who in the towns we had our own little section. We were outsiders, let's say. We were more or less discriminated against and when we went to buy something, they always would try to refuse it, or say what the brother said about our tails supposed to be growing, and always asking us if our tails were going to come out at 12 o'clock and all this kind of thing. And towards the end, the second time I went over in 1969, the most beautiful thing I ever seen when we was driving a truck come by a village and the Vietnamese people gave the power sign for Black people. That was outasight.

AKERS. Something that's food for thought, when we went into Chu Lai, Vietnam, we did a lot of relocating Vietnamese villages after we had destroyed their original homes. Consequently, along with the homes we had destroyed their way of life. Their own crops were destroyed and, as you know, their religion calls for them not to eat cows or water buffalo or beef, for that matter, so consequently the animals that they depended upon for meat such as dogs and wild animals out in the forest were ran off by our constant bombing and heavy artillery fire. So consequently they became dependent upon the United States dollar to exist. We had changed their way of normal living. They were content to live the way they were, off the land, growing their rice and worshipping their God, and then when we come over there we destroyed their means of obtaining food.

We have destroyed their means of sustaining themselves whereas they had to figure out ways of getting money from us or getting food from us. It would get to the point where they would actually raid our garbage trucks, our dumps, and I don't believe no human being should have to stoop that low under any circumstances. This is the type of genocide that is brought down upon the Vietnamese people in Vietnam and what makes it so bad is the Black man is given these details to dump garbage. So who is the Vietnamese looking at to get their garbage from? None

other than the Black man. That conscientious mind-psyching, psychological warfare thing is still ever so present in that regards.

MODERATOR. Okay, what we're going to do now, we're going to open up questions from the audience, so just raise your hand. The question was, were you ever forced into doing something that made you look bad in front of the Vietnamese people as a black man?

LIGHT. There were a number of these degrading things that they did. Like a number of blacks in the rear, they had jobs assigned to them like KP. And getting trash, etc., things like that there. And the viewpoint, you know, like from the eyes of the Vietnamese, like, this is the type of thing a degrading person would do. It was very few whites that had anything to do with this type of detail and like they're destroying our culture and the Vietnamese culture. Now the Vietnamese, like, this is the type of thing a degrading person would do. It was very few whites that had anything to do with this to serve the rest of his time. More or less the Black guys there were more harder than the white ones.

NAKAYAMO. I would like to add another point. What's happening in the stockades with the GIs is not only happening there, it's happening in the prisons in America also. And, if you know, that's where most of the revolutionaries come from.

AKERS. It was brought up before we came up here that there was quite a few of the veterans who wanted to say something about the way this is all run and the way things have been brought up and if there are any veterans out there that have something to say, raise your hand, or come up here, and say it, you know.

MODERATOR. (Question from the audience) Did you all hear the question? How does the USO serve the black GIs?

PANELIST. Like, the USO, they come over with a bunch of ——— like every other, out of every ten shows, you'll see one sister and chances are her background is not of being a Negro, you understand, like there's discrimination there too. What I'm trying to say, like, they supposed to be serving by coming over, you know, playing games with us, you know, and more or less, there's more or less a teasing factor to me 'cause they don't serve any purpose at all. Maybe one other brother can answer better than I can.

MODERATOR. Okay, this brother here.

STEPHENS. When all the USO shows came over, I was with the 101st, we stayed in the field. None of those shows ever came to us. The only time we saw it was in the papers and that's it. Don't know anything about it. I never even heard the USO overseas.

MODERATOR. Okay.

LLOYD. For one complete while I was in Vietnam I saw practically fifteen minutes on one USO show, and that happened to be a black group, the Dixie Cups, if anybody remembers, and that had to be a long time ago. But now, when we did come out of the field what did they have for us? Country and Western. Yeah, country and western well, look, you, yeah, you can listen to any type of music but that is the only black show I know that has been in Vietnam while I was there and that was the Dixie Cups and we didn't get but fifteen minutes of that because we had to move out into the field. Now, if you want to see a good USO show, be in the rear echelon, go to Saigon, somewhere an infantry troop is not welcome until after they took over the embassy there. Then an infantry troop was welcome in Saigon. If the MPs would catch you in Saigon and find out that you was in the infantry, they would write you a DR.

MODERATOR. A ticket, a disciplinary report. Okay, I'll call on this gentleman . . . the question was, how does the black person feel after fighting in Vietnam, then returning to the States and the situation, racism, is still running rampant here.

BROOKS. Well, like, when I came back from Vietnam, we arrived in California; I expected a brass band or a parade or something when I got off the plane, but the first instructions were that when you flew, officers come off first, then the sergeants, then the lower sections, well, the minority really. I was surprised. I expected a parade, somebody putting a medal on me, you understand? But he told me, he said, "You're on a working party, to carry suitcases, you understand?" So this was my experience, after coming back from fighting a war, you understand, like this is the way they greet us with a working party.

LLOYD. In coming back, if you're a peon, as he put it, you're lucky to get back, because if it's an officer that has to come back and there's one man on the manifest that's the shipping list, too many, now that officer because he wants to go home, he's going to knock one of these privates or peons off where he can come home but yet you don't want to come home bad as an officer.

AUDIENCE VOICE. Are you saying that if you being an enlisted man if it's your turn to go home and the officer is supposed to come home at the same time, and there's only one space that's left—

LLOYD. That's right. What they call it in the army is RHIP—rank has its privileges.

MODERATOR. Okay, thank you very much.

Question From Audience: I think we're trying to find out what can the white community do to help the black man in the draft.

WILLIAMS. I think, you know, that draft counseling is a very big disappointment. I think one thing, we don't have the legal aid and another thing is information. This information has to be a concerted effort to get this information out to draftable young people, and this is one thing we as veterans are going to rap about while we're here in Detroit. How can we use the knowledge that we have about the military, about being drafted, to assist people in our community.

PERRY. I have a comment on that. Sometimes in the service, being drafted in the service, is preferable to a lot of black cats to standing out on the streets, cause it's pretty rough out here for them, you know. The service is sometimes the way out, like keep you out of jail, keep you from starving to death, but it's preferable to being on the streets at times.

VOICE FROM AUDIENCE. Is there a religious conflict between the North Vietnamese who are mostly Buddhists, and the South Vietnamese who are ———?

SHIMABUKURO. Religious differences play no difference in the conflict, because they're all the same people. They don't care about the religion. They're not like people over here, you know, they don't fight over that petty stuff.

MODERATOR. The people in Vietnam are fighting for something very important to them and that's their liberation and unification, self-determination of their country. This comes first, so these differences haven't even come into effect because they haven't even been given a chance to get unified yet because we're still over there.

AUDIENCE VOICE. When I was in Vietnam, I noticed that when men of different races would drink together they would fight and when they smoked together they would tend to have some kind of understanding. Now I want to know, I want to know if the members of the panel feel that good grass is a weapon against racism?

WILLIAMS. Uh, yeah, okay, we're going to deal with that later brother, it's real. How come? The only thing I've ever seen bring people, all types of people together, to have fun, is some grass and some music. Everybody can relate to that.

MODERATOR. There is a question referring to the stockades.

LIGHT. The way it was set up, you had white guards and black guards guarding blacks, but only whites could guard whites. Dig it, that's the way it was.

WILLIAMS. The question was, was it fair to send black soldiers to Vietnam to fight for the Ky puppets or would it be more of an asset towards humanity to send black soldiers to South Africa to free victims of apartheid.

PERRY. Our soldiers in Vietnam, they're fighting to protect capitalism, for one thing, and the United States is not going to send anybody anywhere to destroy capitalism, destroy the capitalist system, no matter how racist it is.

MODERATOR. The question is, what percentage of American Indians get drafted into the service?

HANEY. Well, right now, well, my brother just got drafted into the army about three weeks ago and he'll know what's going on pretty soon, you know. It was good in the sense that he got into it, and he will see it as it is, and with people around to help, he will recognize that it's not right, and he will fight, but a lot of Indians usually join because in World War II, the Indian communities had their own heroes, and to be a good fighter, to be a warrior, he would have to, you know, he would have to go to fight, and that's one way of proving he is a warrior, by going to fight. They usually join the Marines or the Army and if they go Army, they go airborne. But, as I personally know, it's not happening that way any more and a lot of people will be getting to the drafting age but they're people now and they have long hair, they smoke dope and the works, and they're not going into the Army. They'll go to the people first. They'll go into Alcatraz.

MODERATOR. Are there any more questions?

AUDIENCE VOICE. Like he just said, his brother just was drafted last week, you know, like I know there's a lot of pressure for him to go in there and that, but what did you do as his brother who is against the war, I presume?

HANEY. What am I doing about it?

AUDIENCE VOICE. Yeah, to influence your brother, yeah.

HANEY. I'm influencing now. I've written him letters. Like he was going to—

AUDIENCE VOICE. You're working inside?

HANEY. Yeah, sure, I mean, that's the only way you can do it. We're fighting from the inside too.

AKERS. We've been talking about the draft and all this other stuff but as long as the United States has interests and natural resources in Vietnam, racism will continue, the war will continue.

So you have to deal with the economic structure of our country before you deal with the draft.

AUDIENCE VOICE. Bring the boys home. Right on!

WHAT WE ARE DOING TO VIETNAM PANEL

Moderator

Wilbur Forrester, 1st Lt. 11th Marine Regiment, 3rd Marine Division, Civil Affairs Officer, U.S.M.C. (1968–1969)

Panelists

J. W. Spellman, Professor of Asian Studies, University of Windsor, Ontario, Canada.

Jim Clark, Agency for International Development (1966 and 1969); Catholic Relief Service in Vietnam, 1968.

Mary Emeny, American Friends Service Committee, 1967–1968.

Jay Craven, Student, Boston University, Went to North Vietnam with the National Student Association, December, 1970.

MODERATOR. I'm Wilbur Forrester, former 1st Lt. in the United States Marine Corps. During my 13 months in Vietnam, I spent five months as a Civil Affairs Officer on the regimental level. The topic of our panel to-

night will be "What We Are Doing To Vietnam". Certainly testimony that we've had previously in this Winter Soldier Investigation has shown very well the effects to the ecology, the land, and the atrocities performed on the people physically. We will not go into that type of testimony on this panel; we will focus our attention primarily on the cultural aspects. I'd like at this time for the panel to introduce themselves and give you a brief background.

SPELLMAN. My name is J. W. Spellman, and I'm a teacher.

CLARK. My name is Jim Clark. I was in Vietnam from 1966 through 1969. I was there originally with the Agency for International Development. I resigned from that organization in 1968 and took a position with Catholic Relief Services. I coordinated a project dealing with social welfare and the training of social workers in Vietnam under that. With A.I.D., I was a refugee officer for a year on the central coast and I spent a little over a year in Saigon as a special assistant for voluntary agencies. The remarks I will make will be primarily related to refugees and the problems associated with the generation of large numbers of refugees in Vietnam.

EMENY. My name is Mary Emeny. I was in Vietnam in 1967–68 with the American Friends Service Committee. Home was a Buddhist orphanage in Da Nang and after the Tet offensive, or the Tet whatever-you-call-it in 1968, I spent a large amount of time in Hue, some in Quang Tri and Cam Lo in refugee camps and mostly working with refugees and Buddhists in Central Vietnam.

CRAVEN. I'm J. Craven. I'm a student at Boston University and I was recently on a student delegation to Vietnam. I was in North Vietnam between December 4th and December 20th just this past year.

MODERATOR. Okay, we'll open the panel with Dr. Spellman.

SPELLMAN. I should begin by saying that I make no claim to any special expertise in the field of Vietnamese studies. I may have some knowledge of Asian societies in a more general context and it is in this regard that I speak. The United States presence in Vietnam is only one aspect of American involvement in Southeast Asia which is related, in my judgment, to its cultural imperialism throughout most of the traditional societies of the world. At no time in previous human history has the cultural integrity of so many millions of people of the world been threatened as it is today by the United States. This issue this evening touches not merely questions of national self-determination or the right to decide one's own self interest, it involves, if I may say so, matters of the gravest importance regarding the quality and the quantity of the life of this species. We are not very old as far as a species goes.

By our own proclamation, we are the most intelligent, the most powerful, the most creative, and the best of all life that this planet has seen. Indeed, the Book of Genesis tells us that after creating this world, with its apex as man, God gave man dominion over it. Now, we have been around for approximately two million years and our future is reasonably uncertain. Even the dinosaurs, whom we classify as rather dumb creatures, managed to survive for about 12 million years. There are many who question the likelihood of this species surviving for that long a period. The experiments of Darwin on the Galopagus Islands and the work of other scholars have shown that adaptation to environment is crucial to survival.

As I understand these lessons, they mean that each society has its own integrity, physical and cultural. As a consequence of its adaptation, according to its past experiences, its judgment and self-interest, values which may be desirable for one society, cause the gravest physical and mental harm when imposed on another. And it is in this light that I wish to view what we are doing to Vietnam. The bulk of Western values are based on the historical experiences of the Judaic-Christian and Greco-Roman cultures. Of prime importance in that value system has been the role assigned to the importance of belief, and this concept of belief occupies a cardinal role, particularly in Christianity.

Unless, we are told, you believe in the Lord Jesus Christ, you shall not have eternal life. And in this sense I wish to contrast that statement with the statement of the Lord Krishna and the Bhagavad Gita, the sacred Hindu text: "Whatsoever divine form any devotee with faith seek to worship, that same is divine." But the beliefs of Christianity were understood as exclusive and excluding beliefs. And it was part of our heritage, and it is part of our heritage to this day, that what is good for us ought to be universal and it ought to be good for everyone.

Earlier in our history we found that those who held a different perspective than we did on religion, and we made our ultimatum very clear, after we had poured scorn and ridicule on these people, calling them heathens and pagans and superstitutious polytheists, we then killed them in the name of our religion. And the Crusades and witchcraft and the religious persecutions followed. Later (and this continues today), we felt that we had the righteous responsibility to condemn those who believed in political systems (rather than religious systems) that were different from our own. Thus it became quite legitimate to kill Communists and others simply because they were Communists, and because they believed in a different form of government from ours. There are still those today who believe with all the fervor that righteousness often summons, that we ought to continue on this path of killing those who disagree with us. I believe that we are now on the threshold of a new killing crusade.

Having killed for religious benefits and then political beliefs, I believe we are now on the threshold of killing for economic beliefs. It takes no prophet to predict that there will be destruction and riots and killings in the name of economic creeds in the future. And that these will seem just as valid as religion and politics have seemed to our predecessors historically. Such values as these are alien to Asian society. Neither Hinduism nor Buddhism, Confucianism nor Taoism have ever engaged in religious crusades because of their beliefs. Indeed, both Hinduism and Buddhism advocate non-injury as among the highest of values.

Truth, Hinduism states, is like a great diamond with many facets, and no person, no government, no institution can see all of the facets of the great diamond of truth. There are not merely two sides, but inherently truth is multi-dimensional. In that area known as Indo-China, the great civilizations of India and China and the values of those societies have been merged with the beliefs of life that were held by the peoples of Southeast Asia. How Vietnam is culturally related to the civilization of China. The impact of Confucianism and Taoism is still strong in Vietnamese values, and the Buddhism which arose from India won the hearts of much of Asia as it was adopted to the various cultures of the area.

The Confucian orthodoxy assumed that there was nothing evil or inherently evil in human nature, including, it held, the Barbarian nature. But if the Barbarian could be reformed by education, then tolerance and kindness were the basis, it held, of a sound foreign policy. Prince Kung enjoined his fellow countrymen to hate the evil that a barbarian might do, but not the barbarian himself; to be kind to men from afar in accordance with the classics, to the end that myriad nations might be tranquilized, that China might flourish, and that not government, but virtue, might prevail throughout the world. Mencius, the great Chinese philosopher, said that all men might have a sense of commiseration. When a commiserating government is conducted from a commiserating heart, then one can rule a whole empire as if one were turning it on one's palm. I say all men have a sense of commiseration; here is a man who suddenly notices a child about to fall into a well. Invariably he will feel a sense of alarm and compassion, and this is not for the purpose of gaining, the favor of the child's parents or seeking the approbation of his neighbors and friends, or from fear of blame should he fail to rescue it.

Thus we see that no man is without a sense of right and wrong. And Mencius went on: "The sense of compassion is the beginning of humanity. The sense of shame is the beginning of righteousness. The sense of courtesy is the beginning of decorum, and the sense of right and wrong is the beginning of wisdom. Let every man but attend to expanding and developing these four beginnings that are in our very being, and they will issue forth like a conflagration being kindled and a spring being opened out." To those who will listen, the greatness of the civilization of China speaks far more eloquently than I, or I think anyone else ever could about it.

European travelers of the seventeenth and eighteenth centuries were lavish in their praise. Duhald, whose famous description of China may well be regarded as the synthesis of seventeenth and early eighteenth century works on China, said of Chinese commerce, "The riches peculiar to each province and the facility of conveying merchandise by means of rivers and canals, have rendered the domestic trade of the Empire always very flourishing. The inland trade of China is so great that the commerce of all Europe is not to be compared therewith; the provinces being like so many kingdoms which communicate to each other their respective production. This tends to unite the several inhabitants among themselves and make plenty reign in all the cities."

But I think more to the point was a very classic reply given by the Emperor of China to King George III, when the King asked the Emperor for trade and enclaves in China. (And perhaps some may regret that Western Imperialism and colonialism were too strong for this well-mannered society.) The Emperor replied to the King as follows, "Yesterday your ambassador petitioned my ministers to memoralize me regarding your trade with China. But his proposal is not consistent with our dynastic usage and cannot be entertained. Hitherto, all European nations, including your own country's barbarian merchants, have carried on their trade with our celestial Empire at Canton. Such has been the procedure for many years. Our celestial Empire possessed all things in prolific abundance and lacks no product within its borders. There was, therefore, no need to import the manufacture of outside barbarians in exchange for our own produce. But as the tea, silk, and porcelain, which the celestial Empire produces, are absolute necessities to European nations and yourselves, we have permitted, as a single mark of favor, that foreign hongs or business associations should be established at Canton so that your wants might be supplied and your country thus participate in our beneficence. But your ambassador has now put forward new requests which completely fail to recognize the throne's principles to treat strangers from afar with indulgence, and to exercise a pacifying control over barbarian tribes the world over. Your England is not the only nation trading at Canton. If other nations, following your bad example, wrongfully importune my ear with further impossible requests, how will it be possible for me to treat them with easy indulgence? Nevertheless, I do not forget the lonely remoteness of your island cut off from the world by intervening wastes of sea. Nor do I overlook your excusable ignorance of the usages of our celestial Empire. I have consequently commanded by minis-

ters to enlighten your ambassadors on this subject, and have ordered the departure of this mission."

It is regrettable that subsequent leaders of the societies of Asia were not able to speak as forthrightly or have the ability, as the Emperor did in this reply. When we impose our values on traditional societies it is well that we ask what they get for these losses. Thich Nhat Hanh had described some of the cultural impacts as a direct consequence of this war. "Sporadically," he writes, "during the course of the war, there have been expressions of interest in the idea of strategic hamlets.

These were intended to draw people together in an area of some protection, and to make available to them such social services as would improve their lives and introduce the concept of cooperative efforts. On paper they look good. In practice, like every other promise of social improvement in the history of the South Vietnamese government, they turned out to be another device related to the military effort of that government. People were herded into villages against their wills, and the total concept of the village became a military concept. Peasants were forced to leave villages that had been the homes of the families for generations, and in leaving them, to leave behind not only the graves of their ancestors, but many relics and mementoes, including family altars which perished in the same flames which consumed the village. Thus, they went to the new strategic hamlets already sorrowing and embittered and hardly in a frame of mind to create a new society.

The hamlets were created to keep out the Viet Cong so that the villagers could live in them and not be intoxicated by the Viet Cong. But the fact is that the Viet Cong themselves lived in many of the villages among their fellow Vietnamese. Since the war has become the national preoccupation of Vietnam, the numerous professions serving the war have become numerous and profitable. Literally hundreds of thousands of Vietnamese work at various services for the Americans at their bases, on airfields, in their Headquarter buildings, and in many other ways. Landlords are constantly seeking to evict their Vietnamese tenants so they may rent their premises to Americans at prices that are ten or twenty times as high as the Vietnamese are paying. It is almost impossible for Vietnamese to find housing since there are almost no Vietnamese who can afford such prices.

Taxi and petticab drivers avoid Vietnamese customers for the far more profitable Americans. They do not charge according to the taxi-meter any longer. Americans, accustomed to the costs in their own country, pay ten times as much as the normal rate for such a ride, and in so doing, of course, increase the pressure on the normal Vietnamese person. Profit. In addition, taxi drivers frequently operate a profitable sideline in taking foreigners, especially American soldiers, to girls of "friendly disposition", who will compensate the driver in addition to what he receives from his passenger. Bars, dance halls, and rest halls catering to foreigners, thrive. The number of prostitutes increases daily and at a frightening rate. For many it is the only way in which they can support themselves and their family.

The tradesmen and businessmen working with Americans earn large sums of money, while the majority of their fellow countrymen are going through a major economic crisis. Inflation that occurs from the hoarding of scarce goods for profit, the pouring in of American dollars, and the spending of great sums on non-productive war enterprises—all this means that the Vietnamese, without access to these American funds, are in an increasingly desperate plight. Another large group in the cities are the peasants who fled from their ancestral homes, leaving their possessions and their farms behind. They fled not only from the actual dangers of the war, but from the frustration of a situation in which crops may be grown only to be destroyed by one side or the other as a measure of war to keep the other side from getting them.

Planes of the United States and South Vietnamese Air Forces drop napalm bombs on these crops so that they may be burned rather than fall into the hands of the Viet Cong. In such circumstances, priests and nuns cannot go on preaching morality. The war has destroyed not only human lives, but human values as well. It undermines all government structures and systems of societies, destroys the very foundations of democracy, freedom, and all human systems of values. Its shame is not just the shame of the Vietnamese, but of the whole world. The whole family of mankind will share the guilt if they do not stop this war. It is not possible in this land of thirty million people, 90% of whom are engaged in agriculture, to ignore the terrible destruction that has been brought to the land and families.

Now, when one considers that 80% of the people live on approximately 20% of the land (which was so fertile that Vietnam was known as the "Rice Bowl" of Asia), then that tragedy is heightened. When one considers the great skills of artisans that were handed from father to son as guarded secrets, that now lie somewhere hidden amongst the bodycount figures, then the loss to the world of art is, I suggest, also not insignificant. When one considers the waters which provided over three hundred kinds of fish along the nine-hundred-mile coastline of Vietnam, which fed much of the population, and the bombs and the chemicals now destroying that form of life, no cease-fire or truce or withdrawal will end the effects of those ravages, which will be felt for generations. But it will not be the Vietnamese alone who will bear this burden or who will suffer this evil, although undoubtedly their burden will be the greatest.

The Buddha has said, and I believe correctly. "Think not lightly of evil, spying it will not come to me. Even a waterpod is filled by the falling of drops; likewise the fool gathering little by little fills himself with evil. Whosoever offends an innocent person, pure and guiltless his evil comes back on himself like fine dust thrown against the wind, and as rust sprung from iron eats itself away when arisen, Even so the deeds and his own deeds leads the transgressor to the states of woe." The fifteen hundred species of wooded plants, of the tropical forest of Vietnam, that provide cover for numberless wild animals, that have been bombed, may appear only a casual consequence of this war. But the ecological toll to Vietnam will be counted there too.

It is difficult for us to understand how great is the feeling for family in Vietnam. Stemming from the principles of Confucianism, the family and not the individual, not the government, was the basic core of society. Through it, honor and loyalty and nobility were expressed. And it was this which was the thread which gave much of the expression of the joy and the warmth and the love for which men live. For it is difficult to understand why it was necessary not only to violate the integrity of the heart of Vietnam in this way, but also to act in such a way that even death was not enough. The decapitations and the body slayings and the other mutilations—which religiously affected the passage of the soul to the next life—even that has not been spared in this war. And when one goes through all of these things and much more in terms of what we are doing to Vietnam, the list becomes enormous—and enormous is a very small word, it seems to me, to describe these things. One asks what are the values that are being imposed on this society; values which we espouse such as efficiency and productivity and urbanization and equality and democracy—values which may indeed be unviable even in our own society.

There is no compelling evidence, certainly no compelling historical evidence, that suggests that democracy necessarily provides a greater degree of justice or happiness than, say, kinship or other forms of government. The evidence with respect to the supporting of the concepts of equality, political equality, has very little philosophic basis to support it, in my judgment. The assumption that illiteracy equals poverty seems to me at best a false assumption. There is a vast degree of difference between our system of education, which is essentially aimed at information for the sake of economic productivity, and that system of education which has been at the heart of Asian education, which is based not on information but on knowledge or on wisdom or enlightenment.

And there is a very considerable difference between wisdom and information, between knowledge and technical ability for productive purposes. And the emphasis on wisdom and knowledge is, I am sorry to say, very little to be found in our own academic system. Now there are some who argue that at least we have been beneficient in terms of what we have done medically—in terms of what we have done in the area of health. Here, too, I think the evidence is not very compelling, particularly if one looks at our own society. There are something like six out of ten adolescents who are supposed to be in need of mental treatment, where there are few people who are not popping one pill or another into themselves, where the competency of physicians in the area of drugs is one of the lowest in the world, where we are, in fact, involved in a gigantic medical vested-interest situation, which under the A.M.A. the insurance companies, the pharmaceutical companies, the physicians, the government, all underwrite a system of chemical medicine that is related to the chemical productivity of the society.

One wonders how the species could have lived for the nearly two million years that it has—before the introduction of chemical medicine. But the great systems of accupuncture, Chinese medicine, the indigenous systems of medicine—of plant and herb medicine, that have been developed in the countries of Asia; all of these are ridiculed as being primitive superstitions, while more and more chemicals in the forms of medicines are imposed not only on a supine and glib American population, but which we now tout to the rest of the world as being their only salvation for the betterment of their health. It would be a nice idea if perhaps we could have adopted the ancient Chinese system where one paid one's physician only so long as one was well. When one was sick, one didn't pay. Under such a situation, it seems to me, we might be disposed to make a very dramatic reappraisal of that system of medicine which we tout to the rest of the world as being absolutely necessary for their lives.

I hold the same view with respect to the concept of Western law, which seems to me one of the most inequitous systems of law in the world, and I will explain why. I recently reviewed a book by a scholar from the Sorbonne who was complaining that in India there were great problems in getting Western law introduced at the village level. He was pointing out, which is correct, that the traditional law is free, it is flexible, and it is merciful, as opposed to our own system of law, which is ——— expensive, very rigid, and very harsh. He was wondering why the villagers were so adamant to this progressive system of law that we have in the West, which, once again, we think all the world ought to adopt.

This system of law, of which I speak, involves again, as it does in the field of medi-

cine, an extraordinary vested-interest group which handles the whole business. That is to say, the lawyers are the legislators, the lawyers write the laws, the lawyers are the judges and the lawyers are the prosecutors. The lawyers in fact have the entire system sewed up to such a degree that the law, in its relationship to the people, is a vast gap. A gap which does not exist in the traditional societies of Asia. Any mother, I'm sure, will tell you that if you want to treat people justly, you do not treat them equally. And I suggest to you that the greater the degree of equality you have in a society, the lesser the likelihood of justice in society. I go further than this. If you examine some of the traditional lawbooks of these societies you don't find very many laws. And I am almost disposed to put to you a hypothesis which goes something like this: the greater the number of laws in a society, the less the amount of liberty that society will have. For every law is, by definition, a limitation on the ability to exercise options. When you constantly confine these options, as we do in our legal system (and you have this most incredible vested interest enforcing this), then I believe that our system of law and our concept of law in this society is essentially bankrupt. It is morally bankrupt, just as I believe that our system of medicine is bankrupt, just as I believe that our system of education is bankrupt. And why, in the name of any kind of morality or humanity, we should think that we are giving other societies (which we call "underdeveloped", "backward" societies or, less pejoratively, "Third World") we are giving them any kind of a deal by foisting upon them the rot which many of us cannot even stand in our own society, seems to me a most incredible kind of reasoning.

This goes beyond the suggestions that I make here. We have great idea about employment in our society. I do not recall in history any other society, including the most dominant slave societies, where people worked for 50 weeks out of a year in order to get a two-week holiday. Not even the most thoroughgoing slave societies had the kind of voluntary slavery which seems to be a hallmark of our society. And now it seems that we have conned the blacks and women and all kind of other groups into feeling that we're offering them a great deal by joining this kind of slavery. I suggest to you that if the indices of well-being would change with simply one word, and instead of employment we used the concept of self-employment, that this would be one of the most underdeveloped societies in the world. Self-employment is creative employment. Self-employment is the kind of thing you see throughout Southeast Asia—whether it's the family running a teashop or a person taking fruits and vegetables down to the railway station—whatever it is, it is self-employment.

It is not the huge, mechanized complex that we have here. Just change that word from employment to self-employment and we will be the "underdeveloped", "primitive" society, and I think it would not be a bad change to understand what the basic values consist of in terms of economic development. But we insist that these nations of Southeast Asia—Vietnam, Laos, Cambodia, wherever we go, that we are to industrialize them and we are to put them working on the same kind of mill-value system that we have. I believe that this exchange is unjust. I believe it is unequal. I believe that what we are doing to Vietnam goes far beyond Vietnam; that it goes far beyond Southeast Asia; that it goes beyond this generation; and I believe that it also goes beyond reasonable belief. It goes beyond any concept, any viable concept of humanity. I may say that it is hard, it is difficult for anyone to sum up the truly awful consequences of what this means in terms of the species. For if this species is not diversified, if this world adopts this value system, which we are imposing and exporting to the rest of the world, then the danger becomes far more than rhetorical. We have this big thing on health and on diets as well. How the people of Asia managed to live until our nutritionists told them where they ought to get their protein is also remarkable, a kind of observation that does not seem to occur to our foreign advisers and to their experts. The whole field is just so incredibly immoral, though I know that so many people do this with the best intentions in the world, but with the most damaging and disastrous consequences. I can express my feeling on this perhaps best with a poem, a short poem from Tagore, the great Indian poet, who said this:

"Mother, I shall weave a chain of pearls
For thy neck with my tears of sorrow.
The stars have wrought their anklet of light
To deck thy feet,
But mine will hang upon thy breast.
Wealth and fame come from thee
And it is for thee to give or to withhold them.
But this, my sorrow, is absolutely mine own,
And when I bring it to thee as my offering
Thou rewardest me with thy grace."

And if there were a prayer that would be appropriate for this situation and for this country, I would, again, take that request from the same poet, who said, "Where the mind is without fear, and the head is held high; where knowledge is free, where the world has not been broken up into fragments by narrow domestic wars; where words come out from the depths of truth, where tireless striving stretches its arms toward perfection, where the clear stream of reason has not lost its way into the dreary desert sand of dead habit; where the mind is led forward by thee into ever widening thought and action, into that heaven of freedom, my father, let my country awake."

MODERATOR. I may have a problem with the other panelists, trying to follow this. Thank you, Dr. Spellman, thank you very much. Jim Clark?

CLARK. It's going to be a pretty hard act to follow. I'm reminded of a story that was told about Sam Rayburn one time when a young representative had just addressed the House. He got down and said, 'What did you think of what I said?" And Rayburn said, "What you had to say was both new and interesting. But unfortunately, what you had to say that was new, wasn't interesting, and what you had to say that was interesting, wasn't new." And I'm afraid that's the boat I'm in. Before I get into my remarks, just addressing myself shortly to some of the things that Dr. Spellman has said reminds me—when I was in Phu Yen, I was new in the country—this was back in '66. I went out to a refugee camp. The conditions were really deplorable. There were about 3,000 people living on a sandspit in tin huts with rooms about eight-by-eight with seven people in each room. There was a reception camp with buildings that were about forty feet long, and twenty feet wide with 400 to 500 people in each—impossible as that sounds, but it was true. I went out there, and I was really depressed about the situation. I thought there must be something we can do. The first thing that struck my mind was that I was going to build some latrines, some outhouses for these people, because I noticed they were defecating out on the side, across the road. So I went off and I got some barrels (because you couldn't dig a hole in the sand) and I put these barrels into the ground. I got some people to help and we built a cement block house with a tin roof on it.

I came back a couple of days later and these places were locked up. I went to the fellow who was in charge of each area, and I said, "Why have you locked up these latrines, these wonderful things that I've built?" And he took me over and he opened them up and there was rice inside. And he said, "You know, you Americans are a strange breed. In the first place, such a fine structure makes a much better place to keep my rice, which is much more important to me than a place where I can defecate. You probably never thought of it, but if you defecate in one place all the time, it's going to smell. And besides that, if you continue it, eventually you're going to have to clean that up. Besides that, the way that you defecate, sitting up like that, it's very uncomfortable. If you squat it's healthier and you'll appreciate it better. In the last place, closing yourself up in a room . . . it smells, all you look at is a blank wall. At least when I go across the road I can contemplate, I can look across the horizon." I went home and I started thinking about that and I thought, maybe we could get an AID mission to the United States to teach us how to defecate. The refugee situation in Vietnam is deplorable. Perhaps levity is out of place. But often, when something is this bad, you find yourself reacting in such a way that you have to treat some of the tragedy that you see in this manner to be able to accept it. I'll briefly go over the reasons for the generation of refugees in Vietnam, where they're located, who the refugees are, and some of the economic implications that Dr. Spellman has already referred to. One observer of the Asian scene writing in the *Southeast Asian Quarterly* a while back, referred to Vietnam—American involvement there—as the rape of Vietnam. I contend that perhaps rape is too strong a word. In reality, probably what actually happened (to use a simile) would be that it's more like a young fellow who dated the girl across the tracks. And through a backseat affair, got her pregnant. Later on he decided that she was really quite worthless, a dirty little girl full of corruption and other things. But unfortunately he had got her pregnant, and now he faced the problem of trying to find an honorable way out of his predicament. I don't know what all the errors are in relation to our involvement with Vietnam, but there have been several. And I don't know how we can get out of this problem. Between 1964 and the fall of 1969, the American effort in Vietnam, directly or indirectly, produced an internal generation of refugees, which was on a level probably unknown before in the world. 25%, to use some estimates, of the entire population of the country have been displaced.

The estimates run anywhere from two million and on up. The agrarian economic base of the country has been destroyed. The cultural identity factors of the population have been severely strained. Health and welfare problems, totally beyond the experience of the vietnamese in terms of the extended family and the nature of the people to generally solve their own problems, have been spawned. We're facing a problem now where we're going to leave. We're picking up our toys and we're going home. And we're going to leave this country ravaged. An investigation of the nature of the refugee problem and how the problem affects the economic base of the country may result in a perspective which may be beneficial in evaluating the current state of affairs. Who are the refugees? Where are the refugees from? Where are the refugees currently located? And what may we expect in terms of the refugees in the future? Traditional discussions of Vietnam generally begin with the migration of refugees from the North. In 1954 some 900,000 people did leave; some 700,000 of these people were Catholics. They had the benefits of an educational system; they had money. When they came to South Vietnam, their resettlement was not that difficult a problem. This group also, this original group, is distinguished by the fact that they, unlike the people who would become refugees later, did make a choice.

To borrow a popular phrase among propagandists, they voted with their feet. They made a choice and came South.

This cannot be said of the vast majority of the 2.5 million people who were to follow them. The refugee camps and towns in the provincial capitals today are swollen by people who once populated the rural areas of the country. Dan Ronk, an experienced Vietnam observer, wrote recently that the peasant population who left their ancestral homes and livelihood to seek refuge in the cities represent at least 80% of the total number of persons who once populated the farms and rice paddies. Ronk reasoned that this displacement was by the design of the American military. Reasoning that the Chinese revolution serves as a base for revolution in Asia, Mr. Ronk assumed that Mao's dictum regarding the revolutionary forces as a fish in a sea of people, was a determining factor in American military planning. By denying the Viet Cong and the North Vietnamese elements the environment to wage war, victory could be achieved. It is doubtful in my mind that American policy makers would admit to such special warfare methods. However, the fact that so much of the war population was displaced, lends credence to this concept. The argument suggested by Mr. Ronk of total premeditation of refugee generation is weakened by the diversity of reasons given by refugees for their eventual migration.

The principal aim of the military was to seek out and destroy the Viet Cong. To achieve this end, the enemy were bombed, shelled, deprived of their supplies of food and medicine, and continually harassed. In the process, many noncombatant civilians were made to suffer: either at the hands of American and allied forces, or at the hands of NLF and North Vietnamese military units. An analysis of the reasons given by the refugees themselves finds that they are divided in their reasons for leaving. The casual agents of movement differed from area to area. The degree of enemy activity and the degree of allied action in response to the activity were important determinants. The pattern which was normally adhered to was an air drop of leaflets encouraging the population in NLF-controlled areas to evacuate. However, an analysis of movement based on refugee interviews would imply that the leaflets served more to ease the conscience of allied forces engaged in future action than to actually result in refugee generation or migration. Planning for refugee generation may have been unrealistic in expecting persons to leave their homes and livelihood and their extended families for migrations to areas of high unemployment and, in some cases, local hostility. If military leaflet-dropping was unrealistic, as surveys seem to indicate, the resulting deaths and casualties raise some questions as to the morality of allied actions. The assumption that persons not leaving free-fire zones were enemies, also was a generalization having severe moral implications. The hostility toward refugees by urbanites went beyond urban-rural conflict. Refugees were, in many cases, the families of NLF forces. Assistance to such people was often viewed negatively by Vietnamese government personnel as aid to dependent enemy. I had a conversation with a province chief in Phu Yen one day. He was quite blunt with me and he expressed the opinion, "Why should I help these people, who have sons and fathers out fighting in the countryside and who, if they had the opportunity, would slice my throat?" I tried to convince him, of course, at that time, that if he'd start acting like a decent human being towards these people and accepting them as people, the situation might change around. Persons living in enemy-controlled areas could be encouraged to leave directly or indirectly. A direct movement would result from forced movement, where allied forces would be airlifted into an area, round up residents and airlift them out. Though this was not a common method, it did occur from time to time. Notable examples would be the Iron Triangle Operation of 1967 and several efforts in the DMZ in the North.

Refugees might also be encouraged to leave through heavy military bombardment or artillery. Among refugees in Vinh Long Province in the Delta, about 20% of all families had either experienced wounds or deaths in their families as a result of allied artillery. In Phu Yen Province 18% listed such artillery as reasons for their becoming refugees. Direct intervention resulting in refugee movement would also include instigation of battle or conflict in densely populated areas. 8% of the Vinh Long refugees and 4% of the Phu Yen refugees listed family deaths, or deaths of neighbors in such battles, as reasons for their migrations. Approximately one-fourth of the refugees in Phu Yen cited ground military operations as a primary motive for their decision to move. When artillery ground operations and forced movement are added together as causal factors, the total percentage represented is 47.2%. Thus about half of all the refugees were generated by direct intervention of American and allied forces. This group cannot be said to have voted with their feet. The indirect generation of refugees results from allied pressure on NLF forces to a level that causes the enemy to increase demands on the local population to a degree which becomes intolerable to some members of the population. The bombing of supply routes and the firepower brought down upon NLF and North Vietnamese Forces resulted in shortages of both personnel and supplies. As tax rates and the drafting of local youth is on the upswing, the potential degree of dissatisfaction with the occupying forces will increase. In Phu Yen, about 30% of the refugees listed coercive activities and general hardships from VC activities as the primary cause for their decision to move. It should be acknowledged that the situation in other provinces would be different in accordance with the variables related to the degree of allied activity, religion and the period of time that any particular faction was in control. The second form of indirect movement would be those persons who migrated to urban areas to take advantage of specialized local economic advantages. In Phu Yen the construction of a large airbase offered high-paying day labor jobs to women and older men. Persons who could only be marginally employed in rural areas found employment in areas where there were large concentrations of allied forces. Prostitution, laundry services, truck and vehicle washing services, and snack bars were primary examples of such new entrepreneur vocations. 7.2% of the Phu Yen refugees listed economic and social reasons for their reasons for movement.

The final category of movement cannot be assigned to either direct or indirect allied involvement. In hamlets and villages which were only marginally controlled by the Saigon government there occurred constant reprisals and terror against government and Vietnam officials. School teachers, health officials, and any functionary of the government was endangering himself and his family by remaining in insecure areas. Nighttime assassinations and abductions were quite common. In Phu Yen 16.5% of the refugees could be so classified. The reliability of this data gathered must be questioned to some degree in terms of the faction which was responsible for taking the interviews. A Hawthorne effect, or an effect of people saying what you want them to say, is obviously probably at work here. When we tried the same forms with non-refugees, as to why their neighbors had left the countryside, 95% gave Viet Cong action as the primary season. Though solid argument in support of Mr. Ronk's theory seems inappropriate, the results in terms of denying food, labor and a tax base to the insurgents, are partially confirmed from our interviews. 15% of the refugees reported threats by the Viet Cong against them if they were to seek refuge in government areas. There are also on record several refuge hamlets which suffered from attack by the Viet Cong. The reasons for the attack were not always clear. In some cases the reasons were related to the population turning against the Viet Cong infra-structure members. In others, the Viet Cong were attempting to get farmers to resume planting and harvesting rice crops necessary to the food supply. In summary, one can assume that several variables played a contributing factor to refugee generation. Fear of either allied or Viet Cong forces are represented in approximately 90% of the refugee population. It would appear unrealistic to view the refugees as totally committed to either of the contending factions. Their eventual reasons for migration were rooted in their concern for their personal security, not because of political ideology. Persons who became refugees were not all located in government subsidized camps. People with relatives in the cities, with saleable skills, with cash savings often avoided the horrors of camp life and resettled themselves. Conversely, the people who lacked vocational skills who lacked contacts in urban areas, who possessed no cash savings and, most of all, who had no wage earner in the family tended to populate the official refugee camp. The persons seeking assistance in the refugee camps (and who would eventually number close to two million persons), were those members of society who would most likely be assigned to the lowest socio-economic realm of society.

If we look at a break-down of the age groups of the people who were in these camps, we find that in the age range 20–45, males are outnumbered by females by 50%. The females in the 20–24 age group are under-represented in terms of the total population. Among children and young people, the males slightly outnumber the females. As a percentage of the total the under twenty-one group represents nearly 50% of the total population. The fact that over 50% of the population is under twenty could be expected from similar studies of other emerging nations. However, the population distribution may be important in terms of the future economic state of the country, and the government expectations related to future refugee conditions. What inference can we make from the demographic make-up of the in-camp population? To begin with, we might note that the large base of children associated with the population pyramid is characteristic of rapidly expanding populations. Past population statistics seem to confirm this trend. The next growth rate of Vietnam has been estimated to be from 1–2%. However, considering the large number of children in refugee camps, we must assume that there is a higher birth-rate amongst the refugee camps than outside. Concerning the growth of Vietnam, population-wise, it has grown rather rapidly. In 1937 the population of South Vietnam was only four and a half million people. In 1959 it was 13.8 million. And we can expect from statistical progression ratios that by 1994 the population of Vietnam will approach thirty million people. The distribution of the sexes, combined with our knowledge of their former rural locations, seems to suggest that many of the males remained behind in the rural areas. Presumably, since these areas were controlled by the NLF, many of the persons absent from the population are probably troops with the NLF. Thus, the hostility of many government officials, particularly military officers toward dependent enemy, merits some consideration. An occupational survey among persons in refugee camps in 1967 found 3,000 persons, out of a sample of 62,000 adults, listing their occupation as soldier. If

we assume that approximately half are males, we can assume that one in ten males are soldiers; this would be about one-half of the national average. Therefore, the other half must be some place else. Prior to assuming that all males absent who are not represented in the population are Viet Cong, one could consider that many have been killed in prior allied engagements or artillery bombardments. Such deaths would contribute to the welfare status of in-camp refugees in that there is no wage earner in the family.

The evidence at this point would seem to suggest that the missing male population is either dead, has remained behind to work the family field, has become a fighting member of the NLF, or is part of the government forces. The rural origins of the typical refugee family create the expectation that most former refugees followed a farming vocation. This expectation was confirmed by an occupational survey administered in 1967. most former refugees followed a farming as their primary form of occupation. The survey covered 113,000 people and the results bore out the agricultural emphasis. At the same time that the occupational survey was made, persons interviewed were asked if they desired to learn a new trade. Nine out of ten said they weren't interested in doing that because they wanted to go back to the countryside. 73% of those interviewed expressed a desire to return to their original villages. When asked when they would return, they indicated they would return when the war was over or when it was secure and safe from both of the contending factions. Returning to the demographic data mentioned earlier, we can see that the number of family heads, traditionally the elders of the extended families, may not be fully appreciative of contrary desires by younger members of their families. That is, after you've seen Nah Trang, who wants to go back to the farm? With over 50% of the members being young persons, there is reason to believe that many of the people will have no desire to return to the life of the rural areas. Many of the refugees have been away from their former homes for periods of four years or more. In October of 1965, there were over 700,000 refugees. Studies of rural-urban migration indicate a positive correlation of time in urban participation. The longer one remains in an urban area, particularly after two years, the greater one's involvement and identity with the urban structure. It is unlikely that these people will want to go back and farm the fields. Other factors mitigating against a return of the refugees population to the farming areas are continued insecurity or future insecurity as the allied troop withdrawal continues. In that current land reform measures require that a person receiving title be farming the land, some farmers may return to find that the land they once farmed as tenants now belongs to someone else. These factors which mitigate against the return of refugees to their homes may be crucial to the future of the country. The government policy towards refugees has always been one of assuming that one day the refugees will return and the problem will evaporate. If refugees do not return, or if a substantial number remain in the cities, problems of welfare and urban slums will no doubt continue.

Posters have begun to appear in Vietnam and in refugee areas encouraging refugees to return to their villages. The reasons go beyond the urban problems of welfare and overcrowding. Crops are not being planted, and the country's important economic base crop, rice, is in need of labor capital. In addition, security in the countryside requires a population from the urban areas, who can reasonably be expected to support the central government. The final consideration, which would appear to confirm the fact that many refugees will not be returning to their rice fields is related to a political decision made by the United States government in 1968. Reacting in part to increased pressures from voluntary agencies, the press, and Senator Edward Kennedy's Refugees Subcommittee, a decision was made to reclassify refugee camps, which had received all of the assistance required by law, as having been resettled into New Life hamlets. What this meant was that after receiving a cash payment, so many sacks of cement, so many sheets of roofing, and having met communal requirements related to a classroom for every hundred children and one toilet for every twenty families, the refugee camps were delisted. The degree of this type of delisting of refugees can be seen in noting that in the first ten months of 1968, 168,000 refugees were resettled on location, as compared to 86,000 who were listed as having returned to their villages. The process was guaranteed to reduce the number of refugees. Unfortunately the condition of the refugee, his future and the future of the country were not considered. It would be like if we had a welfare program in the States and we said, "Well, we'll give everyone $100 and after that we'll say that he's not welfare anymore." It's just totally unrealistic. One can imagine the tragedy of this measure if similar government measures were to be incorporated into the welfare programs we have for the poor in the United States. The actual location of the refugee camps should also be mentioned as a factor in understanding the social and economic impact of the problem. The most populated areas of the country, the area around Saigon and the Delta area, account for only 20% of the refugees. The northern areas of the country account for the remainder. In part, this relates to the firmer hold by the NLF and North Vietnamese units in that part of the country, and the greater intensity of fighting in the area. Unfortunately, the economic potentiality of the northern area is extremely limited. The topography of the north is mountainous and severe.

And what land that is available for cultivation is highly prized. As the refugees flooded into the secure provincial capitals it became impossible to employ them or to assist them by providing land on which they might farm. In the majority of cases the refugees were placed upon barren, uncultivatable land. To return to the free-fire zones was impossible and employment locally was equally impossible. Unemployment rose from a level of .8% before migration began to a post-migration level of 33.4%. Only 2% of the refugees from Phu Yen province continued to earn an income from farming. Among those who were able to find employment, many were forced to accept wages substantially lower than they earned before becoming refugees. In Phu Yen, income levels average 50% lower than pre-migration income levels, the average wage being about thirty cents a day. Thus, the location of refugees was a primary factor leading to high unemployment. Summing up our knowledge of the refugee family, our profile would suggest that the average refugee is a farmer who sought refuge from indirect or direct allied action and is not stressing a political preference when he migrates. When he arrives in the secure area he will not be able to farm, will face some political hostility, will probably be a child, an old person, or a female, he unemployed, or marginally employed. In addition, the period he will remain in a refugee camp will be an extended one, greater than two years. His chances of being administratively resettled are greater than his chances of returning home. The true economic impact of the refugee problem has not yet been felt in Vietnam. The reason for this is because great volumes of United States dollar support of the government of Vietnam, in a wartime private or indirect report factor, related to United States military factor, related to United States military expenditures and construction and services to well-paid allied forces, is in effect. The pre-war economy of Vietnam was like many Asian countries a two-crop agrarian economy. There were other exports, including some tea. But rubber production from French rubber plantations and rice production from the Mekong Delta were predominant. The effects of the war on South Vietnam's exports cannot be minimized. In 1961 South Vietnam's exports were valued at $76 million. By 1964 the export values were down to $48 million. In '65, again down to $35 million. In '66 down to $20 million. In 1967 a brief increase in exports took place, but was followed by a further decline in exports in '68. Rice became an import in 1965. Where South Vietnam had exported $33 million worth of rice in 1964, it imported $15 million worth in 1969. Rubber production fell from an export dollar value of $43 million in 1961 to $8 million in 1968. As production and exports fell, the dollar deficit expanded and foreign exchange reserves fell.

To function the government of Vietnam became more dependent on the United States. In 1969, the American government was underwriting, directly or indirectly, 60% of the South Vietnamese budget. The form that this aid to South Vietnam took was in indirect and direct aid. Direct aid was generally either food for freedom imports, or support of the costly commercial import program. The commercial import program allows Vietnamese citizens to purchase foreign goods with piasters. The piaster, being inflated by increased government issue of notes, and the absence of domestic articles to buy with monies being generated by American Forces, is thus made valuable. The United States government would use dollars to purchase consumer items and sell the items to the Vietnamese government at favorable exchange rates. The government would then sell the items to the local citizens. The indirect gain offered by the United States was similar to that generated in tourist economies. By waging a war that destroyed the normal source of export-income, the economic base was changed radically. The new export item was similar to that offered by college towns or small down-state capitals in the United States. Vietnam was dependent upon GIs spending money on the local economy. If the GIs are to be withdrawn, the economic export item would evaporate and the country would be without any base to support the economy, except monies received through direct aid. Generally, by being dependent upon GIs, as you withdraw the GI (and having done away with the rice and rubber export crops), the Vietnamese economy no longer has anything to have its roots in. And the people who once did the farming, as I pointed out earlier, cannot go back nor can we expect them to go back and get the rice crops and the rubber crops going. I think that when we recognize these factors, these statistics, boring as they, do point out that the future of Vietnam is in very serious trouble. The people have been uprooted, their culture has been destroyed, the extended family has been severely broken up, we have overcrowding in the cities and tremendous slums. Saigon has grown from a city of 600,000 in 1960, to close to three million today with people living in the streets. There is no future hope, economically, that these people are going to get back on their feet in the immediate future. I suggest that we have a very serious problem in Vietnam that we have not given consideration to. In our rush to get out, in our desire to get out, I ask those of you who think on this to consider, when we do leave, what we are leaving behind and is there anything that we can do? Is there any way that we can get out? I don't think we know what we are doing there or we haven't proven that we have. Is there any

way that we can get out and help these people? Is there anything that we can do other than leave this tragedy?

EMENY. When Dr. Spellman was speaking my head started going wild with memories, and all the time Jim's been talking I've been writing down things. One of the things I have been thinking about an awful lot lately is the whole concept of genocide. Genocide, it seems to me, is just the ultimate extension of a policy of population control. I think in terms of three kinds of levels of control. There's physical, there's economic, and then there's psychological and political. We've heard a lot about physician control in all the stories we've heard and I can tell you just examples of my own, but I won't now. Economic control: there has been a 300% inflation in the last four years. But there is the psychology or the political, and in Vietnam there is an incredible will to live. This is, I guess, what I would like to talk a little bit about. We think of Vietnam in terms of the Vietnam that we have experienced, which is the Vietnam of maybe ten years, twelve years ago. Well, we've been there for longer than that. But, we've been actively involved for ten or twelve years. But the history of Vietnam, the history that the Vietnamese know, is a history of 4,000 years or more. That whole history is a history of struggle. A struggle for survival, and most of it a struggle for survival against outside people, outside invaders. Home for me was a Buddhist orphanage and there was a song that kids in the orphanage sang. Kids all over Vietnam sing it, you know, five year old kids, which sums up their history in a nutshell. It goes like this: "A thousand years as slaves to the Chinese, a hundred years a colony of France, twenty years of this war. The inheritance that the mother gives on to her child is the inheritance of the sad Vietnam." And it goes on. But that's one side of the history; the other side is this incredible will to live, which is summed up in another song that I would just like to read the translation from. This is a song by a young man who lives in Saigon, who is in prison for writing songs like this, because in South Vietnam today it is illegal to be for peace. Literally, it's illegal. But his song goes like this: "From the untilled rice fields today, we still sing together these words, even though a thousand lives are hard and sad, still life carries joy. From two exhausted dry hands, pray that effort still rises one more hour. Though today the rice fields are untilled, we still move one step towards tomorrow.

"Our ruined wasteland, our dry bare earth. Earth bears ardent flowers, our future is here. Our earth is sick, our earth is wretched, our earth is in rags, our earth sits. Our earth gives us life, our homeland carries us, our earth gives us death, to our homeland we return. Tomorrow our land will stretch out fragrant with the smell of new rice. Tomorrow flowers will grow, red lips will smile. Tomorrow the country will grow green with the color of the river in the hills, because today our people are determined to live." And this is what's happening in Vietnam also. Dr. Spellman talked about self-employment and creativity. This is really evident in Vietnam. As I said, home for me was a Buddhist orphanage. And the kids ran the orphanage. I was sort of attached to the staff you might say; but learning more from the kids than from anybody else. There were two nuns on the staff and two other young fellows; there were three older women who did most of the cooking. But everything was done by the children. The older people were there as advisors. And anybody who has spent any time in Vietnam can see what people of all ages, but especially the children, do make with out leavings. There are, I don't know, how many rings made out of American metal floating around. All kinds of things are made with leftovers of American goods. This kind of creativity is everywhere. There's poetry everywhere, and the people are encouraged in this kind of creativity. But an extension of this is the awareness, total awareness, that our own survival is in us. For Vietnam that means that their survival is in their own history—their seed for survival, their strength for survival—is in their own history, in their own culture and it's going back to that. It's in that they get the strength to keep going. So, you see what things are very central to the culture of Vietnam: the whole concept of the family, and the central object in the home of the Vietnamese is the altar, the family altar. Now when the people are made refugees, everything's taken and they can't take the altar with them because it's usually a permanent structure. But when they go, they'll build a new one. I'm sorry that I don't have slides of these here. I have pictures and anyone who's interested in looking can see afterwards. But I have here a picture taken in Hue, shortly after Tet, and the house is completely destroyed, but the family is moving back. The first thing they do is set a chair in the corner and put the family altar on it. And another one of the camp just south of the de-militarized zone where again there are no materials, nothing to make anything out of. The first thing they do is to build the family altar with the only available materials, which happen to be ammunition boxes supported on mortar tubes. It's this kind of creativity in maintaining their own culture that the Vietnamese keep insisting is their own survival. And it comes out in all their songs; it comes out in the poetry; it comes out in the daily way of living.

CRAVEN. I was on a delegation of students that went to Vietnam. From the time we arrived in Vietnam till the time we left, I must very honestly say that I had the most incredible human experience that I have ever had. Before our plane landed in North Vietnam we had been flying over Laos, and much of the landscape in Laos looked very barren. In some places you could see the results of the American bombing, and parts of Laos looked like the surface of the moon. It was reported that there are between 800 and 1200 bombing sorties flown every single day. But as our plane descended beneath the clouds over North Vietnam, we were all very struck with the lush vegetation and with the whole fertility of the land. And as we came closer to the ground, we saw peasants and water buffalo working the fields in the kind of sight that I've never seen before, and nobody in our delegation had ever even conceived of before. We arrived at the airport and were met by 75 Vietnamese who were holding flowers. When we came to the airport, we were embraced very warmly. During the time that we were in Vietnam this became a very kind of commonplace occurrence. The Vietnamese themselves expressed tremendous solidarity and tremendous love, for one another. And it is not an uncommon sight, in the streets of Hanoi, to see people walking down the street, young girls, or even soldiers, women and men, embracing each other, holding each others hands—all of them always very happy. At the airport, we went into a side room, and we met the group that was hosting us; a group called the Committee for Solidarity with the American People. We had several toasts; we were introduced to each other, and we were told roughly what our itinerary would be for our stay in Vietnam. We were asked to make any requests for things that we would like to do. We were asked to mention any kinds of people that we would like to see, and what particular interest we might have where we could understand better how similar kinds of people live and work in Vietnam. We got into our bus to go to our hotel in Hanoi and, as we traveled on the road to the Long Binh Bridge, we saw the shells of a bombed train depot and an old factory, as well as the millions of Vietnamese who were riding their bicycles, or riding in water buffalo or horse carts, with whatever goods they might be taking to the market in Hanoi. When we got to the river right outside of Hanoi, we found that the Vietnamese were repairing the Long Binh Bridge. We had to go over a floating bridge that the Vietnamese have become very skillful at assembling and disassembling, as they repair the bridges which have been destroyed by American bombers.

It took us about an hour and a half to get across the bridge, waiting for a long time as traffic went one way. Finally we crossed the river to Hanoi in sort of single file, with the water buffalo carts, the people walking, the people on their bicycles and the people on their pony carts. It was just incredible to see the patience of everybody just moving right across that river on this floating bridge. We arrived in Hanoi and went to our hotel; we were very well accommodated. Almost embarrassingly well accommodated, compared to the way we knew the Vietnamese live. Vietnam is very obviously a poor country. It is very obviously a very strong country. The people are not poor to the extent that there is any kind of poverty, to the extent that there is any kind of hunger, or to the extent that there is any kind of poverty that is shown through people not having sufficient clothing to wear. The first night we were in Vietnam we were taken to see the Vietnamese circus, which is right on the outskirts of Hanoi. And it was just an incredible, incredible thing. The circus was under a big top, and there were magicians and clowns and acrobats, and all the kinds of things that you would expect to see at a circus. There was also an anti-American imperialism skit. It was just so incredible in the way that it did not show hostility to the American presence in Vietnam, but showed kind of a humorous insight and humorous perception into the nature of the American presence, and the nature of the Saigon complicity with the Americans. The skit was about a South Vietnamese shoe-shine boy who was sitting on his shoe box waiting for somebody to come along. He was sitting next to a sign that said "Yankee Go Home." Well, an American soldier came by, saw the sign and was immediately outraged. He started to harass the shoe-shine boy. He asked for his papers, began kicking him around, and as the soldier turned to look at the papers, the shoe-shine boy took his shoe-shine brush and hit him over the head and knocked him out. Well, the shoe-shine boy then saw a Saigon troop coming and was very afraid. So he put the American soldier in his shoe-shine box with the top half of his body inside the box and his feet hanging outside. Then he sat on the box with his own feet curled underneath him so that it looked like the feet of the American soldier were his own legs. The Saigon troop came, saw the "Yankee Go Home" sign, was immediately afraid that an American soldier would see him not doing anything about it, so he began to harass the shoe-shine boy. He then tied a rope round his legs to haul him away from the place. Well, the shoe-shine boy had put something over on the Saigon puppet.

That was perfectly clear. And as the skit ended, the Saigon puppet was hauling the shoe-shine box away with the American soldier lying in the box and the shoe-shine boy was sort of scampering off. The American soldier came to consciousness and you can imagine what happened then. I think it's significant to show this kind of feeling among the North Vietnamese people. I think it's significant to show the kind of impression that I got from the Vietnamese, going there not knowing what to expect and being so warmly received. The Vietnamese will tell you time and again, almost everywhere you go, that they always distinguish between the American people and the American government. And they knew that they are not at

war with the American people; they know that there are no people on the face of the whole earth that would wage the kind of war against their country that is currently being waged. Often before breakfast a couple of us would walk in the streets of Hanoi. By the time we would get to the market place, there would be as many as two or three hundred small children who would have followed us and come around us by that point, who would sing songs and whistle. And they would find somebody that could speak English and they would say that they were singing the songs for their American friends. At one point, I was walking in Hanoi and I heard one of the young children whistling an American movie theme. I really can't remember the name of it, but he was very proud of the fact that he knew it. One day during our stay in Vietnam, we visited a place called the Revolution Museum, which is in Hanoi. This museum traces the entire history of Vietnamese struggle against foreign aggression and depicts, through various paintings and pictures, significant hallmarks of Vietnamese history. The Vietnamese will tell you that they have spent three-quarters of their entire history under foreign domination, but they have never been unsuccessful in expelling the aggressor. They will tell you about the French having been there for eighty years. About the French being overthrown by the Japanese, the Japanese being overthrown by the Vietnamese, the French coming back nine months later. The French being overthrown by the Vietnamese and the Americans coming only a year later. They will tell you of how in the twelfth century, Kubla Khan had defeated and conquered all of Asia and most of Europe, and had never been defeated, but that when he came to Vietnam he was defeated for his first time.

They will tell you how he made three successive attacks on Vietnam, and on the third attack the Vietnamese ambushed him and defeated him so badly that his entire naval fleet was completely destroyed. They have these paintings in their Revolution Museum: one of the ambush of Kubla Kahn's ships coming into the Haiphong River and another which they explain as the Mongolian troops standing on the shore really not knowing what to do next. They will explain to you that the Vietnamese then gave the Mongolians their entire naval fleet to transport them back to Mongolia. Also, at the Revolution Museum, we were shown a re-staging of the entire battle of Dien Bien Phu. We sat in a room where there was a pit, that was about the size of the middle section of this room, which had a whole land scale of the battleground of Dien Bien Phu, with the valley in the middle, the mountains surrounding it, and the French fortress right in the middle. Through a narration they show you how the Vietnamese progressed and advanced against the French fortress, and, through colored lights on the ground, they will show the various advances, the couple of setbacks, and the renewed advances against the French fortress. Finally, when the Vietnamese conquered the French fortress in the last moments of the monologue, the French flag on top of the French fortress is electronically lowered, and the Vietnamese flag is raised. We also were able to visit the art museum in Hanoi. The Vietnamese are very proud of their art.

They have a long tradition of art, music, and of very beautiful poetry. A third of their museum is devoted exclusively to discussion and portrayal of the minority groups that live in North Vietnam. They have the costumes, the dress, the houses and the architecture of these minority groups and different representations of their culture. It is interesting to compare how the North Vietnamese perceive their minority groups as compared to the South Vietnamese, especially the South Vietnamese Christians, the South Vietnamese ruling class. The South Vietnamese have been noted for their systematic racism; their systematic oppression of their minority groups—montagnards—and the Cambodians who are from the same kind of ethnic extraction as these groups. On the other hand, in North Vietnam, the minority groups have been consciously incorporated and made an active part of the society. In the colleges, where education is a very valued and a very treasured thing, the minority groups constitute a greater proportion of the percentage of college students than they actually constitute as a proportion of the society. Everywhere you go in North Vietnam, you can see the effects of the destruction. I don't think it's really necessary to elaborate too much on that. It's very interesting how the Vietnamese have dealt with the situation of aerial bombardment.

Many of the schools and many of the hospitals which have been destroyed by American bombs, have been rebuilt. You will see great craters in many of the fields where bombs have been dropped. These craters create a problem with drainage from the rice paddies, from the fields. Unless they are filled up, there can be no crops grown in these fields. Where the craters have been too big for the Vietnamese to be able to refill, they have filled them with water and made them into fish breeding ponds. The Vietnamese have also adapted to the situation of bombardment and war by being able to totally decentralize their entire country. Every province is self-sufficient and any province, when it is cut off from the rest of the country during bombardment, can be sufficient medically, can provide enough food for its people, and can begin immediately, when something is destroyed, to rebuild it. The Vietnamese talked of their leprosy research and treatment center that was at Nui An in southern North Vietnam. They talked of how this leprosy treatment center was the most sophisticated leprosy research treatment center in all of Southeast Asia. They tell you that during the air war, between 1964 and 1968, this leprosarium was bombed by American planes on thirty-nine different occasions. All of the 160 buildings making up this leprosy center were destroyed; 117 lepers and medical workers were killed; all of the research documents and records were destroyed. This gives you some idea of the kinds of setbacks in terms of production, in terms of accomplishment, that the Vietnamese have had to suffer. North Vietnam is very different from South Vietnam in that they have been able to advance, in that they have been able to solve the problems of starvation. They have been able to solve these problems by increasing production and developing more sophisticated facilities. Yet the air war destroyed almost all of this. The Vietnamese will tell you, as Nixon again makes threats against North Vietnam to renew bombing, that what seems to be happening is that the facilities they have rebuilt are again being threatened and will again be destroyed. The Vietnamese dealt with had a very astute kind of insight into the situation in America. They would talk about the recent Senate elections. They talked about what they felt to be the significance of the GM strike, for example. They talked of the anti-war movement with great love and with very great confidence. They talked about their American friends they read about. They talked about the books that they had read by American authors, and the kinds of cultural accomplishments that they saw as being significant in this country.

When we met with a group of musicians, artists, and poets in Vietnam, they described to us in great length, how before their revolution their culture and their society had been undergoing a period of decadence. They talked about how the Vietnamese, when they tried to represent in their art, for example, love, found that they could represent only a very desperate kind of love. They talked about the sort of preoccupations represented in their art, with the use of opium, and that much of the art and much of the music had to do with opium dreams and opium experiences. They will tell you how, after the revolution, there was a resurgence of feeling; there was a resurgence of spirit. The people felt a renewed capacity to express their feeling for one another, to pull together as a people, to begin working toward the kind of solidarity that now exists in Vietnam. Our delegation during this meeting presented to the Vietnamese a copy of the screenplay *Satyricon*. We told them that many of us felt that this movie, and this play, represented the same kind of decadence that existed in a great society—Rome during its fall—and that we experience many of these same kinds of conditions in this country. About a week later, as we were getting ready to leave, about five or six Vietnamese came to me and told me that they had read the entire screenplay from *Satyricon*. They asked me to sort of graphically portray the various scenes. There was one movie in Hanoi when we were there that dealt with the battle between the American Indians and the American Cavalry, in which the Cavalry was totally wiped out. One day we were going to the coast, to a place called Ha Long Bay. This is a tremendous bay right on the Gulf of Tonkin where there are 6,000 mountain islands with monkeys, caves, grottos, and all kinds of things. We were crossing the river near Haiphong on a ferry boat with our Vietnamese friends. Our buses had been put on the ferry. One of the Vietnamese took out his pipe and offered us some Thoc La which is what the Vietnamese smoke as a kind of tobacco. It is very strong kind of tobacco. It gives the Vietnamese people the sensation of being kind of stoned. He brought out the pipe and we sort of smoked the pipe. We were going across this river and one of the Vietnamese friends pointed down the river to the cliffs where Kubla Khan had been wiped out and said, "You know this is where it was. We're very proud of those cliffs."

As we were going along, just sort of sitting there watching the river, just enjoying the beauty of the countryside, a man named Mr. Xuan Oanh, who was one of the leading musical composers in all of North Vietnam (he wrote and composed the Vietnamese national anthem and was also a member of the Paris delegation) brought out his cassette recorder and started playing the Jefferson Airplane's "Volunteers." So I think you can understand what I mean about the ease with which we were able to relate to the Vietnamese. We were able to feel so much at home in this country. When we would greet each other in the morning or when we would say goodnight, we would always embrace and there would always be a very genuine feeling of love between us. We saw that the Vietnamese had been pulled together by the kind of progress they have been struggling to make together, and the kind of suffering they have had to suffer together. They feel not at all desperate. They feel very determined to deal with the renewed threats that are being made against their country, to deal with the suffering that is being leveled against their South Vietnamese brothers and sisters. We understood very clearly that they have a great deal of confidence in the American people to be able to stop the kind of technology, the kind of death machine that comes from the air. But they will continue to resist until the American people stop it once and for all.

EMENY. One thing they say about Thoc La is that, after a long morning, you sit down (Thoc La you smoke through a water pipe) and you take one long, slow drag. It knocks me flat on my back. What they say is, they take one long, slow drag and they can do seven more rounds on that field.

MODERATOR. I'd just like to add a brief statement, to corroborate the kind of information we've been given. From my experiences as a Civil Affairs Officer in Vietnam, I can only testify that all of my civil affairs experiences were either very frustrating or very disastrous. No program ever recommended to me by any of my training or any of the manuals available to me worked. The techniques that I felt were so pertinent to the saving of these people were useless. And I had many months of experience in this frustration. Of all the experiences I had while I was in Vietnam, which include several war crimes, I consider this to be probably the greatest war crime that I committed. If it's not defined as a war crime, then I'll accept whatever kind of definition someone would like to put on it. I will entertain questions from the floor.

(Question.)

QUESTION. I want to address this to the second speaker up there. About two weeks ago in The New York Times it was announced that the United States and Saigon governments were going to evacuate about three million peasants to the southern part of South Vietnam. I want to hear if you have any predictions about how these people are going to react to this plan?

CLARK. I read the same thing that you did. The provinces of the northern half of South Vietnam were traditionally controlled by the Viet Minh. And the population in that area has traditionally been more sympathetic to the NLF than they've ever been to the central government. In my discussions with people I had up there when I was in Quang Tri, they openly stated that they saw the refugees as what they called Viet Cong sympathizers, or VCSs. While the operations near the DMZ were going on, there was 31,000 refugees generated at one point in a short period of time. I think 12,000 were suspected to have gone north, and a great many others of them went back into the area, even though they realized their lives would be threatened in a free fire zone. Basically, the situation is that most of these people cannot be allowed to return to their fields, in the terms of the South Vietnamese government, because if they did, they would go back with very hostile attitudes toward the central government. And if they did grow food, it would be for support, probably, of the NLF. Therefore, by relocating them to the south, there would be greater chance of control by the South Vietnamese government over them. I think that that's what predicated the decision to send them south. Obviously, I think it's a bad idea.

MODERATOR. Jim, do you think there's anything involving the numbers which would change the situation?

CLARK. There's going to be a tremendous tactical problem in trying to move that many people. I just can't imagine their attempting to do it, unless they do it over a very long period of time. I really don't think that it's the solution to the problem that they're facing. I don't think you can win the hearts and minds of people by forcibly transporting them to other areas.

MODERATOR. Jay, do you have a comment?

CRAVEN. I think that that announcement about Melvin Laird is one of the most significant events that has happened in the last several months. And I think there's no question the Vietnamese are not going to want to move to the southern-most provinces of South Vietnam. It's a fact that that kind of dislocation is a very severe war crime. I think what this may indicate is that that entire area is being cleared for an absolute saturation bombing or possible nuclear strike zone. And in fact, by moving all those peoples out, the only people left can be said to be NLF sympathizers, and thereby a justification could be presented by the administration for just total annihilation of all of central Vietnam.

QUESTION. This may be an unfair question, but I'd like to ask you if you could speculate what would have happened if a Gandhi had arisen in Vietnam, in let's say 1954 or 1955. would he have had any following, and if so what would be the result?

EMENY. There is a long tradition of nonviolent struggle in Vietnam. This is the tradition that is most active in the cities today, for example. It's totally blacked out here. There is not a central leader. There hasn't arisen a Gandhi, but there have arisen a series of people—in the student leaders, in the Buddhist leaders, in women—a series of people who have led this kind of a non-violent struggle. There hasn't been anything like the salt marches of Gandhi, but the current situation in South Vietnam is something really extraordinary. About nine months ago the Saigon government started a more intensive campaign of repression than had been before. It was first directed against the students, when they tried to close down and take over the universities. They arrested some of the student leaders. The student leaders went to jail and their prisons are impossible. Everyone knew they were being tortured, as they routinely are, so some students started fasting in sympathy. Then their mothers started fasting in sympathy. And more joined every day, until the students were released. There have been marches. There are non-violent forms of struggle going on daily in Vietnam and it is escalated to the point now where on November 7th—again, something that's gone unspoken of in the United States press—there was a meeting in a small pagoda outside Saigon. At this meeting all kinds of organizations were represented in South Vietnam: shoe-shine boys, student groups, women's groups, Buddhists, Catholics, lawyers, doctors, government officials, all levels, ages, everything. And this group formed what they called the People's Front for the Defense of Peace. Now the first demand of the People's Front for the Defense of Peace is that U.S. withdrawal is a pre-condition to peace in Vietnam, a pre-condition to any kinds of negotiations for peace in Vietnam. Now this is not the NLF. This is the non-NLF side of the Vietnamese struggle to remain Vietnamese, and much of this is based as a non-violent struggle.

SPELLMAN. I think the question is a very difficult one. It's not an easy one to answer because you first have to ask whether or not a Gandhi could have arisen in that type of a cultural milieu. Gandhi, as a man, was an extraordinarily rare moral being. I'm not so sure that Buddhism has as strong a tendency toward "ahimsa" which is not, simply not, killing. Gandhi was not so interested in winning. He was not really interested in nonviolence as a tactic, as it has unfortunately become as it has moved into the American political scene. He was interested in nonviolence as an extraordinary kind of moral stamina, and when he had the British, as it were, over a barrel, at the beginning of the Second World War, and could have done many things to obtain independence in India, he said no. Our adversary is in a weak position. It is not proper that we take advantage of that situation. Therefore, he supported the British in the Second World War. Now, he was severely criticized about that. We remember the ultimate triumph of Gandhi, but that triumph was preceded by many very great failures, and those failures of Gandhi were themselves preceded by a great wave of terrorism in India, particularly during the First World War with a large number of terrorist movements. So Gandhi really had that kind of thing on which to base his campaign. It's unfortunate that non-violence is so often understood in this society as being a very useful political tactic that you use when you are weaker than your adversary. Gandhi understood it as a form of strength that was much stronger than your adversary. It did not depend on numbers, as demonstrations frequently depend today, using the cultural values of this society. It depended on moral strength, not a righteous bigotry, and on a perspective of truth that men like Gandhi, Tagore and a few others have had, that overrode political concerns. The politics was religion. It wasn't politics under the guise of religion. So I think that to the extent that non-violence becomes a political tactic, in which the techniques are useful for winning, that that is a mockery and a sham of non-violence. Non-violence is an outgoing form of love with certain humor and quips mixed into it, in which it is the love of your adversary that finally conquered him, not the hatred, not the techniques, and not the tactics. And so I am not sure whether the degree of Christianizing that has taken place in Vietnam would certainly not have supported this kind of thing. Then you have the other problem, and that is the British were on the other side and not the Americans. And I dare say that the British have a far higher sense of moral decency than the American government does, at least if one considers the kinds of things that you find in the British press. Moral indignation is I think a much stronger basis in England than it is in this country.

EMENY. On the other hand, I do have a children's song that I'd really like to read you the translation of again. I guess that's one of the main things I brought away from Vietnam. "The enemy is not people. If we kill people, what brothers will be have left? The enemy's name is cruelty. The enemy's name is no conscience. It's hatred. It's bitterness. A group of phantoms. The enemy is not people; if we kill people, what brothers will we have left? The enemy wears a coat of doctrine, the enemy wears the false front of freedom. It has a deceiving appearance. It sifts our words. It's a germ to separate us.

People, people have compassion for the weak, have compassion for the innocent, have compassion for those who pity us. The enemy is not stranger. It lies inside each one of us. The enemy carries the name of unjust accusation. The enemy is the name of ignorance. It's ambition. It's jealousy. It's jealous hatred. The enemy is in desiring eyes. It's in an arrogant head. In a lonely heart. In a narrow mind. In the dream of conquering. The enemy is no stranger. The enemy lies inside each one of us."

QUESTION. Dr. Spellman, I'd like to ask you a question concerning what you feel to be the root of the problem in Vietnam and a lot of the imperialistic expansion of the western countries of this world, in particular the United States. I know that you've touched a little bit on the values system, the structure of the values in the United States with reference to technology, industrialization, competition. I know I have my definite views about what is causing many of the Third World revolts, as well as U.S. expansion. I would say that's capitalism. But I wish that you would give us your opinions as to this.

SPELLMAN. That, too, is a difficult question. I do not think that I would feel that it was capitalism. I think that maybe the root lies certainly not solely with the United States. I think that we are dealing with values that extend far beyond the national boundaries. They are cultural values that have a very long heritage. I suppose at the root of this lies concepts such as the idea of truth. Now, we understand things in our society largely from a lineal perspective, and we have the idea that a thing is either right or wrong, good or evil. It is a kind of dualism. And so in order to include something, we must exclude all else. And I think that it is this idea of exclusion, that is one. I think that the idea of evangelism, the crusading, the idea of universalism, which is common both to Christianity and to Islam, is also involved here. I think that our concept of time is also relevant. Our concept of time is again a lineal concept, and it is only a lineal concept which can

give you an idea as progress, which I find a very curious concept. But progress, which is basically a 17th or 18th century development, says that on this line—this beginning and end spectrum—that things continuously improve. So there is a beginning and end, a birth and death, this kind of thing. Now if you contrast that with the Asian concept of time which is cyclical, which deals with the way the seasons operate, so that February, 1971 is not much different than February, 871 or 1871 B.C., time continues. This gives us the concept of reincarnation and transmigration, that nothing is created or destroyed, not only physically, but also in terms of the spirit of the divine which manifests itself in many ways. We don't accept the multi-dimensionality of life. We don't accept our relationship to all that is living. This again makes a difference in our relationship to nature where we feel that we have the idea of conquest. Conquest is not simply a political idea. We have the idea of control. You look in telephone directories and see how frequently the word "control" comes. You look at our present orientation in terms of the concept of problems, and you will find very few people who are nowadays able to go through one day without using the word "problem." In other words, the emphasis is on disharmony rather than harmony, and I think that it is the interrelationship of these kinds of values which lead us to believe that our ideas are good for everyone and even in a discussion, (and I don't care how right or left the group is) if someone disagrees, we feel that we have to convince them. So we say, "Well, why do you disagree?" instead of saying, "Very well, you disagree, that's fine." We can't do this.

We feel that we have this tremendous adulation of the scientific values, of objectivity, of impartiality, of non-emotionalism. So we dismiss their arguments by saying, "You are being emotional. You are being subjective. You are being prejudiced about this," instead of saying, "Of course a human being is not a machine. It is inconsistent and illogical and so am I." Much has been made sometimes that Asian society is not individual. It is not; that is true. But it is extremely personal, as you heard from the last statement here. And it is this different value system, which itself forms a kind of unity, but I believe a bankrupt one, that is involved. It is like language. We have this opposition to age. The newest, the most recent, is the best. No matter what my argument is, I can prevail over you by saying, "Recent research shows" and, immediately, whatever you say is finished. This is very useful for a consumer-oriented society, where you don't have to do your own creative work. So youth becomes a tremendous value in the society and newness. Damn the old. All you have to do is examine our vocabulary on age and you will see that words implying great age, "old-fashioned," "out of date," "obsolete," "archaic," are pejorative words toward age. Again, this is not a value that is sympathetically received in most Asian cultures. It is a large, large question that you pose.

EMENY. Let me just add a couple of things about the Vietnamese language. The word "I" does not exist in Vietnamese language, technically. Everything is termed in terms of a relationship. That goes back to what Dr. Spellman was saying about the sense of individuality. It ties in very much with the way the Vietnamese are themselves, because the survival of Vietnam as a nation is much more important than my own individual survival. It all ties in. It is ecological, thinking in terms of the balance of nature.

QUESTION. I'd like to address this to Dr. Spellman. He referred to Southeast Asia's traditional legal system as free, flexible, and merciful. Would you elaborate on what makes it free, merciful, and flexible?

SPELLMAN. Well, again, I tried to put a kind of a disclaimer at the beginning by indicating that I was not a specialist on Southeast Asia or particularly on Vietnam. I've spent the last fifteen years doing some studies of Asia. I am Professor of Asian Studies at the University of Windsor in Canada. I am in this sense making projections from the traditional legal system as I understand it, of India, and taking this through Burma as Indian influence moved, all the way to Cambodia, and to Indonesia. Now that system was largely based on customary law, rather than traditional law. There is no point in having written legislation where people don't read, for example. The first point about that law is that it is extremely decentralized and much of it is village-operated. Now I have done some work on the ancient political theory in this, and if you're really interested you can look at my book on Political Theory of Ancient India, which was published by the Oxford University Press in 1964. What I've tried to indicate is that because of the very heavy decentralization of law, first of all, there is no police. The enforcement of law is up to the people. If the law is not reasonable, then through their social behavior, through ostracism, through buying at shops, this kind of thing, people will not enforce the law. Therefore, laws fall, without any legislative process. It has only been very recently that it has been understood that the people make law. In the law books of Manu, the ancient Indian code, it says, "A thousand fools cannot declare what righteousness is, what law should be. One wise man can." There was no concept at this time that the majority makes right, although unfortunately that idea is in our own society. But that, of course, is the very basis of a lynch mob, in which everybody except one man is pretty agreeable as to what is going to be done. Here, you can't afford to enforce laws which are very rigid. An example is a man in a caste situation who was accused of eating meat in a Hindu situation. When he came up before the Punjaid, before the village elders, he said, "I am accused of eating meat, but so does so-and-so, so does so-and-so, so does so-and-so," all of whom were very reputable people in the village. The decision of the Punjaid was to say, well, the man by accusing all these other people of eating meat is obviously very disturbed about this and we can't accept his testimony so we'll have to dismiss the case. The Buddhist texts, that is the Indian Buddhist texts in the 3rd Century B.C., have a text called the Questions of Melinda in which a question is put to the king about a man who is not responsible for his crime, and they said, "What shall we do about this man?" and the answer is, "If he is not responsible for this, if he is insane, no blame is due to this man." Now this was long before these ideas ever came into Europe, as many ideas have come from these countries into Europe. The purpose of law is not guilt or innocence as it is in our legal system. We are not interested in who is guilty or who is innocent. We are interested in the harmony of the village, and the purpose of law is to provide harmony, to provide justice as we see it in our light, not as the Americans or the British legal system sees it. This system arises from very different concepts of the nature of man, and not the kind of thing that you work on in the West.

THE 25TH INFANTRY DIVISION AND PUBLIC INFORMATION OFFICE

Moderators

Jan Crumb, 28, SP/4, (E–4), 18th Aviation Co. (from December 1962 to October 1963).

Larry Rottmann, 25, 1st Lt., Public Information Office, 25th Infantry Division (from June 1967 to March 1968).

Veterans testifying

Ron Podlaski, 24, Sgt. (E–5) 5th Special Forces Group (from April 1968 to April 1969).

Eugene Keys, 25, SP/4, (E–4) 3/4, 25th Infantry Division (from February 1966 to February 1967).

David Chiles, 24, SP/4, (E–4) 3/4, 25th Infantry Division (from January 1968 to December 1968).

Pat Ostrenga, "D" Co., February to December, 25th Infantry Division.

Mike McCusker, 29, Sgt. (E–5) Public Information Office 1st Marine Division (from 1966 to 1968).

Larry Craig, 29, SP/4, Public Information Office, 25th Infantry Division (from 1966 to 1967).

Vernon Shibla, 27, SP/4, Public Information Office 25th Infantry Division (from 1966 to 1967).

Alex Primm, 26, SP/4, (E–4) Public Information Office, 1st Logistics Command, Headquarters (from September 1968 to June 1969).

MODERATOR. We feel that particularly after the actions of the last two days in Indochina, and the reaction of Senator McGovern yesterday to information which we brought out on Sunday about a Marine combat regiment operating in Laos in 1969, that we should open today's panel with someone else who has been in Laos, Ron Podlaski.

PODLASKI. My name is Ron Podlaski. I'm from New York. I was a sergeant in the United States Army Special Forces. I served in Vietnam from 1968 to 1969. My testimony will consist of cross-border operations into Laos, Cambodia, using Thailand as launchbases for Laotian targets, and our involvement in Laos and Cambodia.

MODERATOR. How many times have you been in Laos?

PODLASKI. I couldn't give you an exact figure of how many times I've been to Laos, but I spent one year in Vietnam and that entire year was devoted to running cross-border operations.

MODERATOR. Would you say a half-dozen times or more?

PODLASKI. I'd say at least that many times, not to mention the times that we attempted to get in and were not successful in infiltrating.

MODERATOR. What was the nature of your sort of group?

PODLASKI. We were running long-range reconnaissance patrols. They consisted of two Americans and four indigenous personnel. Our particular team was Chinese Nungs. We were going into Laos, Cambodia, for intelligence reasons.

MODERATOR. Ron, would you explain what a Nung is?

PODLASKI. Well, Chinese Nungs, our particular team, they came from North Vietnam and their families had fled to the South and they were mostly Catholics. They were mercenary soldiers, is what they were. They were higher paid than the ARVN army and whoever gave them the most money. that's who they fought for.

MODERATOR. Was yours the only team going into Laos?

PODLASKI. Negative I belonged to C & C North, which was located up around Da Nang, and it was their base camp. We had FOB's in Khe Sanh, Phu Bail, Kontum. There was also C & C South, which had two or three FOB's. I'm not exactly sure. I ran missions for them, TDY, into Cambodia.

MODERATOR. An FOB is a Forward Operating Base?

PODLASKI. Right.

MODERATOR. What do you know about hatchet forces?

PODLASKI. Hatchet forces are company-size, consisting of American advisers with a majority of Vietnamese, possibly Montagnards, possibly Chinese Nungs. They would run company-size operations, cross-border.

MODERATOR. Often?

PODLASKI. My last three months in Vietnam were spent in Kontum, it was the old FOB–2 which was changed to C & C Central (Command Control Central), and they were running hatchet force operations into Laos on quite a heavy basis those last three months.

MODERATOR. Would you explain what C & C North, Central, and South is?

PODLASKI. C & C North stands for Command Control North. It consisted of Special Forces. However, we took commands from Saigon and we had nothing to do with actual special forces command in Nha Trang. We answered to Saigon.

MODERATOR. Where were these operations to take place?

PODLASKI. These operations, well, you would launch from different launch sites near the border, and you'd be infiltrated into Laos wherever they felt there was heavy troop movement. We would take pictures, tell the strength of the troops, their morale, their physical fitness, if they were young, if they were hard-core North Vietnamese or if they were just grabbing anybody, and this intelligence was supposedly fed to conventional units. They could cut these people off as they crossed the border into South Vietnam. However, I don't know of any incident where we were ever listened to. Whatever intelligence we would give to them never seemed to be followed through.

MODERATOR. Ron, the President and other members of the government have said we have never had ground forces fighting in Laos.

PODLASKI. Well, all I can say about that is that the administration has been lying. They've been lying to the President and together they've been lying to you people.

MODERATOR. Ron will be available for further questions. We'd like to go along with the combat veterans of the 25 Infantry Division, who will introduce themselves.

KEYS. My name is Sonny Keys. I was in the Third Squadron, Fourth Cavalry of the 25th Division. I'll be talking about forced relocation of civilians and a convoy of approximately fifty trucks filled with American dead, which the *Stars and Stripes* reported as "light" casualties.

CHILES. My name is David Chiles. I'm a student at Kent State and I live in Atwater, Ohio. I'm going to be discussing some operations in the Iron Triangle, the use of American soldiers as guinea pigs to give a squadron colonel a better body count, and an incident I had with some civilians in Saigon. I believe it was June or July we were sent to the Iron Triangle and we took very heavy casualties. We found these ten graves, or what we took to be graves. One day A-Troop called in and used them as body count. The next day, B-Troop called in and used the same graves as body count. So meanwhile, the people that buried these definitely called them in, so you have ten graves that are worth thirty body counts. Vietnam was a very strange war, for the simple reason that the only way your unit was judged by the number of bodies in relationship to your casualties.

One instance I remember, we joined with the 4/23 Mechanized Infantry (oh, by the way, I was with the 3/4 Cav in all of all 1967). They were dragging two Viet Cong behind their tracks, which isn't really unusual. They came in at night and we had a rendezvous. At this time two GI's went over and cut the ears off and put them across the track to dry. And then I noticed two GI's were fighting over these bodies, so I went over to take a closer look and there was a lieutenant observing this. One of them had a pair of pliers, and to my dismay, they were fighting over the rights to the gold teeth of the Viet Cong they had killed. This was kind of a status for them, to see who got the most gold teeth. As I said, we had taken very heavy casualties. I think the only thing that we found there was about fifty bags of rice. It was from New York City and Houston, Texas, is where this rice had originated from. Around September or October our colonel got this fantastic idea to start running convoys at night, from Cu Chi to Tay Ninh, then from Tay Ninh to Dau Tieng. The sole purpose of this was to be ambushed; this is a mechanized unit at night, when you can hear them miles away. His theory was, our fire power was much more superior than theirs. What he forgot to think about is three Viet Cong with RPG-2's and a well placed mine could kill ten GI's and destroy three or four tracks. Meanwhile, while all this is going on, he's riding around in a helicopter and observing this. Now this went on for two or three months, and I think the division finally told him to get himself together, because we were just getting ripped up.

MODERATOR. I understand you have some slides.

CHILES. Yes, I'm going to show those.

MODERATOR. Could we go through the other two fellows' testimony and then come back to your slides?

LARRY ROTTMAN. Just a point of clarification. RPG-2 is a recoil-less projectile round, sort of a crude bazooka, that the VC uses, a shoulder-held weapon that will penetrate eight or ten inches of armored plate. One man can fire one projectile.

OSTRENGA. My name's Patrick Ostrenga and I am currently a student at the University of Wisconsin in Madison. I was a medic with the 25th Division, Second Battalion, Twelfth Infantry, and attached to D-Company. My unit operated around Dau Tieng, which is about forty miles north of Saigon. My testimony concerns mistreatment of Vietnamese civilians, mistreatment of prisoners, and murder of Vietnamese civilians.

MODERATOR. Sonny, could you amplify a little on what you were talking about?

KEYS. The relocation of civilians? Okay. We were in an operation in Ho Bo Woods, I believe it was Cedar Falls or Junction City in January of 1967. We came across a village of women, young kids, and old men—no young men. We surrounded the village, then we forced all the civilians out to an open field and we called in a Chinook, a large helicopter. At gunpoint we held these people until the Chinook arrived. Then we forced all of them onto the chopper to be taken to Saigon, I believe, and then we destroyed all of their hootches, we dumped all the rice down in their wells, killed all the fowl and the livestock, and left the place a real scorched earth. Prior to that, in December, we were running convoys day and night for Operation Attleborough up at Tay Ninh. One night we ran approximately fifty trucks back down to Cu Chi. We got there. You could tell that these trucks were heavily laden; they were really weighted down. We got there and my squad leader went over and talked to a lieutenant. He came back and said that the lieutenant had told him that these trucks were weighted down with American bodies. I didn't see inside the trucks, so it is hear-say, but I do know that *Stars and Stripes* reported about a week later that we had taken light casualties, light casualties, and fifty trucks loaded with American dead is more than light casualties.

MODERATOR. Pat, would you amplify a little on your testimony?

OSTRENGA. I was working as a medic in Vietnam and there are quite a few things I can talk about. Well, one of the things I saw was one Vietnamese civilian, a pretty old man, was riding down a road with a bicycle. The lieutenant that was with us took out his M-16 and aimed it at the guy and shot one round and well, killed the guy. We went up to the guy, and he had a South Vietnamese ID card. Common practice in my unit was, if you killed a civilian with an ID card, you take his ID card and tear it up. The lieutenant's comment on this was, "Well, I guess I'm still a pretty good shot." We took some prisoners one time, and one of them was wounded. The guy had a pretty big gash in his arm, some frag from some artillery. I went up to treat him, and as I was putting on the bandage, the guy was pulled away from me and the commanding officer, a captain, told me not to waste anything on the gooks except bullets. And, there were also some civilians that were wounded another time from some of our own artillery fire. I tried to treat some of them but I was told not to waste anything on them because they're not worth anything; they're just gooks. It's a very racist war.

MODERATOR. Dave, could you show your slides now and explain them?

CHILES. First, let me explain this slide. The first one's a 45-caliber, the second one's an M-16, the third one's an M-14, which is a NATO round. This is supposedly the largest round to be used as anti-personnel. The large one beside the pack of cigarettes is called a 50-caliber, which is to be used as anti-aircraft. (Next slide) This is a Vietnamese that has been hit with a 50-caliber, which is supposed to be used for anti-aircraft, but all our tracks have them, and since the Vietnamese don't have a good Air Force, I could never see the logic behind it. (Next slide) This picture was taken by my lieutenant on the way to the Iron Triangle. This isn't my unit; I don't know what unit it is, but it's with the 25th. I just asked them what the reason for burning the village was, and I believe the quote was, "It's a hostile village." (Next slide) There's many people back here that for some reason think an armored unit is invincible, and this is one of the reasons for having us run the night convoys to be ambushed. I think the next few slides will show you what a couple of Viet Cong with the RPG and mines can do. This is a track that has been hit by an RPG and burnt up. (Next slide) This is an RPG that hit a track. An RPG is a heat round. It looks like a very primitive weapon. (Next slide) This is another picture of an armored personnel carrier that has hit a mine and totally destroyed. I believe there was four or five American deaths.

MODERATOR. Thank you.

OSTRENGA. I think something should be mentioned about how in Japan there are many acres covered with totally destroyed APC's that they're just sitting there, waiting to cannabalize. And I've seen this on Okinawa too.

MODERATOR. We're going to take questions from the press at this time for the 25th Infantry Division combat veterans and for Ron Podlaski, who has been in Laos over a half-dozen times, and then we're going into a second part of the panel that of former PIO Information Specialists, many of whom were with the 25th Infantry Division, who will explain what happens to news. Are there any questions from the press to the veterans who have just testified? Are there any questions from the audience?

QUESTION FROM THE AUDIENCE. Mr. Podlaski, when were you in Laos?

PODLASKI. I served in Vietnam from April '68 to April '69. I can't tell you the exact days I was in Laos. It was between '68 and '69. Also it wasn't just Laos, it was Cambodia and Laos; we would go to Thailand and launch from Thailand into Laos with Vietnamese personnel. We would go on these missions, also I forgot to mention, with no American markings, no American dog tags, these are the tags you wear around your neck to identify yourself if you're killed. If we were killed over there we were deserters—not to tie in our government. A lot of teams a lot of times would go out with North Vietnamese uniforms on carrying North Vietnamese weapons: AK-47's. Just so it didn't look as if Americans were involved in this.

Question from the Audience: What were the various ranks of the American personnel on your missions?

PODLASKI. That's a good question. There were Spec. 4s running teams. There were E-5s running teams. There was one E-7 and he was a very young E-7 and he was killed. He was the last high-ranking NCO that worked on a team. We had one or two lieutenants

who went out with teams so they could get an idea of the way operations went. Therefore, they became launch officers. However, any of these officers who had any feelings for the men who went on these missions were relieved of their job.

Question from the Audience: What kind of information were you trying to get?

PODLASKI. Intelligence on the size, the shape they were in, the type of uniforms they were wearing, did they look well-fed, did they look tired, run down, beat? Were they hardcore veterans, were they young people just from the North, green? What type of weapons they were carrying.

Question from the Audience: Did you ever engage in combat?

PODLASKI. We were not extracted out of Laos unless we made physical contact, which is, anyone who knows anything about recon—once you're visually compromised your mission is supposedly aborted because you can gain no intelligence if they know you are in the area. When you've only got six men, you can't put up much of a firefight. However, our policy was, you're in a firefight or you don't come out.

Question from the Audience: Did you ever go on any search and destroy missions or do you know of any search and destroy missions into Laos or Cambodia?

PODLASKI. Negative. I didn't go on search and destroy missions. My last three months over there I was changed from recon to hatchet force. And I was scheduled to go out, but, fortunately, I caught malaria and I didn't have to do it.

Question from the Audience: Did you know about Operation Dewey Canyon? That was a marine operation, but it was during the time you were there.

PODLASKI. I know about it like the public knows about it but . . .

Question from the Audience: You didn't know about operation Dewey Canyon when you were in Vietnam?

PODLASKI. Negative. The only reason I am aware of it is because I have a cousin who doesn't walk today because of it.

Question from the Audience: Were there any special instructions about keeping your operations in Cambodia and Laos a secret?

PODLASKI. Yes there were.

Question from the Audience: Like what?

PODLASKI. We were told any information we gave on these operations—we were forced to sign papers before we left Vietnam—We were told that if we didn't sign these papers we wouldn't leave Vietnam. Telling us that we were subject to a ten thousand dollar fine and ten years in prison if we mentioned these operations. However, I think it's more important that the public knows, because, man, you've been lied to long enough!

MODERATOR. Ron will be available for further questioning. We'd like to move along. I'm sorry, there's another question right there.

Question from the Audience: Did you, was there a unit with you? I know there's one at C & C Central called the Earth Angels. Code name Earth Angels.

PODLASKI. I was in C & C Central my last three months in Vietnam and I went TDY to C & C Central a few times and I'm not familiar with that at all.

Question from the Audience: Was there ever a unit within C & C Central or C & C North that was more or less separate from the rest and engaged in, you know, assassination type operations?

PODLASKI. I have heard of these. It was not C & C North that had these type operations. I heard of them and I know they existed but for me to comment on them would be strictly hearsay.

Question from the Audience: Well, what did you hear?

PODLASKI. Well, that there are Americans working on special operations that are assassination teams.

Question from the Audience: Within C & C?

PODLASKI. Well, not in C & C North or C & C Central. It was in another area and I really don't like to comment on something that I don't know for sure. Because I wasn't involved in this. I heard about it. I know it exists; but I have no proof.

MODERATOR. We'll have to take this one more question.

Question from the Audience: Yes, this paper here says that Eugene Keys participated in operations in Cambodia back in December of '66. Can you comment on that?

KEYS. There is a town north of Cu Chi on Route 1 called Go Dau Ha. Now anytime we ran a convoy, we would place an APC at a crossroads to make sure that the convoys went north to Cu Chi instead of crossing the bridge. We were told that this river was a border. Now, according to the map, it is not the border. I've talked to other people who have been there since I wrote that down. And they say it's not the border, so obviously they were just giving us a line.

MODERATOR. We'd like to move along to a panel on information specialists and on press censorship. Larry Rottmann.

ROTTMANN. My name is Larry Rottman. I served as Assistant Information Officer for the 25th Infantry Division, based at Cu Chi, Vietnam from June 5th, 1967 till March 9th, 1968. My duties were to be officer in charge of the division newspaper, *Tropic Lightning News*, the Lightning Two Five monthly news magazine, and the Lightning Two Five ARVN radio program. I was also in charge of division press releases including photos, officer in charge of visiting newsmen including television network crews, and a frequent briefer of the division staff on all civilian news media and information matters. I'd like to introduce the rest of the members of the information panel:

Mike McCusker, who was information specialist with the Marines; Larry Craig, who was information specialist at Brigade level in the 25th Division; Vernon Shibla, who was an information specialist on the Brigade level; Alex Primm, who was an information specialist at the 1st Logistical Command Headquarters. Those men will identify themselves and give you a little background. Mike, do you want to start out?

MCCUSKER. My name is Mike McCusker. I was a sergeant in the Marine Corps and I served in Vietnam in 1966 and '67 with the 1st Marine Division as what they call an Infantry Combat Correspondent. This meant that I went out with every unit of the Infantry that was stationed, generally in Chu Lai, but I ended up all over the I corps with almost every Marine infantry unit and also Reconnaissance unit because I was also Reconnaissance qualified. These things that the men from the 25th told you were covered up. None of these instances were generally reported. Most of the stories that we wrote generally appeared in such publications as *Stars and Stripes*, a paper we had in I corps area called *Sea Tiger*, various other military news services, and the civilian press. They appeared in ways that we did not even write them. Information in them was either deleted or added. Quite often what we had written, what we had seen, what we had covered, just didn't come out in the stories. It was something entirely different. The general policy of being an Informational Services man (that's what the Marine Corps calls its reporters, The Informational Services Office). The only thing we had to do with information, I believe, is to cover it up, disguise it, or deny it. Some of the things that we could not write about, and if we did write about them they were always redlined from our stories, were the amount of American dead. Now they'd always go into light casualties, medium casualties, or heavy casualties. However, heavy casualties were never reported upon because when they got to Da Nang—and if they mention casualties in the Da Nang press center, if a platoon went out and got wiped out, they would measure platoon by battalion strength and that would, of course, be light casualties. And play those little games. Every Vietnamese dead was naturally a Viet Cong dead; even six month old babies, 99 year old men and women. If they are dead, they are Viet Cong, which is a misnomer, at any rate.

We could never really write about the Vietnamese life style, or how the Vietnamese viewed their life in their universe, because it's so contrary to how we viewed Vietnam and the purpose of Vietnam. And the dichotomy would be very apparent in any story. We could not write of taking souvenirs—souvenirs that we witnessed being taken such as ears and teeth. You can't help but notice it because it happens all the time and if you did write of it, it would be redlined and, of course, you'd be on the carpet if your Information Services Office could find you out on the field. You could not write of villages being burned, of crops destroyed. You could not write of defoliation, of the use of tear gas. The use of tear gas on at least three occasions—I witnessed tear gas pumped into caves and people running out and shot down as they run out of those caves. When the story of tear gas being used in 7th Marines in 1965 was exploded, through Colonel ——— ——— the regimental commander at the time said it was only for humane purposes. And I witnessed a few of those humane purposes and I did write it in the story, infuriated, and it was redlined. The use of napalm: you can't even use the term napalm anymore. It's called incindergel, like jello. You could not write of women guerrillas, women prisoners; especially the deaths of women, children, old man and women. You could not write of H & I fire which is harassment and interdiction. This was supposedly to keep the Viet Cong on their toes. What they would do is just throw rounds out in every direction every night. It didn't matter where. There was no set plan, just throw them out. Anything in the way, that's a shame. Also free fire zones: a set-up. Free fire zones essentially means anything within that zone is dead. Anything moving is fair game. We could not write of these things. One particular instance of the free fire zone was a village that was supposedly pacified and I had to cover it for the division. This colonel went in with a bunch of newsmen—into this one particular village. The medical team that had preceded him had a chow team and they had set up hot chow. They passed out the band aids and the Kool-Aid and they only gave medical supplies enough for two days in any particular village because they figured if they gave these medical supplies to a village lasting longer than two days, the NLF would get to those supplies and use them. So, therefore, though the medical teams might not visit a particular village for a period of a month, maybe, they would only leave supplies for two days.

The villagers definitely needed medical help essentially because, as I testified yesterday, they systematically destroyed most of any village dispensary, or hospital, or anything that looked like it. We could not write, at the time I was there, of what was called Puff the Magic Dragon—DC-3s with Miniguns. I forgot how many rounds they can throw out a minute. Around 4000 I believe it is . . . 6000? They can cover an entire football field in about a minute and it just destroys, chops down every thing in sight. We could not write of those, could not write, especially, of the torture of prisoners. My witnessing of the torture of prisoners was generally on the field level whenever any particular outfit, whether it be squad size, company size, or battalion size, swept into a village on a search and destroy mission and captured prisoners. Which means any Vietnamese hanging around the village, or any Vietnamese flushed out of the bush, if he wasn't shot first. And

they had field torture techniques: determining who was going to go into the more refined tortures which involved somewhat the same type. In the field it was the use of dogs after tying a suspect, who was any particular villager, to a tree and let the dog start yapping at his face, snapping at him. Field phones were wired to genitals, to ears, to nose. Threatenings were done with the knife, dunking in wells, dunking in rivers and streams. And we could write of none of these and if you did write of these, they would be redlined. We could not write of recon-fire missions. As I said before I was reconnaissance qualified and jump qualified. So I was the only man in recon trusted to go out with them—the only reporter-photographer the recon trusted because I knew their business. And recon was a little bit different than what I'd been trained to do. Generally in Vietnam you would take a few helicopters, land in an area, move out on top of a hill and call in arty strikes or air-strikes in a particular given area. One particular time I watched a herd of elephants get hit by arty and several villages. Could never write of this. Could never write of how it was done and what the rationale for it was. Now this redlining of stories was a very complex thing. I was out in the field—way the ——— out in the field and I tried getting so far out that nobody from the division could find me. All they would ever see of me was stories I sent back. Whatever story I wrote would go to an NCO, the staff NCO, generally. I was an NCO at the time; that's a non-commissioned officer.

The story would go to a lifer who was called the Press Chief. The Press Chief would then make his cuts and additions. From the Press Chief it could go to the Section Chief and he would add or delete what he thought, then to the Information Officer himself, in the division, and he would do what he was going to do with it. Then it would be passed up to Da Nang for the Press Center at Da Nang for 3rd MAF. Third Marine Amphibious Forces Press Center in Da Nang. It would go through a whole battery of NCOs and officers up to a colonel before it was released to the press. And by the time it was released to the press, as I've said, it was hardly recognizable. Now I say this because ironically the Marine Corps gave me its top three writing awards for the year '66–'67, which was the first year of its Vietnamese Correspondent Awards. And I was rather bemused at the fact that I got the ——— things. However, when they discovered that I was a Benedict Arnold, discovered it officially, I guess, the next year I understand there was a caucus to try and take my awards away from me because I didn't deserve them. What we would do sometimes to counter all this thing that came down was to find a few trusted Fourth Estaters, civilian pressmen, or television crews, take them to places where we were not supposed to take them, or try to tip off, as I said, trusted civilian reporters. Because that was rather hot. Had a lot of rednecks in there and if you gave them some info, they would report it to your CO and you were on the carpet. Television crews the same way. Policy in the Marine Corps was that anything that happened to the Marines—if there was any blunder or any slaughter because of short-sightedness or any mistake that cost Marine Corps lives, any military blunder—it was to be hidden, not to be shown and if information did leak out, then it would be claimed as a great victory. In the meantime such things as My Lai would never be reported. If a village were destroyed, the body count could stand as is, but suddenly you would find that there was a great big action around it. You know, one ——— of a fire fight. Really, from my end, that's essentially all I have to report for censorship.

MODERATOR. Next will be Larry Craig who was with the 25th Infantry Division's 1st Brigade, as a Brigade level Information Specialist. Now in the army the information specialists begin at battalion level. There's supposed to be a brigade information specialist—that's an enlisted man who collects the news; an information officer for each brigade.

In reality, in Vietnam, anyway, the information officer was usually the commanding officer of the unit and the next stage up from battalion was brigade and this is where Larry worked. Larry, do you want to tell us a little bit about your experiences?

CRAIG. Yes. I was in Cu Chi, Vietnam during 1966 and 1967 and as Larry says, I've worked as a Public Information Office Specialist. And, generally, I think what I have to talk about is what I perceived my job to be there and what it actually turned out to be. It was an over-all cover-up of what was actually going on in the division operation.

During the time that I was there with the 25th Division every news release that came out of our information office—this was at Brigade level and at Headquarters level with the division—made it appear that we were really winning the war; that we were doing a fantastic job.

So while people like Dave with the ¾ Cavalry were out getting their tracks blown up by one or two Viet Cong, we would write stories about these glorious victories which didn't take place. And generally, what I saw, were how the figures were turned around on body counts. One particular time I was with the ¾ Cavalry where three of our men got killed.

Our men killed one young Vietnamese who was actually a prisoner at the time that he was killed, laying in the grass in front of us. We counted graves in an old cemetery that day so the story that came out of our office was 17 Viet Cong killed. What actually had happened was two or three Vietnamese had killed three of our men and if there had been a large force there, they left. But it was just contact with two or three.

But, over-all, this is what my job was: to go out on these missions where nothing happened except that we might kill a few civilians, if we found them, and pretend that we were really winning some battles when, actually, it was Americans being killed.

MODERATOR. Larry, you mentioned you had trouble sort of perceiving what your job was at first. Did you ever write what you consider to be a truly objective news story? In other words, one based on the facts?

CRAIG. To me there was never any question about anyone wanting me to write what I saw in the field. The job of our newspaper was to build morale in the field and as a public information office our job was to propaganize the American people.

And this is what we would do. We would write propaganda, and at times I would go to the field and write a story that was personally related to what we saw taking place, but what was actually happening was that our people were being killed as they alienated the Vietnamese people in the villages that we went through on search and destroy missions. That was never what we would write about.

One particular mission near Dau Tieng we lost, I think, about five men that day, but we happened to find some rice. Well, this was a big cache, fine. So we made it into a real victory. We didn't see the Vietnamese Communists who shot at us. They left. They killed several of our men and left. We found some rice.

Well, the story that I wrote, which is the kind of job that I had, was that we had a very successful mission. I didn't mention that the rice was marked, I think it was from Houston, Texas. This wasn't allowed. Any of the rice caches that we found was generally rice that had been diverted from Saigon to the Viet Cong. This is generally the kind of work that I did.

MODERATOR. You mentioned that there was never an question in your mind that that was policy. How did you come to the realization that that was the kind of thing you were supposed to do, the slanted story? I mean, did somebody say, "Larry, I hereby order you not to write a . . ."

CRAIG. Generally, it was more subtle than that. But one time in particular an order came down from division headquarters and I was at the Division Public Information Office when (I believe it was the information officer) a Major ——— told us that we had to write stories about cooperation between American Infantrymen and the ARVN, the South Vietnamese Infantrymen. Well, this was non-existent.

The ARVN in our area weren't respected; there was no good feelings between the American infantrymen and the South Vietnamese and yet this was an order that came down—that we were to make them look good in the way of cooperation.

One thing that I did see, I was walking with an American unit along a river. A South Vietnamese unit was operating on the other side of the river. One of their armored personnel carriers hit a mine. Probably two fellows at least got killed. Our side cheered. This was nice. We were happy for ARVNs having their track blown up. But the order that came down was that we were to write about how well we got along and how well the ARVNs were doing and how we cooperated with them.

MODERATOR. That order came from the division information officer, field grade officers, is that right?

CRAIG. He was a major, yes.

MODERATOR. Okay, then, the next person is Vernon Shible who was with the 25th Infantry Division and worked in the division information office underneath the aforementioned major. Vern.

SHIBLA. I was in Vietnam with the 25th from April '66 to April '67. And I mainly was a photographer for the division and I wrote a few stories, fabrications, or whatever you want to call them. Larry and I worked together in fact, thinking things up to make us look good. There's various things that we couldn't photograph such as flamethrowers burning villages, which we saw.

We couldn't photograph flenchette rounds or cannisters, which are tiny darts fired out of howitzers at point blank range when you come under attack by Vietnamese. In fact, there was a battle that was written up in *Time* magazine, but we won it; even *Time* magazine said we won it, so we must have—in which 900 Vietnamese were killed by the flenchett rounds which is totally against the Geneva convention. But then, it doesn't matter, I guess.

Another thing we couldn't photograph or write about was shotguns which are carried extensively in Vietnam because they seem to do a better job than the M–16. They don't jam as easy. We couldn't photograph Americans wounded. We couldn't photograph dead. We couldn't photograph civilians injured or dead.

On Operation Wahiwa during 1966, I think it was the end of May, we were in a place called the Ho Bo Woods, and we came under fire when we landed and that was suppressed. We were walking along and having recon by fire which means the first unit in the company fires indiscriminately in the treelines and hedgerows.

Well, we heard crying coming from a little house that had been partially destroyed by a previous aerial bombing mission from the airforce, and we snuck up on the house very carefully and there was a mother and a baby sitting inside. The mother was crying and the baby was sitting there with his intestines hanging out. One of our bullets had creased its stomach. And it wasn't crying or anything and the sergeant asked the interpreter, you know, to tell her that, well, it's her

fault. She shouldn't be there because we dropped leaflets and told her to get out. It was only her country, you know. So, they did evacuate her, as far as I know, to a medical battalion. We couldn't photograph or write about that kind of thing.

There were battles, like the battle at Phu Hoa Dong where the 4/9 was just about annihilated which was never played up very big. There was a battle in Tay Ninh province, Operation Attleborough in which a general was relieved of duty on the spot by General Westmoreland. The General was named General ——— and we called him General Death for Sure. And he was relieved of duty for having his company almost wiped out. It was wiped out down to a Spec/4 level and a Spec/4 was given a silver star and . . . that kind of thing. But the general was relieved and nobody knew about it because he did such a bad job.

I've had photographs come back from MACOI which is Military Office of Information in Vietnam, censored, marked "not cleared for release" and what I got back was a photograph of two MPs carrying a Vietnamese prisoner and he had a sandbag over his head and he was not being harmed in any way. There was no harassment. He was in good physical shape. I don't know how he made it, but he sure did. And the note came back across the picture and it says, "Sorry Vern, we don't treat VC's this way."

So I guess they meant they treated them too good; I never understood it. But we couldn't release the picture. And I had a story killed that I wrote that was told about a Captain ———, who was killed by a mine while leading his company. There was nothing wrong with the story but we couldn't . . . nobody was killed over there, as far as Americans go. So we couldn't talk about him.

CRAIG. Larry, can I interject a comment about . . . ?

MODERATOR. Go right in.

CRAIG. Okay. One of the things that really disturbed me as an information specialist in the army was I realized what my job was and I knew that if I wanted to keep this job that was the only way I could do it—write the kind of stories that the army wanted. I worked for a major and I'd write his kind of propaganda. It was the only way to do it. But, I, at that time, was under the impression that America had some sort of a free press and occasionally would attempt to talk to some of the representatives of the press from the States.

One time in particular, I was especially disturbed. This was on April 10, 1967. Three men from our office were killed during an attack. It was an incoming mortar round on the division headquarters. So three of our friends were killed. Vern was in the bunker with the three fellows who were killed when the round came in and it went right into the bunker. His first comment on coming out of the bunker . . . he was the first one out . . . was "that (b———) Johnson," that's what he had to say. This was the feeling in our office at that time. April 10, 1967. Three of our friends were killed. We were disgusted with Johnson, with the US policy there. This was the office feeling, and this was, to me, a story.

Well, the next day I had the job of bringing news releases from division headquarters into Saigon and distributing them. I went to CBS and told them what had happened and how we wanted to tell about what we felt that day. And how we were so disgusted with the war. These were GIs on duty in a war zone who wanted to tell how they felt. We were disgusted. We wanted to protest. We couldn't through the military. We tried through CBS. Mike Wallace from CBS came out with me on a helicopter. All he wanted to do was a sensational story about no top on the bunker.

Vern and I and others were ready to tell him what we felt about the war and who we were disgusted with. Why we were unhappy with our friends being killed. No hard feelings towards the communists from that group. It was their mortar that did it, but, as far as we were concerned, the fault was with the US. But the press at that time was not interested. That wasn't their kind of story.

So what CBS wanted was a little sensationalism about no top on the bunker and we were pleading with them to tell the story about how we actually felt, protesting the war. But it wasn't wanted.

SHIBLA. Most, most of the press over there, is over there for the same reasons that the generals and lifers are over there. It's not to report the news so much as to further their own careers. And that's what it's all about.

CRAIG. Another story I wrote was regarding an outfit that Dave was with. It was called McCormick's Raiders. This was with the ¾ Cavalry and a group got together—typists and clerks from the headquarters of the company, the ¾ Cavalry—who wanted to go out on some combat. Well, they didn't do anything. Maybe Dave should mention a little bit about what they did. But this is something that the media picked up. It was a funny story. McCormick's Raiders and it meant nothing. Well . . . a TV crew came out and did a big thing on it. *Readers Digest* picked it up. They wrote about this group. It was nothing. It had nothing to do with the war. This is what the press in Saigon was looking for.

MODERATOR. Dave, would you just give us a little bit of a rundown on McCormicks Fearsome Raiders?

CHILES. Yeah. This is more like McHale's Army, I guess. These were a . . . this was the most . . . this was the sorriest group I ever saw of people. Well, there were about 20 of them, ranging from cooks, clerks, mechanics and they decided they were going to start going out on operations. And they wouldn't let them go out more than about 100 yards from base camp; they didn't want anything really to happen to them because they couldn't take care of themselves.

So all of a sudden they took up on the story and built it up. How they had been stopping supply routes at night and everything. And the guy from *Readers Digest* comes out and does a fabulous story about these great Americans who have such a secure job.

And a film company comes out and wants to do a little film of it. So, at the most we took them a hundred meters from base camp cause these people didn't want to go too far anyhow and they were throwing hand grenades and it sounded like a real war was going out there and this guy was, you know, taking all kinds of pictures and was crouched down and talking real soft, like, you know, like it was really a big thing. In reality, if they wanted to go, they should have gone in the Iron Triangle with us instead of 100 yards from base camp, if they wanted to see the war.

CRAIG. We'd write about the funny things and pretend it was a big party over there. This was our job: keep up moral. And yet, this is what the civilian press from Saigon would pick up on. This was the kind of stuff they liked. Just the happy times.

SHIBLA. Well, the civilian press never got out of Saigon, let alone anyplace else.

MCCUSKER. They got to Da Nang.

SHIBLA. Yeah, that's another nice place.

KEYS. I'd like to put in right here that this operation, Operation Attleboro, or General ——— was relieved, is the one where we escorted the trucks back that the lieutenant said were filled with American dead.

MODERATOR. Alex Primm is the next man on the panel here. He was an information specialist with the Headquarters of the 1st Logistical Command at, I believe, at Long Binh, is that right?

PRIMM. That's right Larry.

MODERATOR. Why don't you go ahead and tell us a little bit about your experience as an Information Specialist in the Information Headquarters?

PRIMM. I was assigned to the headquarters of the first logistical command which handles the supplies throughout Vietnam. I was there from September, 1968 to June, 1969. The set up in 1st Logs is pretty much the same as the 25th Division. We had information specialists and an information officer. It was a little different in the sense that we had four support commands located throughout Vietnam and one headquarters at Long Binh.

The way it worked, we received stories that came from the smaller, the support command information officers, and then with these stories we'd rewrite them and then mail them directly, after being cleared, to stateside newspapers—the ones you read here—and the military newspapers, the *Stars and Stripes,* as well as the unit newspapers in Vietnam. I was the editor of our newspaper. I also did rewriting and I was also a correspondent in the field.

There's one incident that will give the idea of the way the army, or at least the way our unit, handles the news. One time we received a story from our Qui Nhon branch, which is a town about in the middle of Vietnam. This was a story about an army repair team that worked on portable pipelines for oil. The tankers would dock along the coast and then the oil would be piped off the ships and about five miles inland are helicopter bases.

The real problem with these portable pipelines, they could be taken apart easily and they were often sabotaged. 1st Log had a pipeline repair team whose job it was to find out, when a break occurred, what had caused the break and what they could do about it. They would go out and they didn't know if it was just a Vietnamese mama-san who had taken apart the pipes to get a little oil, or if it was a Viet Cong sabotage team. It could be either. And these guys ran into a lot of bad stuff.

Unlike most units of 1st Log, this unit had quite a few guys killed and wounded. They'd also won a number of decorations which was unusual for a logistics unit. So, it was a good unit to do a story about. And the story came to us about this team, what their job was as I have described it to you and the number of decorations it won. I was told to shorten the story down. I shortened it and played up the fact that these guys had won a number of decorations which is unusual for our unit. I turned it in to our information officer. He gave it back to me and said, "Delete the fact that these guys won awards for heroism. Delete the fact that there have been men killed and delete the fact that there had been wounded."

So the story that I had to turn out was what a great job these guys had done and it made them sound like a bunch of John Wayne heroes, when in actuality, they were having a very tough time. This is the way the information office sometimes works.

MODERATOR. While you were with the 1st Log Command, how did you get the information? I mean, how was it conveyed to you that your job was not to tell, you know, to do straight reporting? How did you come by that?

PRIMM. Well, the reporter doesn't work like a reporter does in the United States for a civilian newspaper. He's given assignments. He doesn't go out and look for them himself. He doesn't have a beat. He's told by an officer what to cover. That's the main way we're told what to do. The information, the stories we write about, aren't news as such. We had to write, sometimes I thought, very trivial stories.

One time I was assigned to do a story on state flags, and find out how guys were displaying their state flags. I went to some units—some of these truck convoys where

guys were getting up at four in the morning, driving oil tankers out to the 25th Infantry Division, coming back at eleven at night after having been ambushed often—and asked these guys if they had any state flags. They thought it was just absurd.

Here they were, constantly being shot at, and this stuff wasn't getting in the newspapers. We had to write things for troop morale. It was very rarely did we write anything . . . well we actually never wrote things that were news and I'm afraid often this information was typed up and given in press releases to the civilian press. And not too often did they come digging for the real stories.

MODERATOR. Well, we've heard a lot about the information officer with the red pencil and that was me. Before I begin my rap here I want to make just a couple of points. One is that just a little while ago during part of the press censorship testimony a film crew from the local television station, which was sitting in the front row, got up and left without. . . . What? It was CBS Network TV. They didn't shoot any pictures of press censorship, which is a form of censorship, I guess.

SHIBLA. Mike Wallace works for CBS.

ROTTMANN. Many times since I've been back, I've been working with veterans groups—speaking. Many times I've been asked, when I talked to groups, "Please hold down the obscenities." And on Sunday night one of the psychiatrists on the panel here expressed some concern about the legitimacy of the hearings because his wife had complained to him about somebody saying ———. You know, I can't relate to that at all.

When you talk about an experience, you relate that experience in the terms of the language of that experience. If you're talking about the street, you use street language. If you're talking about war, you use war language. There is a war language. It's a very deliberately contrived language which allows you to express yourself using a minimum of the English language.

There's a lot of talk nowadays, you know, about war. War is on everybody's lips. The word war. Parents, grandparents, anywhere you go. At a cocktail party. Anywhere you go, it's war this, it's war that. Even the little kids, you know, are hip to the war. They know something's going on and they talk about war. So war is used a lot. And nobody seems to mind. This is what I want to say. If there's anybody in this room who thinks that the word ——— is more obscene than the word "war", you know, then you're more obscene than the word ———.

As I said, I was the red pencil. These other guys are out in the field getting shot at, getting the news, taking pictures. When it came to me, I took out my red pencil and I went to work.

Now as an information officer, I was given a set of orders. These orders were stated either verbally or in writing from officials of the Information Offices in Saigon.

There are three: MACOI (Military Advisory Command Office of Information), MACV (Military Advisory Command, Vietnam) and JUSPAO, which is the Joint United States Public Affairs Office which is attached to the U.S. Embassy. Military censorship concerning matters of military nature usually came from MACOI, MACV or my division chief of staff. Matters concerning foreign policy or over-all military planning and activity or special forces or CIA activities, fell under the jurisdiction of JUSPAO or the Embassy.

The following is just a partial list of things that I was to red pencil, and I did. You'll recognize some of these from the previous testimony.

Effectiveness, ineffectiveness or mistakes of the ARVN army.

Handling, processing, interrogation or treatment of prisoners of war.

Use of shotguns.

Use of flamethrowers or flamethrowers tracks.

Use of lethal, non-lethal gas or gas dispensing methods or gas masks.

Female VC.

Very Young VC.

Huey Cobra helicopters.

Information on the size, accuracy and range or effects of the enemy 122 M.M. rocket.

M–16 rifle malfunctions or deficiencies.

Extent of damage and number of US casualties from any enemy attack.

Any story concerning enemy tenacity, courage, or ingenuity.

Marriage of US personnel and Vietnamese nationals.

US soldiers use of pot or drugs.

Conditions of US military stockades.

Anything about the CIA or CIA sponsored activities.

Project Phoenix.

Air America.

Anything about US activities in Cambodia or Laos.

B–52 or other bombing errors.

Burning, bull-dozing, destruction of Vietnamese hamlets.

Anything about troop morale, pro or con.

Information about captured enemy material of US manufacture.

The NLF.

Napalm.

Enemy armor or helicopters.

Plus anything else that Saigon felt might be detrimental to US causes.

Now, I'll run through the list very lightly and just give you some specific examples. Handling, processing and interrogation of prisoners of war: although there was a POW compound in Cu Chi, standard division policy was to deny its existence, to refuse to take anybody—newsmen or civilians—to the area where it was located and we, ourselves, were denied access to that compound.

In Vernon's testimony just a few minutes ago, he mentioned the photograph taken by the 25th Infantry Division (taken by himself, for the 25th Infantry Division) of two MPs carrying a Vietnamese suspect (captive, we don't know) who'd been bound and had a sandbag tied over his head. He said it came back stamped "not cleared for release, per MACOL." Here is a xeroxed copy of that photograph. I'm sorry if you in the back can't see it. It's just a photograph. It shows the two MPs carrying the man. Right across the front is stamped "not cleared for release, per MACOL." Stories about female VC, were sometimes cleared and sometimes not.

If the story emphasized the bravery or determination of women guerrillas, it was, of course, killed. If, on the other hand, it made a point of how VC were hurting so bad from US presence that they were forced to recruit women (who supposedly were not as good fighters), the story would pass.

This policy was never well defined, but as a general rule, VC women stories were not to be used. I submitted a story about a woman VC. I'll read you just a bit of the story. It's about an ambushed US unit. "Sweeping the ambush site, the GIs found that two of the dead guerrillas were packing automatic weapons but their real surprise was the enemy point man, who was actually a point girl. She was leading the VC when the ambush was sprung and died with a 45 caliber pistol in her hand. This clash was but one of several in recent weeks which involved female VC.

"In one case, a US patrol was attacked by a guerrilla unit led by a sub-machine gun toting girl who one US soldier described as 'very attractive, but a bad shot.'" Across the bottom of this press release it says, "not cleared for release, MACOI. This is a xeroxed copy of it. Attached to that is a censor sheet from the US Infantry Information Office, United States Army of Vietnam, signed by ——— ———, Chief of the Clearance Branch, PID, and it says "Remarks: Not cleared for release per MACOI."

On occasions, in isolated cases, stories of US killing women has been cleared. But any such story draws a bad light on our forces. A girl killed in an ambush at night doesn't help our image. Agreed, she may be dangerous, but the press always doesn't see it that way." Here's a copy of that right here. I'll be glad to show this to anybody after the testimony. Very young VC: general policy here was the same as with VC women. That is, stories emphasizing the courage of young VC were not to be released.

Or stories indicating that US pressure was forcing the enemy in such dire straits as to recruit young VC. This, on occasion would be cleared. As I said, though, the policy was ambivalent and was never consistent. Here is a picture of a VC who was known to have killed at least five US soldiers. He's 11 years-old. Story and photo not cleared for release. Photo was taken by an information specialist. The boy was captured. (I'll answer questions later.) These are xeroxes. I'm sorry, for obvious reasons, I don't carry the originals with me.

Information on the size, accuracy or range of the effects of enemy 122mm rockets. During the offensive (Tet offensive) in 1968, the VC began using Chinese built 122mm rockets to bombard US bases in position.

GIs were intimidated by the rocket's long range and terrific power. In February, 1968, I submitted a story and a photo of the first intact rocket to be captured by the 25th Division, which is also, as far as we knew, the first rocket ever found in Vietnam. MACV killed the story, and instead, sent a team out to take the rocket back to Saigon "for examination" and here's the photo that accompanied the story. It shows a GI standing with the rocket beside him, and I'm sorry if you can't see it, but the rocket is about a foot taller than he is and bigger around than his neck. M–16s malfunctions and deficiencies: In 1967 rumors of numerous M–16 malfunctions were getting back to the Congress. US Representative Richard Eichord, my representative, launched an investigation of the army's much ballyhooed rifle, even sending a team of experts to Vietnam to question GIs. MACV told all information officers, prior to my arrival, that the M–16 was not a topic of discussion. Newsmen were not to question soldiers about the weapon and no stories about the rifle jamming or malfunctioning were to be written. This was done despite the fact that many GIs hated the M–16, felt they couldn't trust it, and until an order stopped the procedure, many carried other weapons instead. Carbines, 45s, greaseguns, etc. At the same time, the army launched an all-out propaganda campaign to make GIs in Vietnam more confident in the M–16. Special classes were held on the weapon. New cleaning procedures were instituted. New lubricating materials were introduced (due in large part to GI pressure) from the use of a commercial lubricant called Dri Slide here in the States. And a whole campaign was initiated to instill the American soldier with confidence in a weapon that he basically mistrusted.

Marriage of US personnel and Vietnamese: it was specific MACV and MACOI and JUSPAO policy that nothing ever be said about American and Vietnamese marriages. I never saw any official written statement on this policy, but it was general knowledge that mixed marriages would be discouraged in every way possible, including the withholding of the information for making the necessary arrangements. GIs would frequently ask us in the information office what the procedures were, since we were information officers. It took me two months to get a clear statement of the procedure from MACV for publication. I have a copy of that here. I

won't read it. I'll only read the headline. It said, "Minimum of three months required to marry alien."

In Vietnam, this was the story written. There's an interesting point here. The process takes at least three months. If a GI applied to his CO, and filled out the necessary paper work, the CO, more likely than not, would hold the application until the GI had less than three months to go and would then forward it to the necessary headquarters. This put the GI, who was really in love with the Vietnamese girl, in a sort of a situation. He could either give up the marriage or he could extend for six months. Spend six more months killing Vietnamese, in order to marry a Vietnamese girl. I think you'll agree that's a truly untenable position.

Anything about CIA, CIA sponsored activities or Air America: although the headquarters for a large 5th Special Forces Group was located in our area of operation at Tay Ninh and Nui Ba Den (which Ron, on the end of table, talked about) Nui Ba Den being one of the staging points for the mercenaries' snatch teams and hatchet teams, our Information Division Office was forbidden by JUSPAO directive from publicizing or discussing any Special Forces operations or policies. I was ordered that my response to all inquiries—information of this nature—was "no comment."

Anything about US activities in Cambodia or Laos: Just one instance. The second week of January, 1968, elements of the 25th Infantry Division's 1st Brigade (this is January, 1968, during Operation Yellow Stone) crossed the Cambodian Border and conducted an air assault on objective area near the Cambodian village of Ke Pang Long. This is about six klicks or kilometers inside the Cambodian border. 4th Battalion, 9th Infantry conducted a helicopter assault on this area and along adjacent Cambodian Highway 22. Rumors of this operation did get to Saigon. Newsmen flew out to our office and by order of my division chief of staff, I didn't know "nothin about nothin."

Special Forces Groups were operating, as I said, out of Tay Ninh and Nui Ba Den as Ron mentioned, conducting extensive operations, the training and arming of Chinese Nationals or Nungs and Cambodian Mercenaries inside Cambodia. Regular US Army troops would frequently encounter groups of these Mercenaries crossing back and forth over the Cambodian border. They had special IDs which identified them and told anybody who came in contact with them they were not to be bothered. By order of JUSPAO, that's Joint United States Public Affairs Office which is attached to the Embassy staff in Saigon, the very existence of these clandestine groups was denied.

I have here, it's very hard to see, and again I apologize, a photo of a Cambodian mercenary force on a training mission inside Cambodia. According to official MACV and MACOI policy, there is no NLF (National Liberation Front).

Anything about enemy armor or helicopters: by MACV, MACOI and JUSPAO directive, the enemy armored cars, armored personnel carriers and tanks, which were frequently sighted along the Cambodian border in War Zone C, did not exist. The same thing went for enemy helicopters which were based in Cambodia. Rumor had it that they were used as command and control ships by COSVN, Central Office of South Vietnam, and they often carried North Vietnamese and Red Chinese advisers. For this reason, US forces were under orders not to fire on these helicopters when they were sighted. This is an interesting ambiguity, in other words—although they didn't exist—if you saw one, don't shoot at it. 25th Infantry Division helicopter crews relished the idea, of course, of bringing down a VC chopper and at least on one occasion they chased one into Cambodia, flying above it and throwing ammo cases and tools at it, trying to bring it down without firing on it.

Anything else that the Army felt might be detrimental to the best interests of the Army (was redlined). I'll just give you a few small examples. One is a water hole sharing story. Shortly after my arrival in Vietnam I did a story about Nui Ba Den or Black Virgin Mountain, in which I mentioned that US and VC forces shared a common water source, the only spring on the mountain.

Anticipating no problem of release, I used the story before complete clearance procedures had been gone through. The story appeared in the Division newspaper and in our magazine and in the St. Louis Post Dispatch, to whom I sent a copy. I was severely reprimanded from the Division Chief of Staff and MACV officials for letting it be known that the US might in anyway cooperate with the VC, like sharing a water hole. I have a lot more but we are running out of time, I just want to do one more thing. Harassment, intimidation and prosecution of GIs who tried to tell their stories: it involves myself and all the members of the panel. As both Information Specialists and soldiers we received frequent threats, written and verbal, in response to attempts to tell the truth.

I have something here I want to show you—a USARV information directive entitled the *Colonel's Colonels*, datelined Information Office Headquarters, US Army, Republic of Vietnam, December, 1967. It says, and I quote, "There are a few military information officers who are out here who are not playing on the team. On occasion these guys have down-graded one or another of the programs of the US which the US is trying so hard to make work in Vietnam.

And these information officers have done their sounding off to the press. Even though we are not thinking disloyal thoughts, out of our mouths tumble disloyal words. To argue your case in the press is not to show the courage of your convictions. It's a betrayal of a trust; it's disloyal to your country." Right here, folks. To ferret out these disloyal information officers, myself included, MACOI sent out Army spies armed with fake press cards to act as reporters.

These guys would show up at our division and say, "Hi, I'm Joe Jones with the New York Times. What do you know that you can't tell me?" This procedure was followed many times, but it got to the point where we knew, generally we thought we knew, who were reporters and who were not. Also MACV and USARV Command Information channels directed a constant barrage of intimidating and threatening instructions at the regular GI in the field about what he could and could not say about the war. Directives made it plain that the Army could and would take all possible action against the GIs who told their own story, even after they were out.

From the *Tropic Lighting News*, 25th Infantry Division, we have a story from MACV called "Writing for Stateside Use? Get your Story Cleared First." It goes on at some length about how you may be asked to write for a civilian newspaper or speak before groups and it says, "basically the thing to remember is all material on military subjects, articles, stories, newspaper columns, essays, drawings and photographs must be cleared by Army authorities before you show it to anyone for publication.

The rule has been made because many Army interests involve military security or matters of national interest, and of course no soldier wants to help the enemy. Battlefield photographs are particularly sensitive because the enemy can convert them to use in propaganda. Why this has actually happened! Incidently this same rule applies to speeches you may have prepared for delivery after you are released.

When you write or speak, concern yourself with matters about which you have only personal knowledge or for which you are responsible. It's just common sense to avoid getting into any matters involving our country's foreign policy." It's a directive from MACV. You can come up and read it yourself.

McCUSKER. Can I make a comment, Larry, on——

ROTTMANN. Yeah. Stick it right in there.

McCUSKER. There is a young Marine, I forgot his name, (he wasn't even involved with informational services), but he got fed up one day, so he wrote a story and sent it to his hometown paper. The paper published it. And CID came down on this kid hard and he was held incommunicado for about three weeks around the base area then shipped off to Da Nang for court martial. I don't know what happened to him. No one seems to have seen or heard of him. It's the same with the young Army newscaster in Saigon, ——— ———, who last year, in January, said that the Army was suppressing news.

They immediately made him a chaplain's assistant and busted him and nobody can find him anymore. I'd also like to relate to marriage to Vietnamese. I was engaged to a Vietnamese girl. She was finally killed which made everyone rather happy, I would imagine. The chaplain . . . ah, you go into so much harassment once you do this, once you try to take out these papers.

You meet cold stares, people shuffle you back and forth, it takes you almost a month before they start to make these papers. Now Larry said it was three months, the Marine Corps told me that it'd be at least six months and I had about four months to do in the Nam—I had about five months, I guess. Chaplains would come and tell me that God did not want me to marry inferiors. Expressed a little differently of course, but that's how it came out.

Officers, staff NCO's, I was visited by them regularly, and essentially it came down to the fact that the military didn't want to pollute the white American blood stream with anymore Asian blood than it is already polluted. Again the remarks were a little bit more sophisticated than that, but that is essentially how it came out.

ROTTMANN (to the audience). I heard a lot of groans when you heard what the Chaplain had told him. At the 173rd Assault Helicopter Company, 25th Infantry Division, Cu Chi, there is a chaplain who prays for the souls of the enemy on Sunday morning and earns flight pay as a door gunner on a helicopter during the rest of the week. This kind of threat that I was talking about, which I mentioned, speeches and everything, this extends also to your mail, to your letters.

While I was in Vietnam, I sent what I called a holiday message from 1st Lieutenant Larry Rottmann. On it there's a small picture of a black medic, a white medic, and a Vietnamese treating a wounded Vietnamese. And there's a little small thing beside it which is a quote from honorably discharged General William Tecumseh Sherman saying, "I am sick and tired of war. Its glory is all moonshine. It is only those who have never fired a shot nor heard the shrieks and groans of the wounded who cry aloud for blood, more vengeance, more desolation, and destruction. War is cruel and you cannot refine it. War is hell." That quote was taken from the Army Digest, a Department of Defense publication.

For sending that card, I was court-martialed. I'll read you the charges. "This is to inform you that action is being taken by this headquarters to determine your fitness for retention as a reserve officer in the United States Army. Your record indicates that in December '67 you printed and distributed at government expense (the 'at government expense' was—I wrote 'free' on my envelope, which we are allowed to do, so I didn't put a

stamp on it. That's the government expense: they paid the postage for the card and they're upset.) A Christmas card depicting a seriously wounded soldier receiving plasma, etc., etc."

This court-martial was finally held last fall at Boston Army Base. I was represented by the ACLU (American Civil Liberties Union) resulting in the dropping of all charges and specifications. This is just to point out to you that they will do that. They pursued me for sending that Christmas card taken from the Army Digest; they pursued me, and spent, I guess, a million dollars, for three years across the country until they finally actually held the court-martial and it was thrown out. That's just to show that they do mean business.

Many people ask us, right, why we haven't spoken up before and I think we have given you the reason. We are ordered not to speak up and if you do speak up, action will be taken against you—sometimes very serious and very harsh action. There is another question in many peoples' minds here. They say, "Well, why do you talk now? Why do you come here and tell us these things that happened two, three, maybe four, five years ago? What is your motivation behind it? You want to get on the boob tube? You're on some kind of an ego trip? You know, why are you here?"

I'm here, speaking personally, because I can not be here. I'm here because, like, I have nightmares about things that happened to me and my friends. I'm here because my conscience will not let me forget what I want to forget. I didn't want to talk about it when I first got back, you know, I didn't want to talk about it at all. I didn't watch Cronkite.

I went fishing a lot and changed socks two or three times a day and slept on beds and ate cheese-burgers. But after a while, it gets to the point where you have to talk to somebody and when I tried to talk to somebody, even my parents, they didn't want to hear it. They didn't want to know. And that made me realize that no matter how painful it was for me I had to tell them. I mean, they had to know. The fact that they didn't want to know, told me they had to know.

So I'm here, not a member of any political group, not as a member of any lobbying group, I'm just here as myself, you know, saying to other people, to other human beings, something that I just have to say. And if you think it's just clearing my conscience, some kind of therapy, you can think what you want. But I got to say it. I'm going to ring off.

I have one little thing I want to read; it's sort of a poem; it's not because I'm a real great poet that I want to read it. But I spent some time getting the fewest possible words to say what I wanted to say.

I was that tiny premature baby
born Christmas, 1942 at St. Mary's Hospital.
Remember how you all said I'd never make it?
Then there was the time when I read from the Bible
When the minister got sick, just before his sermon.
Remember how you all said
"Hey, you ought to consider the ministery!"
How about the last second basket I made
That beat Perryville and took us to the State Tournament?
Remember how you all cheered and said I'd make the pros someday?
And when I was chosen the best actor in the college public speaking contest
Remember how proud you were?
You slapped my back and shook my hand.
Then came Basic Training
and Advanced Infantry Training
and the Infantry Officers Candidate School.
Remember how impressed you all were that I became an Officer?
And then Vietnam, where I did my job.
I got a Bronze Star, a Purple Heart, and an Honorable Discharge.
Remember how proud you were when I came home?
But now, I ask why I had to shoot those little people?
When I question the policies and the decisions and the people that made me a killer
When I ask you why you never asked why
You treat me like a stranger.
Hey! Remember me?

McCUSKER. I'd like to make an addition to that. Like, I didn't know Larry in Vietnam, but I met him in Chicago and we both got gassed together. A lot of us have been doing this for years. Larry has in his hands something I wrote in '67 just after I got out of the service. I was thrown out of Japan for things I was doing within it. We've been saying it for a long, long time, but only now, only in the last few months, have people started to listen. So it's not the matter of waiting so long to say it. It's a matter of people waiting a ——— of a long time to listen.

Question from the Audience: Mr. Rottmann, do you have any testimony about the body counts, official MACV policy?

ROTTMANN: Yeah, I do. One of the things that I did as an Information Officer was at the end of each day I turned in a thing called a Sit-Rep—a Situation Report. In this report I gave a sort of a rundown of the total division activities of the day, including the number of VC body count. Now, during my tour, there was a standing policy in MACV that VC losses for any given week for the entire campaign in Vietnam were not to fall below 2000.

Now, it sometimes was kind of hard because if you reported negative contact for a day, in other words, you never saw an enemy and an enemy never saw you, it's kinda hard to come up with your daily allotment of bodies. I have been called back and ordered to dig up bodies and I have asked units to dig up bodies which they rightly interpreted as finding themselves a graveyard or someplace where they put some bodies before or someplace where they happened to know there were some bodies or some water buffaloes or some children or some elephants.

Bodies are bodies. VC bodies are VC bodies and we never fell below our quota and my division was in a constant race. My division commander had a bet with the division commander of the 1st Infantry Division that during the first three months of 1968 our body count would be higher than his body count.

Now, it turned out that it was a tie, believe it or not, but our body count was higher than his body count, if you count the number of GIs killed. Anybody here on the panel can talk about that body count business.

MODERATOR. Question here.

Question from the Audience: Yeah, during the past few days, we've heard people give testimony to the fact of increasing the body count by digging up graves. Why was it so necessary to go through the actual effort of digging up graves? Why was not simply the number increased? I mean, why? Because when you dig up graves, you already knew the hoax involved. Why could it not just simply be done by words?

ROTTMANN. It was done in both fashions. It was done much more frequently just by inflating it artificially. Audience? Would you repeat the question? I'm sorry. The question was, "There's a lot of talk about digging up graves for bodies. Why didn't they just add on, double the number you had, and not go to the trouble of finding more bodies?"

It has to do with the chain of command and the fact that things get out of hand. If there's an order comes down to dig up bodies, eventually somebody is going to go out and dig up a body. It's inevitable. As it gets down to the lowest level, a sergeants going to call in some Pfc. and say, "Hey, listen, go out and dig me up some bodies for the morning report!" He does it!

CRAIG. One actual instance that I was in on. We had a body count of 17 and it was a matter of digging up graves. The idea was to dig up a grave and verify that this particular Vietnamese had been killed in that action and had been hastily buried as the Viet Cong left. But, what we actually did was dug in one grave; it looked very old in this case, it was just an old graveyard. The fellow digging got tired of digging so we didn't even get down to any skeletons but we counted all the graves in the old graveyard. So as far as the report that went to Division Headquarters, we had uncovered graves that were new.

Audience voice. I'd like to ask the question if the black GIs in Vietnam were treated to the degrees of harassment that the white GIs were treated when they were trying to marry Vietnamese girls, and also the type of treatment that the black GIs got in regards to the racial tension between the white GIs and the blacks in Vietnam.

McCUSKER. I was kicked out of Japan for this. Regarding the marriage of Asian girls was equal for black and white. They got the same harassment. The black man might have gotten a ——— of a lot more harassment, but that was probably essentially because he was black and had to add his portion of harassment to the fact he was going to marry an Asian girl, woman. Actually, the one I was going to marry, was a girl. She was seventeen, US, eighteen, Vietnamese. But, in Japan during the time, well, you're all familiar with it.

During the time of the Detroit uprising in the summer of '67, I was in Japan. Now, overseas, blacks and whites segregate themselves into different sections of town. Each has its own little entertainment area and there's a line and neither crosses each of those lines. Iwakuni had the same thing.

Because of Detroit and the tensions of the summer Stateside, most of the blacks and whites on the base at Iwakuni believed it was inevitable that it was going to explode there. And I went and talked to a ——— of a lot of people. I was the base editor of the newspaper and I talked to both blacks and whites, about, I don't know how many, maybe 200, I'm not sure.

And I wrote an editorial which the colonel gave me direct orders not to publish but which I did publish anyway, resulting in 10 MPs taking me to an airplane. However, what I understand is, that it helped quell what was going to happen because my premise was that no matter what was going to happen, between the blacks and the whites, the Japanese in the country were going to be the ones that suffered the most.

They were going to be caught in the crossfire. And so, I rather angrily pointed that out. And, from what I gather there was no riot. I don't know about the racial tension in Iwakuni right now, but I'm willing to bet it's essentially the same.

Riding on an airplane here I talked with a little woman Marine, Pfc., and she was telling me about Pendleton (Camp Pendleton, California). She was telling me how hot it is at Pendleton, racially, between blacks and whites. No one walks alone on that base.

They walk in packs. Blacks and whites! The tension is so high it's ready to explode—so you can take it from there.

Question from the Audience. What was the attitude towards civilians and people in the United States who were getting this misleading information about the state of the war? Did you feel contempt for them being so stupid believing it or what?

CRAIG. At that time it was a rather frustrating experience. You just couldn't fight *Readers Digest*. People read it and believed it.

PRIMM. I felt angry at the press, at the civilian press for not sending out reporters who would really go after the facts. It seemed that the civilian reporters were very docile and would accept what the army told them. I was angry and I still am and I don't think the war has been reported accurately.

ROTTMAN. I want to say just one thing, okay? This thing still continues. I mean, maybe most of us in this room have an understanding of it, but the lady who runs the cigar stand downstairs, all she knows about what's going on up here is what she read in the *Detroit News*, which said that (now, I'm just telling you what she told me) we were alleged veterans, you know, and that we were just phonies. And she's like where it's at, I think, into a large majority of this country because she said, "Look, I don't want to listen to you 'cause you're a Commie." I said, "how do you know?" She said, "I read it in the *News*." That's what she told me.

QUESTION FROM THE AUDIENCE. It's a point of fact for most of the people in here that the military information service has distorted the news. However, some pretty serious indictments about the civilian press have been made today and I would like to ask if any of the gentlemen of the press, or ladies of the press, sitting in the front, would dare, or care to, respond to the charges of the prostitution of their profession.

AUDIENCE PRESS MEMBER. I was in Vietnam as a civilian reporter and I'd like to know if I could testify to some of the reasons why the civilian press has been brought up.

MODERATOR. Sure, come on up. Would you care to give your name?

PRESS MEMBER. I will, man. My name is Lee Elbinger and I was in Vietnam for the month of December of 1967. I was representing *Michigan State University News* and I had accreditation with MACV. Now, I would like to explain something about what it was like to be a civilian reporter in Vietnam. I would like to corroborate much of what these gentlemen have said and to elaborate upon it. I noticed one thing when I first got to Vietnam as a reporter. I noticed that the first thing the army tried to do was to buy you off and I got a little list of things that they do to buy you off. First they take you to JUSPAO and they give you a briefing and big manual about what you're supposed to do, etc., as a reporter.

Now, if you're a reporter from the United States, or if you have ARVN accreditation, which I also had, which allowed me to go to the ARVN press briefings, you're treated better than the third country nationals. The third country nationals are anyone in that country who is not United States or Vietnamese. And, they don't get these privileges. Some of the privileges are: access to the officer's open mess in Saigon on top of the Rex Hotel. Let me tell you a little bit about what it's like to go up to the Officer's open mess up there; and this is where all the reporters sit around and get drunk with all the officers. There's 20 slot machines up there; there's a swimming pool; there's a bar and a rock band which goes continually; and every Sunday night they have a $2.00 steak dinner while the people in the streets are starving and these people are up there just swimming around and getting drunk, and eating steak. Now, when I got there, I was told that I could send and receive mail with postage rights from APO San Francisco, which I never did because I didn't really trust them. I was given PX rights. I was allowed to go into the PX and buy any item up to the value of $10.000. I was given my MACV press accreditation which allowed me to fly free on any military airplanes, and we could bump off up to 15 GIs. In other words, the press had priority. They came right after the officers, I guess. I was given a beer ration card, a liquor ration card, and a tobacco ration card, which could be used at the PX. None of which I ever used. The reason reporters never left Saigon, was because Saigon was the only place in the country that was really very much like America and it was very comfortable just to sit there and to go to the 4:15. Every day at JUSPAO they had these press conferences at 4:15. We called them the 4:15 Follies, and a friend of mine, a Danish correspondent, told me that the Swedish television crew came one day, filmed the entire 45 minute press conference, and showed it on Swedish television as a comedy. I did take advantage of my free flights around the country. I got to Na Trang, I got to Da Nang, and I was in Hue one month before it was destroyed. I was in the press camp in Na Trang and Da Nang, and you were allowed to stay there for $3.00 a night. It had a bar, and it had hot showers in it, which was, you know, really beautiful compared to what the men were getting there. You were supplied with an interpreter and a chauffeured jeep, but I had a little bit of trouble because everytime I got in there they started finding out what I was doing and in this case I went to Na Trang twice to investigate a Special Forces Captain who murdered his interpreter.

As soon as I got out there, they started finding out what I was doing, suddenly a lot of those privileges which I was supposed to have, were mysteriously cut off. Speaking on the issue of censorship, when I got out to the Special Forces camp, outside of Nha Trang, I think it was the 5th Special Forces, I got out there and I had a tape recorder with me. I had a whole list of questions from some people in Saigon to ask the father of the (Vietnamese) interpreter who was killed—given half a helicopter ride as they call it. He was killed by his Captain because apparently there was a squabble; somebody said he was stealing something. But, the point of it is, I wanted to interview one of the key witnesses, who I was told both in Nha Trang and in Saigon, could speak English. I got to the Special Forces camp and when they found out that I wanted to talk to this man (I knew he was there because they said he was there) they would not allow me to speak to him. They told me he was a truck driver and he didn't speak English and I didn't want to see him. What they did instead was they piled me into a jeep and they took me over to this place where they were displaying all these dead bodies and I was told that these were VC that had been shot the night before. There were two rows of five each of the dead bodies of some Vietnamese people; young girls, old men and young men as well. And I was told that it was official policy (not of our government, I suppose, but of the ARVN forces) to line these bodies up and to leave them there for one full day. I guess it had a psychological effect of terrorizing the villagers. To keep it very brief, I just want to say one more thing about reporting in Vietnam. When I got over there, I was very keen on being objective. I tried very hard to keep emotionalism out of what I was doing. I admitted in all the things that I wrote that I was prejudiced against the war and I tried to have that discounted by just Franz Fanon's book, *Wretched of the Earth*, where he talked of colonial wars and he talked about Imperialism and that when a newspaper reporter says, "I'm just being objective. I'm just reporting the facts," in effect he is hiding on the side of the imperialists. So it's a very difficult thing if you're a newspaper reporter and you're trying to be objective and to be coldly unemotional and not get involved as a human being. Chances are you're not telling the full story because I think healthy people have emotions. I finally just had to discard this whole policy of objectivity and I said at the beginning of all my reports "this is a subjective impression." I started giving just surrealistic, subjective impressions, and I felt that that was the best way to report on this atrocity. Thank you.

MCCUSKER. One point to add to that. Every week in our office, and posted to all the GI correspondents, would be a list of civilian reporters whose accreditations were ripped off for one reason or another. And, generally, anybody that ever reported on anything significant in Vietnam had his accreditation taken away from him.

ROTTMANN. Right. An instance of that that just rings a bell in my head, is a story written by Merton Perry, who is Saigon Bureau Chief of Newsweek magazine. It was written in 1967 and it's called "Their Lions, Our Rabbits." It's an expose of the Vietnamization program. It appeared in Newsweek magazine. Merton Perry had his credentials ripped off; was suspended for a short time I believe, by his headquarters in New York City, I believe. All issues of that magazine of Newsweek were confiscated in Vietnam, including the issues in the PXs around the American bases. So that's just a specific example. Look, don't get us wrong. There were some really great civilian reporters. Don Webster comes to mind, in my experiences, Merton Perry, Peter Arnett. A lot of names came to mind and we began to sense, after a while, of course, who the guys were who were really straight and they would frequently end-run the information officers, either with our cooperation or without our cooperation and sort of go straight to the field and get the story. Some of the press, let me emphasize, some of the press, and many were killed, are doing really great jobs, but we did have a very big problem with apathetic press. I might mention "JUSPAO Joe ———" from the New York Daily News, who never left the Caravelle Hotel in Saigon and who writes the most fantastic "I was there" battle stories you'll ever want to know.

MODERATOR. I'd like to add one last point about press censorship. After my three years in the army when I got out in '65, having resigned a West Point appointment that I got in Vietnam in '63, I went to work for a newspaper in this country to try to find out why what I had seen going on in Vietnam wasn't being reported here because I knew there were some good reporters over there. So I worked for a major newspaper, which I will not name, because it could be any newspaper in this country. Those stories that came in that were best, that were good, were killed by the editors here, who knew more about Vietnam than those of us that had been there. Not only did they kill these stories when little things came about what Johnson was supposedly doing, going out to Asia and having meetings with Ky. They would stick little headlines on a story that mentioned nothing about peace talks, that would say "Johnson in Peace Parley in the Philippines."

QUESTION FROM THE AUDIENCE. I'd like to say that yesterday I was listening to a CBS news photographer who was sitting up here that I don't see anymore. He was sitting up here a little while ago. He said that this stuff isn't anything new, that we've been photographing this all along, right from the beginning, and I'm just wondering why the ——— it wasn't on TV.

Also, I'd like to know, I guess apparently all of you people can be prosecuted and imprisoned and I don't know what else for the testimony you've been giving. I'd like to know, who's making these laws and how they're enforced, and that kind of thing.

MODERATOR. There's two questions. One was, the gentleman said he was a CBS news crew and he talked talked with them briefly and he heard somebody in the crew say that it was old stuff and that they'd seen it before and they'd filmed it before and his question was why wasn't it on TV? The second question was: are we liable for prosecution for our testimony and if we are indeed liable, whom are we liable to?

ROTTMANN. Some of us are liable. Those of

us who had secret clearances or above, who have signed some kind of release, are liable. We're liable to the Army and the Army is liable to itself. The Army represents the government that we elected, if that answers your question. The other question is: Why isn't it on CBS news and why wasn't it on last night, etc. I can only say two things. One is sort of what Jan said about self-censorship within a network, which is a big problem, and the other problem is there's a term that people in the press and the media have for this kind of situation: the term is called "market fatigue".

QUESTION FROM THE AUDIENCE. I'd like to ask what the CIA did do in Vietnam and Laos and Cambodia.

PODLASKI. They did a pretty good job there. Take a look at Laos now. I think that pretty well answers it.

MCCUSKER. Take a look at your own anti-war movement. You'll find the CIA in it somewhere.

PODLASKI. Right.

ROTTMANN. The CIA in Asia has almost total control over the activities of many parts of the Special Forces and all the clandestine mercenary groups. The extent of that control is very, well, you know, it's been documented quite a bit and is available. None of us have been CIA agents, obviously, so we can't speak from experience, other than just encountering them from time to time.

QUESTION FROM THE AUDIENCE. Just recently we've been hearing about the drug problem in Vietnam and has this slipped out or have they been getting a little bit more lenient?

ROTTMANN. The drug problem was broken by CBS news, if you remember correctly, not by the military. CBS ran that little thing that shows the guys puffing up with the barrel of the shotgun. The shotgun itself was sort of an interesting thing since it's not supposed to be shown, especially not in that context.

MODERATOR. I'm sorry, we are going to have to close this panel now so the next panel can begin. The Veterans Caucus will take place now in the Vets room. The press is politely disinvited. I would like to read a telegram that has arrived this morning. "As active-duty servicemen, we support your investigation into US war crimes. The American people must be told the truth about our government's brutal destruction of Indochina. We must all remain Winter Soldiers until this war against humanity is ended. Signed, Fort Bliss GIs for Peace." Thank you.

82ND AND 101ST AIRBORNE DIVISIONS AND 173RD AIRBORNE BRIGADE

Moderator

Michael Hunter, 24, Sgt. (E–5) "B" Co., 5/7 Air Cav Reg., 1st Air Cav Division (from February 1968 to February 1969) "H" Co., 75th Rangers (Attached to 1st Air Cav Division), "I" Co., 75th Rangers (Attached to 1st Infantry Div. (September 1969 to March 1970)

Veterans testifying

Charles Leffler, 25, Pfc. (E–3) "G" Co., 2nd Bn., 26 Marine Reg., 9th Marine Amphibious Brigade, LRRP attached to 1st and 3rd Marine Division (September 1968 to September 1969)

Fred Bernath, 26, 1st Lt., 101st MP Co., 101st Airborne Division (December 1968 to October 1969)

Bill Perry, 23, Pfc. (E–3), "A" Co., 1/506, 101st Airborne Division (November 1966 to August 1968)

Sam Bunge, 1st Lt., "B" Co., 3/187, 101st Airborne Division (July 1968 to June 1969)

Kevin Byrne, 21, Sgt. (E–5), 42nd Scout Dog, 1st Brigade, 101st Airborne Division (November 1968 to November 1969)

Charles Stephens, 24, Pfc. (E–3), 1/327, 101st Airborne Division (December 1965 to February 1967)

Michael Misiaszek, 22, SP/4 (E–4), 1st Brigade, 101st Airborne Division (FSSE) (December 1968 to January 1970)

James Umenhofer, SP/4, (E–4) 2/501, 101st Airborne Division (From November 1969 to October 1970)

Murphy Lloyd, 27, Sgt. (E–5) "D" Co., 4th Bn., 173rd Airborne Brigade, (From February 1967 to February 1968)

Michael Erard, 29, SP/5, (E–5) 3/503, 173rd Airborne Brigade, (From April 1969 to March 1970)

Allan Crouse, 22, E–4, 3rd Engineers Brigade, 82nd Airborne Division (January 1969 to December 1969)

MODERATOR. Will everyone get out their 214's. What we have here right now is testimony of the 101st, the 82nd and the 173rd Airborne units in Vietnam. We also have one Marine that will be testifying with us. The first gentleman that will be testifying on atrocities in Vietnam will be a former E–3, Leffler, Marine.

LEFFLER. My name is Charles Leffler. I live in Detroit and I was formerly with Battalion 226, Golf Company, the 9th Marine Amphibious Brigade in Vietnam. I'm not going to recount any atrocities here because what I would say would just be repetition of what has gone on in the past two days. But I do want to comment on two things which I was involved with in Vietnam. One was in January of 1969. I was in Vietnam from September, 1968 to September, 1969. In January, 1969 we were on a sweep. We were on line through a series of rice paddies and villages in Quang Nam province, which is just southwest of Da Nang. We'd received a battalion order at that time and the order stated that this order would take effect from that day forward until a rescinding order would come through. It never came through in the next eight months, until after I returned, so the battalion order was always in effect. If while sweeping on line and passing by friendly villages, which we did, you received one round of any sort from a friendly village, the entire battalion was to turn on line and level that village. The exact wording was to kill every man, woman, child, dog, and cat in the village.

This was one round from any known friendly village. The second thing I'd like to comment on deals with a speech made by Defense Secretary Melvin Laird two weeks ago. In that speech he stated that our combat troops have not operated outside of Vietnam. Now in the past two and a half days you have heard testimony that combat troops have operated in Cambodia. This was other than the Cambodian operation that I guess was okayed by Secretary Laird. When I arrived in Vietnam at the end of September, my next sixty days were spent with battalion in either the Demilitarized Zone or in North Vietnam. This was an entire 226 Battalion in the DMZ and North Vietnam. When I arrived in country, I spent two days getting supplied and getting all my gear. I was then helicoptered out to where battalion was. I was very new in country, and being only a Pfc, I was never told where this was: we were just helicoptered out. We came to the landing zone and I joined up with my unit, which was 2nd Platoon, Golf Co., 226. The next day we went on a platoon-size patrol. This consisted of about 30 people. I went on this patrol and we went for about four hours in a northerly direction. I did not know where we went since I did not have a map. But after proceeding for about 33000 meters and crossing a river which I later found out was the Ben Hai River (which runs exactly through the middle of the DMZ) the lieutenant turned to me and said, "Well, Leffler, you have something to write home about now." And I said, "What do you mean, sir?" He said, "We just crossed over into North Vietnam." We spent about the entire afternoon there, looking or checking along this road that they had found, which was covered over by a canopy which the Vietnamese had ingeniously carved so that jets or anybody from the air couldn't see it. We made no contact that day and we came back that evening. About three days later, we went in the same general direction. We again crossed over. This time it was a company patrol and we crossed over again, checked on the road, and again made no contact. We spent about a total of about sixty days in the DMZ, moving around every week—the entire battalion. I would say at least every two days there were patrols anywhere from platoon size to company size into North Vietnam. I can't give any data on the locations since I was only a Pfc and I was never told. But I was told that we were in North Vietnam. I was pointed out the river which was recognized as the Ben Hai, and if you check a map, the Ben Hai runs through the center of North Vietnam.

MODERATOR. Our next speaker giving testimony will be Fred Bernath, former 1st Lt., 101st MP Co., 101st Airborne Division.

BERNATH. I was the platoon leader of the 2nd MP Platoon which supported the 2nd Brigade of the 101st at LZ Sally. One of our jobs was security of the base. LZ Sally had a garbage dump which was located about 200 yards outside of the perimeter. It wasn't a part of LZ Sally, but it was surrounded by wire and it was open from the hours of about nine in the morning to about five in the evening. There was an NCO who was in charge of the operations out there. This was the area where people from LZ Sally would take their trash. The stuff consisted of sometimes wood, old machine parts, food wastes, and things like that. During the day when it was operating, it was continuously surrounded by Vietnamese women and children. And also prostitutes and people who were interested in dealing in narcotics to the GIs. This was the main area where people got to prostitutes or got to dope. But the majority of these people were interested in getting at what we were throwing away. At the end of the day, usually after it closed down, about 200 civilians, mostly women and children, would just swarm over the dump. It was kind of a sorry sight to see, but the brigade XO who was in charge of LZ Sally was interested in keeping these people away from LZ Sally for security reasons, since they were only 200 yards outside of the perimeter. Actually, they had a right to be out there until seven o'clock in the evening, at which point the entire area around Sally became free fire zone. So they called the MP Platoon leader, who was my predecessor, and they decided that one way to get rid of the civilians was to try to scare them away. They would drive out there with their jeeps, drive outside the wire of the garbage dump, and start chasing them with their jeeps. When they got them running, they'd take M–79 CS rounds and fire it at them. To my knowledge they never hit anybody with the rounds, but they would completely surround them with CS and scare the ——— out of them. This action started under the command of my predecessor and was continued under me from November, '68 through October, 1969. Rather than work out a program whereby Vietnamese civilians could obtain access to what we threw away, we just chased them away. It didn't work, 'cause they always came back the next day. But we still did the same thing. There wasn't any other kind of program worked out. The second incident that I have to relate consists of treatment of detainees. Another one of our jobs was to process detainees who were sent in by the infantry companies of the Second Brigade. We lived in the same area as the military intelligence detachment. Our job was to fill out paper work, guard them and transport them. The MI Detachment interrogated them and classified them. While I was there, we mostly got innocent civilians,

I was getting kind of concerned with the fact that we were getting so many civilians, because I considered that just bringing them back from wherever their home area was and putting them through this was a form of harassment.

But in addition to this, the ones who were suspicious for one reason or another, would be given forms of physical harassment. One type which was the most shocking to me, was the shocking of suspicious detainees with a field telephone. You can generate electricity with a field telephone and you can zap somebody with it. I had heard the interrogators talking about this many times when they were sitting around playing cards and drinking at night. And I, in fact, observed it on one occasion. The Military Police platoon leader was there (he was a 1st Lt.), and a Military Intelligence platoon leader (a 1st Lt.). They never said anything about it. It was just kind of tacitly approved.

MODERATOR. Fred, did you treat detainees who were not known to be VC or NVA in the same manner as you treated those who were known to be?

BERNATH. Well, the standard procedure was to treat them all the same way until they were classified. You didn't know who they were until they were interrogated. Some of them would be suspicious because they were confused. They didn't know what was going on and that might be a reason for the interrogator to be suspicious of them because they wouldn't answer questions right away. These people would get the same kind of harassment that someone who was actually suspected of being a VC would get. They couldn't tell, really.

MODERATOR. Before introducing our next former Vietnam War veteran, I'd like for all the vets up at the table to raise the form DD–214, please. Those forms that you see in the middle are the new DD–214's that are being handed out by the Army and the units they are discharging now. The reason I asked these people to show these forms is because a few press releases came out and said that we did not have valid proof that the people up here testifying are Vietnam veterans. I'm sure now that they have no reason to doubt it. The next veteran that will be speaking is Bill Perry, a former Pfc of the U.S. Army, 101st Airborne.

PERRY. I served in Vietnam from '67 to '68. I wouldn't like to go too far into the horror stories you've been hearing about the last few days, but I would like to relate a few incidents. On March 5th, 1968, in the province of Phuc Long, village of Song Be, a platoon of us, twenty-nine of us, were on a search and destroy mission. A few of us, who were considered expendable, were told to walk point.

As we came up out of a bamboo thicket into a clearing, a woman with whom I and one of the other two people had previously had what you might call business transactions with concerning marijuana, informed us of an imminent ambush on the part of the local forces. Myself and two others ran into her home with her. We weren't sure whether she was ——— us or what, but we were scared so we ran into her home. The rest of the platoon came up out of the valley into the clearing and was ambushed. We were isolated pretty well from the rest of the platoon while they were getting shot up. And when an NCO came up to look into the house where we were kind of looking out the door with the woman, the NCO automatically figured that we must be VC prisoners and he shot her up. She had a very young child inside her bomb shelter. Every Vietnamese home has to have a bomb shelter. The ambush actually lasted about two or three minutes, and the platoon got pretty well shot up. For about five hours they called in artillery and air strikes and pretty well demolished the town of Song Be. Finally when enough reinforcements came, they went out to sweep the area. They decided to throw fragmentation, or white phosphorus grenades, instead of each bunker regardless of what was going down in any bunker. We tried to stop them from fragging other bunkers where we could hear screams or moans or whatever, but they were really into it.

There was another incident in mid-July 1968 in the vicinity of Nui Ba Den where we had been in about two days of steady combat. We had found a lot of bodies, some killed by air strikes and some killed by small arms fire. And the military fear, you know, came through once again in their mutilation of bodies. They were very much into cutting patches and numbers on dead bodies in this particular incident. I could go on with more horror stories, but like we all know what happens. You can hear it from the other GIs and when the rest of the people on the panel finish, I'd like to go into a little of what causes people to act this way, why people act this way, and what we can do to combat people acting this way. Thank you.

MODERATOR. Perry, before we go on to the next one, you mentioned something before about an order received by the higher up and crossing across the national borders. Could you mention something on that?

PERRY. It was very well known that we were within two klicks of Cambodia which is about a mile and two-tenths. Very often we went on search and destroy missions directly west as far as 8–10 klicks and back. We were definitely going into Cambodia.

MODERATOR. Did you ever make contact in Cambodia? Did you ever make contact when you crossed the border?

PERRY. No, I didn't.

MODERATOR. Sam Bunge, a former 1st Lt. with the 101st Airborne Division.

BUNGE. I served in Vietnam for one year between July of '68 and June of '69. During that time I had a succession of jobs. First I was a rifle platoon leader, a grunt, for three or four months. Then I was a battalion staff officer and my final five months in country I was in charge of the brigade security platoon. My unit operated in the vicinity of Cu Chi, which is between Saigon and Cambodia. Then we were transferred up to I Corps and operations were conducted west of Phu Bai in the mountains. The incidents I have to recount are just in random order. Camp Evans, which is the next base camp up the country from Sally, also had trash dumps outside the wire. This was standard procedure all over Vietnam because I heard other people complaining about the practice. Civilians would get into our trash dump, too, and we routinely used CS to disperse the civilians. They kept coming back, of course. I observed many instances of H & I (harassing and interdicting fire) which is artillery fire pooped out at irregular intervals at indiscriminate targets around the fire base just with the idea of keeping the enemy off guard in case he's coming up. When I first took over my platoon, we were on a sweep operation and we received a couple of rounds of sniper fire from a village in an area that we knew had a lot of VC. The civilians weren't terribly sympathetic to them or to us. So we went over to the village to check it out, to look for weapons, to see what was in there. We'd been there several times before and after we'd reached the center of the hamlet (it wasn't a very big place), I noticed that a couple of haystacks were on fire in an area that we'd already come through. I asked the squad leader of the third squad back there why that was and he said, "Well, that's SOP." And I said, "No, it's not." He said, "Well, the other lieutenant (referring to my predecessor) said that if we ever get sniper fire from a village we were supposed to burn it down." So after we got the village secure, I called all the squad leaders together and changed the policy. The point here is, that in a war like Vietnam where small unit commanders have such autonomy (lieutenants and captains to a large degree run the show), an individual can make a big difference. If a man wants to burn villages, he can do it. Quite a bit later as I said, when I had the security platoon north, we had a problem with civilians in the trash dump. One day we picked up about a dozen kids; they were all boys ranging in age from twelve down to about six. I got an order from the Brigade commander through Headquarters company commander to hold the kids in the POW cage for 48 hours without food or water to teach them a lesson. I didn't want to do this. I argued a little bit and I said, "You know, prisoners are the responsibility of the MPs. Why don't you give it to them?" We had an MP platoon stationed at Camp Evans, and finally, he admitted that the MPs wouldn't do it because they realized it was illegal too.

So, I went away, thought about it for awhile, then went back to my company commander, and said, "Sir, I can't do this. It's illegal. How about backing me up? We'll go tell the colonel that we can't do it." And he says, "No, I won't." So I went looking for the brigade executive officer to try to get his backing and I couldn't find him. Finally I decided what I should do. They probably wouldn't check on me, so I just disobeyed the order without telling anybody. When I got up to the cage to tell the platoon to feed 'em, but to be discreet about it, the kids were already eating. So, the problem was circumvented. Several times while flying back and forth between the mountains and Camp Evans, I observed an operation on the ground called "Rome Plowing" which I don't think has come out before. A Rome Plow is a very large tractor; the driver sits inside a heavy reinforced cage, and if you can imagine a giant snowplow on the front, it's very similar to clearing snow except that it clears ground. As it drives along, it uproots and pushes aside all vegetation so what you're left with is an area that looks like a bulldozed area. A Rome Plow is good because it can push over trees; it can do a large area in a very short time. This was being used to clear a patch about 500–1000 meters wide down the base of the mountains so that it would be easy for air observers to detect anybody coming in and out of the mountains.

They wouldn't be hidden by the foliage. A mechanical sort of defoliation rather than the chemical sort. I used, several times, chemical Agent Orange around the perimeter of Camp Evans in an effort to clear the underbrush. They gave us about ten 55-gallon barrels of it, and we sprayed the stuff all around. There were two villages adjacent to the area and we didn't spray these villages intentionally, of course, but we got pretty close. When I was a grunt platoon leader, we were moving across a rice paddy and were re-conning by fire in a tree line on the other side. When we got there, there was a village right there, a lady came out and told us that her mother had been wounded by a frag from one of our M–79 rounds. So I told the medic to patch her up and stopped the platoon to provide him with security. It took about fifteen minutes to dress her wound and give her some antibiotic. The whole time the company commander was hassling me about why didn't I just leave her alone and hurry and catch up with the rest of the company. He didn't want me to stay back there. Another time, the company was together and we were moving in on an area to reinforce another company that was in contact. We were back in the staging area waiting for the battalion CO to tell us exactly where to go. I happened to be up talking to the CO and his headquarters group spotted a farmer plowing, or doing something, with a buffalo in his fields—maybe 500 meters away—a considerable distance.

Some of the EM in the headquarters section got the idea that they'd get some target practice on this individual. My memory is not clear whether the CO participated—I

know he actively participated as a spectator and sort of encouraged this—but I can't tell you whether he pulled any triggers himself or not. But they fired on this man. The farmer had been dong nothing hostile, just minding his own business, just walking across the dyke or something. But they fired on him single shot with an M–60 machine gun and they were obviously doing it just for sport because they did it shoulder fire, which is extremely inaccurate. If they'd felt it had a military necessity, they would've put the gun down on a bi-pod and done it accurately. And when they didn't hit the fellow, and evidently he didn't notice because he kept going, they set up the 81 Mike-Mike mortar and pooped out a few high explosive rounds at him. He went down and my suspicion is that he went down just to get us to leave him alone, but we never did go and check. At one point we were going into a village which we had reason to believe had a lot of weapons in it. As a matter of fact, we did find a few weapons. But we didn't find nearly as many as we expected. So we found a grave, an old grave, obviously an old grave, an old tombstone in the red-pitted rock that they make tombstones out of, and the CO said, "Gee, there might be something buried in that grave because the VC sometimes do that. So let's dig down a little bit." We dug down about two feet and obviously the ground hadn't been disturbed for years because it was the same color and the same density that the ground always was. But something had caught the CO's imagination, so he made us keep going and eventually we got down to the casket. He told us to break it open, so we broke it open. There was nothing inside. Evidently, his whole motivation for disinterring this grave and disturbing the corpse was simple morbid curiosity. When I was back with the brigade again, my platoon was given the assignment one month to implant a series of six sensor fields out in the mountains in an unihabited area. The area was literally unihabited. I flew over the area many times and there were no traces of anybody ever having lived there. These are electronic devices that you bury in the ground to detect through various means. One means is seismic, one is infra-red, and another is magnetic. If anybody passes near them, they send out a signal. A man on the fire base reads the signal and tells the fire direction control center. They fire artillery on the target and what's bad about it is they don't know who it is they're firing on. It's done without any positive identification. You just pick up the impression of somebody out there, check with the infantry TOC to make sure it's nobody friendly, assume it's enemy, and fire 'em up. That's the way these things are intended to be used.

Moderator. Okay, Sam, I want you to evaluate this. It was a fact then that the battalion CO gave the order to have the children put into battalion stockade which is directly against American policy. He also gave the order not to feed them, give them water or anything for a period of 48 hours. But the fact is you did give them water and they were put in prison or in that little conex for that amount of time, right?

BUNGE. Well, no. It turned out that the order wasn't executed as intended. The headquarters company commander, my immediate superior, told me that this was what the colonel wanted, and I pointed out to him in so many words that it's illegal, it's against the law. He said, "Well, you better do it anyway." Then, after my effort at getting the order changed failed, I decided to disobey it. So the kids weren't actually kept 48 hours. We let 'em go after about 36. They spent the night there. The place we kept them in was actually a decent place; it was a plywood building reinforced with wire so they couldn't get out. So, the mistreatment of prisoners was not done, but it was intended to be done.

MODERATOR. By a colonel in brigade headquarters.

BUNGE. Right.

MODERATOR. Okay, the next speaker is Kevin F. Byrne, a former sergeant in the 101st Airborne. Kevin?

BYRNE. I was a sergeant in a Scout Dog Unit in the 1st Brigade of the 101st. I've always worked in a free fire zone, and the policy was if we found any villages, hootches, houses or any animals, we were to destroy the houses and destroy all structures. We would kill water buffaloes, the pigs and we'd cook the chickens. I worked with units of the 1st Brigade and I worked with units of the Second Brigade. I worked with ARVNs, Marines, Capteams, proper forces and regional forces and this is a policy of all these units. I was down in Tam Ky area in May, June, July and August of '69. I was with the unit of the 101st. We received fire and we returned fire. It was sniper fire. We went on a sweep, found a hootch and we, you know, burned it down. We found an NVA officer inside and, like, he was immobile. His arms and legs were all torn up. So they drug him out and like before they drug him out, the day like, I call it tunnel rat. You emptied a magazine of 45 ammunition into the officer and we drug him out. It was getting late at night and so rather than calling in the MEDIVAC to take this officer back and try to save him, we just lifted him up and stuck a fragmentation grenade underneath him. We went back to our MDP and the next morning came out and, like, I was the first man. I was like a hundred meters from this area. We were going back to see if he was still alive and then maybe call in the MEDIVAC. About a hundred meters from where he was, the grenade went off. I got really spooked about this.

We went back; we didn't find the officer, like you, you know, we didn't find anything. Just where the house was. The whole company was really spooked about this. They were all mad that they didn't kill him the night before. Kill him or send him in. Like you know, this guy's running around like he, he really had everybody scared by the way he looked at us. Like he looked really hard. He was all torn up and he was waiting for somebody to try to mess with him. In all the areas I worked whenever my dog would give me an alert, I would request recon by fire. Normally this would be coming from the company commander. And I would request recon by fire. I would always be leading the companies with the first lieutenant behind me. He would just tell the commander that the dog wants a recon by fire and you know, he would just let it ride. I'd call for a 60 machine gun or an M–79 up there and there was never any higher ups knowing about this. This was unwritten policy, what they used, because nobody ever questioned a dog handler's judgment. Like I'd develop like a sixth sense where I know danger's gonna come. Usually my dog wouldn't alert me and I'd stop and I'd say "My dog's got something up here. Just want to get the 60 up here just to ease my mind." A couple of times my dog would alert me and I'd see a house or like a complex up ahead and I'd tell them, "Recon by fire, get the 79 up here, a 60." Cause I don't wanna put my life on the line like that. Going up there acting like John Wayne or anything. Nor do I wanna put the men behind me, their life on the line. So like I felt really responsible if anything happened to them. Like sometimes when I'd call the recon by fire. If it was a long distance, I'd tell them to do it with mortars and they'd radio back to the nearest fire base and have mortars laying in this area where I'd call. And nobody would check out these areas really because like, they didn't want to go out of our planned route. In one spot, in a place called Lanco, near the end of the 101st AO in I Corps, my dog had an alert. We wrote it down as around a thousand meter alert. And on the bridge they didn't have anything that could fire this far. Like I was on a listening post and I was about a klick from the bridge myself. So I radioed back. We had to dump something in this area. So they called a destroyer in off the coast and like it pumped a few rounds in the area where I requested it and nobody checked the area out at all. There is this H & I fire that you've been hearing about in the Phu Loc district. They would have this H & I going out and be laying in certain trails designed at our so-called local VC's trails at night.

MODERATOR. Before I ask you this question, let me explain one thing. My brothers here are giving testimony and we all are extremely up tight because it's no easy thing to sit up here and rap about what happened. In a way we're kind of ashamed of what we did. I'd appreciate it if you'd help them out a bit because they are extremely nervous and I'm extremely nervous. So how about giving them a big hand? Kevin, what was the SOP on prisoners while you were out there? when you took prisoners? when you detained civilians? How were they treated? How were the enemy treated when you captured them?

BYRNE. If we had any prisoners or detainees, we'd round them up and then we'd send them in by chopper. If we were in the low lands, we'd have the national police, or the white mice, come out and check them out there and then take them to the district headquarters or detention areas. If we had cordons, we'd have the village chief come out and he'd get all the people together. Then we'd have the national police and the interpreters interrogate these people, you know, one by one. Anybody suspicious in any way, anybody new in the area, or anybody that didn't have the proper ID, they'd be taken away by the ARVN police. They'd be taken to district Headquarters or to detention areas.

MODERATOR. Charles Stephens, former Pfc, medic with the 101st Airborne Division.

STEPHENS. I served with the 1st Brigade, 3/27, 101st Airborne Division as a medic. I went over in 1965, in December, 1965, and I stayed until February, '67. When I first got to Phan Rang, our base camp, our battalion commander said we were going to leave Phan Rang—going to Tui Hoa. And we'd be in Tui Hoa anywhere from three weeks to three months. And I believe we were gone about a year and seven days. But before we left he told us, he said, "Don't worry. I know you guys are impatient, cut when you get to Tui Hoa there'll be enough VC to go around." Also, the chaplain added that it's better to give than to receive and do unto others before they do unto you. When we got to Tui Hoa the first battle we were in was in Happy Valley. And at Happy Valley we got quite a few of the people from our brigade killed. The very next operation I went on every village we went into we'd recon by fire and in one village, we wounded women and kids going into the village. When we got in there, this was in Tui Hoa, me and another guy were treating two unconscious babies—not babies but like five and six-year old kids and a woman lying in a hammock. I told the lieutenant that these people had to be evacuated because if not evacuated (this lady and these kids had shrapnel and they were unconscious) I said they're gonna die. And he said, "Well, forget it doc; we don't have time to stay and wait."

We went up on the hill right above this same village and we fired down on this village the next day while the people were trying to bury their dead, while they were doing their burial ceremony. And they killed another person in the village. The people, they didn't wait to see if the guy was dead or not. They just rolled him over and put him in the hole with the others and covered him up. We went down that same day to get some water and there were two little boys playing on a dike and one sergeant just took his M–16 and shot one boy at the dike. The other boy tried to run. He was almost out of sight when this other guy, a Spec 4, shot this

other little boy off the dike. The little boy was like lying on the ground kicking, so he shot him again to make sure he was dead. Then we went into the village and this pappa-san. I don't know if he was a village chief or who he was, but he came up to us, he was telling us, he was making motions that a bird was flying over and the bird took a ——— and a thing went boom-boom. He was saying this was how a lot of the people in the village got hurt. I told the lieutenant and the lieutenant still wouldn't have the people evacuated. So, every operation we went on after that, after our Happy Valley, they didn't believe our body counts. So we had to cut off the right ear of everybody we killed to prove our body count. I guess it was company SOP, or battalion SOP, but nothing was ever said to you. Guys would cut off heads, put them on a stake and stick a guy's ——— in his mouth. At Nan Co, we were at the 95th, I think it was a base camp, a regiment base camp or something, and they say the VC had just left there. We had a guy with us, my senior aid man. He had about two weeks left in country and because we couldn't get resupplied (they didn't want to give away our position) we had to live off the land. There were some chickens in this village and my senior aid man was running through this elephant grass to find the chickens. He tripped a land mine that the VC had left behind. He blew his thighs and everything and the back of his legs up. Well, his leg was just messed up. He went into shock and died anyway because the doctors wouldn't come in to take him out. They were afraid. They had to stay with him that night, but they were afraid to come down. It was cabled from the MEDIVAC. I have some money here, this is North Vietnamese money. We took it off a paymaster. It was on the Ho Chi Minh Trail but we were supposed to be in Cambodia. We went ambush there for about two weeks.

MODERATOR. You want to hold that money up and show it to them?.

STEPHENS. We had been on an ambush for about two weeks. The first week that we were there we didn't fire at any of the enemy. We just watched them come down, and I guess further down the trail they were being knocked off. I don't know.

But the second week we were told when anything came down this trail, we were to shoot. About two-thirty one morning this lady and a little boy and a dog came walking down this trail (they did this every night) and the lady made some kind of funny sign with a lantern. This particular night a guy met her on a bicycle. She went back to her house alone, but this guy stayed on her trail and a few minutes later some more guys came and joined him. As they were coming down the trail, we knocked them off. They said we were not supposed to use CS gas. We threw CS gas and the whole business. That particular night the password was "pussycat". There was like a big hill behind us where we were supposed to all come up and meet after the ambush. I was left with two Vietnamese ARVNs who were asleep during the ambush. There was an American machine-gunner who couldn't get away from the ambush and on the way back up the hill the only thing we could do to keep from getting killed was to sing like "What's New, Pussycat". In Dak To, June, '66, I think was the biggest battle fought by the 101st during the time I was over there. There was a captain who called in napalm on his own company and I think he got a big award for it. But he wasn't actually there. He was there when the fighting first started, but when he called in napalm he was in a helicopter with a megaphone telling us, "Get in there and mix it up. You're doing a good job.

When we went up to Dak To, all our companies were overstrength. But after the battle, I think our largest company had ninety-seven people in it. That was including officers and everyone. If you had wounded guys, you'd never leave wounded guys or dead Americans, you'd always take them with you or have then evacuated. But this time I was left with one round of 45 ammunition and I was left with three other guys. One guy had an M–79 with one HE round. Another guy had one magazine of M–16 ammo. We were told to follow a trail, and we had to create our own little war, to make the company commander come back and get us. Then he was going to court-martial us because he said we were cowards. That's about it.

MODERATOR. Charles, would you describe for us the policy of your unit with regard to the taking and the disposition of prisoners? I think you have something to say about the throwing of prisoners out of helicopters?

STEPHENS. Yes, in Tui Hoa, after Happy Valley, we didn't take any prisoners. If we were on an operation for one week and you caught a prisoner the last day of that operation, that meant you stayed out there a couple of more days because there were more people out there. So you took the guy to the woodside and you knocked him off. I saw on two different occasions these warrant officers come in in helicopters and take the prisoners. Like I was new over there then and I didn't know what they were going to do. I saw them take these prisoners, take them in the helicopter. I would see these guys sitting down watching the sky, laughing, you know, and here comes a guy waving down out of the sky. Then they bring the other two guys down and I guess they'd be saying something, so I imagine they'd be talking to them. I saw that on two different occasions.

MODERATOR. And they were actually pushed out of the helicopter?

Mr. STEPHENS. Yes.

MODERATOR. Thank you. Mike Mike Misiaszek, former Spec/4, also with the 101st Airborne Division.

MISIASZEK. Right, my name is Mike Misiaszek. I'm from Reading, Pennsylvania. I was with the 101st in the 1st Brigade, Support Element. We rigged up the choppers to fly supplies out to the troops and sometimes we'd go out and hand them out wherever they were. That was the last half. The first half, I was actually just a telephone answerer. I was in Vietnam from the first of December, 1968 to the end of January, 1970. This as at Camp Eagle and I was also down at Tam Ky after I got fired from my office job. My testimony concerns a whole bunch of things. Most of it's been heard before. I'd just like to elaborate on it for those who may not have been here before. The first thing I'd like to talk about is the destruction of a cemetery. The entire northeast corner of the 101st base camp, Camp Eagle, southwest of Hue, is built on a Vietnamese cemetery. They didn't plow under any graves; they didn't have to. They just built the compound on top of it, which means that there are still graves between some of the buildings. Some of the buildings are on top of old graves which had been plowed under and are all misshapen. I'd like to talk about harassment fire. Where we were sleeping was pretty close to a battery of 8-inch howitzers. These are big guns, man. They go off and they shake the ground. I think the round is as long as this table, maybe. And there's a lot of high explosives in there. They fired these things indiscriminately. They woke us up, they shook the whole place, and several of us got really ———off. We wanted to find out why they were doing this all the time. This was every night. We talked to a specialist up in the battery, and he said they had orders to fire no less than thirty rounds nightly at a strip west of Camp Eagle. This strip was supposedly a free fire zone. Anybody could have been walking in there, like even some of our own people from other units, but they didn't really seem to care. They just shot this thing up! Another thing I'd like to talk about is the use of some chemical agents. On our perimeter we had CS gas, little canister with tear gas I guess, and what's known as Fugas. I don't know if anyone has brought this up. Fugas is a jelly-like substance. It's flammable, and they put it in barrels. What they do to it is they explode the barrel over an area and this flaming jelly-like substance lands on everything, if it's people or animals or whatever. And you can't get it off. It just burns, and you rub it and it sticks on. You just spread it all around. The only way to stop it is by suffocating it in mud or water. This was not around too often during the dry season, you know. When we were at Tam Ky, we convoyed in August back to Camp Eagle. They put a whole bunch of guys on a truck and we had C-rations. We made a pretty good game out of throwing C-rations at civilians as hard as we could. Then we tried to see if we could maybe get them through the grass huts. Like we would throw them at a grass hut. It would go through and we'd wait and see if someone comes out yelling or something. I'd also like to talk about mad minutes. This was mentioned before. Our mad minutes, for those of you who may not have heard it, were at the perimeter fence. Every once in a while at Camp Eagle, every two months or so, the order would just come down, "Okay guys, get to it." You got a mad minute. And everybody picks up a weapon with both hands, both feet, and they shoot. And they don't care what they shoot at, just as long as it's away from the base area. That's a lot of fun, too. All those sickees.

MODERATOR. Mike, is there the chance that into the areas where you were firing during these mad minutes there were unarmed persons?

MISIASZEK. Absolutely. Sometimes there were. There were maybe cows. I never saw any, but I've heard of some people who were shooting cows.

MODERATOR. Thank you.

PANELIST. I'd also like to talk about fragging. Maybe this really is nothing, but our morale in our company was extremely low. We hated our CO and we were always making up little plots to sneak at him. I decided to take it upon myself to secure a hand grenade that nobody knew about. I had this hidden for the next time he was going to screw me over. I had it in a stream in about five or six plastic bags. Well, I never got the chance because they found it on the police call.

MODERATOR. The next speaker is a former E–4 from the 191st, Jim Umenhofer.

UMENHOFER. The first thing that I'd like to say is we're not here for ourselves, we're here for all our brothers in the human race, and love is what keeps us going, and love is what this thing is all about. I was a radio operator with the second 501st and the 101st. I was an E–4. I was there from November of 1969 until October of 1970—that was about three months ago. In the northern I Corps area it's changed a little bit and the atrocities are just a little different from the atrocities that have been going on that you've been hearing about all week. The policy, which I'm sure has been brought out, the idea we are superior to our enemy or we are superior to the gooks or whatever—this carries over on all levels, even the higher echelon officers. Especially the higher echelon officers are preaching this. The first incidents I'd like to bring up occurred in March. I had seen a man I knew in a hospital. He was in the hospital, he had one arm cut off. He told me that his entire platoon, a platoon consisted of approximately twenty-five men or so, had been wiped out in hand-to-hand combat in the Paris area of operation. My unit, about three or four days later, Alpha Company, was sent into this particular area of operation. They had a mission to move from the top of a hill to a river which was ap-

proximately a mile away. Alpha Company was reduced to fifty men through combat. They were then removed and our Bravo Company was sent in there. Our Bravo Company was sitting on this same hill with the same mission and they were reduced to approximately twenty-five active men. They were removed and our Charlie Company was placed on this same hill with the same mission. Our Charlie Company was there for about a half an hour.

Then the CO of that company called up our battalion commander and said he'd like a few slicks, which are the Huey helicopters, to come in and pick up a few men who wanted to re-enlist so they could get out of the field. When the battalion commander, inquired how many, he said sixty. The battalion commander then flew out to the hill, told the men that he was going to leave them out there for twenty days or as long as it takes for them to start doing what they're supposed to do. What happened was they were out there for approximately a day and then the battalion commander changed plans and they removed them from that hill. We moved on from there. The morale was low. The fact is that we were to beat the enemy. We knew that we were superior to the enemy because we had been told this, and it was relatively hard at this time to believe it, seeing that our entire battalion was almost wiped out. We moved into a ripcord area of operation and we received many casualties there. Then we moved up into a gladiator area of operation. This is all approximately in the same area. It is just to the east of the A Shau valley. In the gladiator area of operation, our troops were deployed around the fire base. The fire base was mortared every night. From there we moved on. I was in the rear part at this time. I witnessed myself truckloads of replacements coming in. There would be eighty replacements in one day, maybe a hundred replacements, coming in to our battalion. The next place we went was Fire Support Base Henderson. Fire Support Base Henderson was quite north of where we had been working. I'm not quite sure of the distance from the DMZ. It was between ten and twenty miles I'm pretty sure. I was told by a major in our tactical operations center that there were 2300 North Vietnamese soldiers in this area. He was just explaining on the map; he wasn't taking me particularly out and pointing at this. However, I worked in the tactical operations center and I observed this as he was pointing it out to the rest of the people. This was a new fire base. Because of the tactics in Vietnam changing (this is all my opinion, however) it was kind of hard to find missions to send the men on. We had no specific mission. So we were building a base camp, as it looked to me, in this North Vietnamese stronghold. It only had two strands of concertina wire around it, which is quite unusual. Two strands of concertina wire can be laid in maybe less than one day. It is just like a preliminary. It really is nothing at all. Now the NVA prisoners were utilized to build this fire support base. That is, these were North Vietnamese soldiers who had been captured, and they were kept on the fire base at night. My Alpha Company was sent to this fire base, and also my recon unit to secure it. Our Alpha Company had eighteen new people sent to it on Henderson.

These eighteen new people were all new in country. They had only been in country four days. They had had no in-country training. Nine of these people were in this battalion less than twenty-four hours and they were dead. Our recon unit was set in an area on this fire base where they had, say, this part of the fire base to secure. There was an ammo dump in this section. Then there was the rest of the main fire base. That night, the night that those replacements went up there, the North Vietnamese got into the fire base. They blew up the ammo dump, thus cutting off our recon team. One hundred percent casualties were received in our recon team, and it was virtually wiped out. All weren't killed, but like I say they did receive one hundred percent casualties. The next day, after it was attacked, one of the Brigade Colonels flew to Fire Support Base Henderson. They were there for approximately a half an hour, and he returned. He was put in for a Silver Star for being at Fire Support Base Henderson Like I say, it's terribly hard right now up there to find a mission. This is the way it looks to me, and I'm sure these facts actually do point it out to you too. They were striving to prove our superiority. Yet we ended up killing quite a few of them uselessly.

Ripcord in July, I think this was pretty much in the news. Before we tactically moved off of Ripcord, my Delta Company was sitting on a hill, which was Hill 1000, approximately a mile from Fire Support Base Ripcord. They sat on top of this hill for nine nights. They were hit by mortars every night and every night at least one man was wounded or killed. The significance of sitting on this hill for nine nights I also question. And then there was the tactical retreat in July. I myself thought it was because of the Cambodia thing, the moving into Cambodia. There was more intense NVA push in the northern areas. This is the way it looks to me. Like I say I was a radio operator, and a lot of things I never witnessed myself. However, I heard many, many things. In August I was working on a fire support base where I had access to radios from the First Brigade, radios from the Second Brigade, and also radios from an ARVN Regiment. I would get calls daily from Fire Support Base Barnett. It was almost a natural thing. At five o'clock I would get a call saying we're receiving mortars on Fire Support Base Barnett. Barnett is about one klik from O'Reilly, which was abandoned. In the north, because of this lack of ability to prove ourselves in the field—it's throwing a backlash in the rear areas also. And not only in the rear areas but out in the field too, where instead of being able to prove yourself by defeating the enemy, it's coming right down to the people right among the American ranks. There were incidents which began to accelerate more.

They were always there, but they began to accelerate around July and on up until I left. A Black stabbing a white man; because of this a white man jumped a Black brother, started beating him, started kicking him. The brother jumped up, went and got some more brothers, came back, there was almost a big hassle. Nothing ever came out of it. The white dude never had anything done to him at all. Black brothers were in the barracks. They were in the barracks listening to music. Some, I cannot say they were white, however even if they were Black, they must have had white thoughts, were throwing in grenades. They threw in two grenades from either door. Two of the brothers were killed and two of them were wounded. In March, a Black brother, a good friend of mine, a very good friend of mine, was supposed to move. He was supposed to make a movement and he was supposed to be on a truck at seven o'clock in the morning. Now he didn't make that truck, and this is failure to meet movement. He didn't quite know what was going to happen, nothing ever became of it. However in October (this had happened in March by the way), they had his trial. He found out about it about a week before. As a result of his trial he was sentenced to two months in LBJ, which is the Long Binh Jail. And I'm sure there's been a few stories about that place. At one time our battalion had fifteen people from it in the Long Binh Jail. The majority of them were Black, Mexican, and Puerto Rican. The way I see it, it's still an atrocity. Human beings are harming other human beings, and it's wrong. And that's why we feel that it's got to stop now. When the power of love overcomes the love of power, then there will be peace.

MODERATOR. Our next speaker will be a former E–5 of the 173rd Airborne Brigade, Murphy Lloyd. Murphy, let me ask you a question. How did you encourage information from your detainees or from the prisoners that you captured in the field?

LLOYD. Well, first of all we would ask them. If we didn't get the information, or if they said they didn't know any and we figured they were lying, we'd go to torture. The first time I ever saw it used was on Operation Junction City. We were over by the Cambodian border in War Zone C. We had just walked into an ambush, and out of this ambush we had approximately fifteen casualties. Five were killed out of those fifteen. We picked up five or six prisoners, and were flying them back toward our fire support base. We had a lieutenant that had been in country about five days. He said that he was going to conduct the interrogation. We were explaining to him that we had qualified people in the rear to do this, but he told us to shut up, he was a lieutenant. So boom, that ended that. So he asked two or three questions, and all of them kept saying No "bic" or "Mu la" or something.

MODERATOR. Explain what that means.

LLOYD. Either "I'm not going to tell you" or "I don't know." I believe it's "I don't know." So what he did, we were in a Chinook. A Chinook is bigger than a Huey. It has a door that opens in the rear and that's how we went in. Also it has a middle door used to take up cargo. Then he ordered the door opened, the middle door, and without another word, he just pushed one out. And then he said, "Are you going to tell me now?" and he started to put his gun on them. So all this time we're looking at him. We're kind of mad too because we had been out there and some of our friends had been killed or wounded. At the time it really didn't mean anything to us. He pushed out another one. Now the third one he came to, he started to say something in Vietnamese and pointed to one of them on the end. As we found out after searching this fellow, he was a lieutenant in the North Vietnamese Army. On the way in after this, he said if anything was said about this he would make it harder on us. Okay, so he wrote himself up for a medal by detaining and getting information from prisoners and saving us from walking into another ambush, evidently. But he received a Bronze Star with a V device in it for valor. The V stood for valor. And again, we were in the northern part. We were up by Dak To. This was in May of 1967. A–Company of the Second Battalion was annihilated, all but about four or five people. During the time that they were being annihilated up there, we were sitting down ready. Our battalion commander kept asking for word to go up. And the battalion commander of A–Company, Second Battalion, kept saying they could hold their own, they could hold their own. So about four or five hours later they told us to saddle up and we had to go. They took us in on another side of the hill which was hot. By the time we worked our way to where A–Company was of the Second Battalion, all the bodies we found that were American soldiers were shot through the head I mean you could look at a fellow and tell if he had been wounded in the arm or the leg or the chest, but all the ones we found had a bullet hole right here. And this showed that the NVAs after they had gone through killing, even during the battle, had enough time to go through and make sure that all GIs were dead. But out of this battle four people came out. That was the lieutenant, the CO, the first sergeant, and the FO.

MODERATOR. And the FO's an officer also.

LLOYD. Yes. And about two days after that

we found an Indian fellow. He was just wandering around in the jungle. He had been wounded. Evidently it wasn't too serious and he had slipped away. And he ran down to us what had happened. The way it was he don't know how the officers or anybody made out because he figured everybody else was killed too. But that same day these four individuals were transferred to another unit or out of country, which we didn't know. We just knew that they had left the unit that day. When we brought this prisoner back he was back in the fire support base approximately a half an hour. And then after the word got around that the officers had ran, they were gone. We don't know where they went. To this day I don't know. And one time I was on my way home. We were in An Khe and while waiting on our plane, the airstrip was overrun by NVAs. They came through the old An Khe village side. The only ones left back there to defend it was the finance personnel, the clerks, and the cooks, more or less administrative people. So they took all the infantry people that were going home, issued us weapons right quick.

They ran us on out to the airstrip. During this time we had worked our way across the airstrip, and after we got everything organized and we finally took back the airstrip, we started going on little search and destroy missions in old An Khe. We ran into a few NVA that came to us Chieu Hoi and right on the spot where we're taking them prisoner a lieutenant came up. He said, "There's a three-day pass for any body. If you can prove that you've killed an NVA you have a three-day pass to Vuc To, "that's the in-country R & R center. And right there at that point I actually with my own eyes saw a first sergeant and a lieutenant fight over over who (the prisoners were killed; they were taken and killed right there on the spot) over who killed them. They just started to fight right there. And there's been quite a few incidents like that that I could recall. I have helped in torturing prisoners. One time the village chief came and said that he wanted to take the bodies and put them on display in Sin City where most of the soldiers went for entertainment. So that the rest of the people in the village, Viet Cong, NVA, would see 'em and leave. But he couldn't do this due to the fact that the majority of the bodies that were there that day either had their pinky finger joint cut off or their ears cut off. And at one time (we thought it was showing courage and bravery, or whatever you want to call it) we wore ears. We'd take them and catch them while they were alive; take an ear. The Vietnamese people believe if they die without all of their bodies they won't go to heaven and we would do this to two or three of them to get information from the rest of them.

MODERATOR. Thank you. The next speaker giving testimony will be Michael Erard, former Spec. 5, also with the 173rd Airborne Brigade.

ERARD. I served with the Third Battalion, 503rd Infantry and I had two jobs. I was in the field for about four months as a line doggie transferred into a battalion and I served as the medic liaison with S–5. S–5 is what they call civil affairs to handle the PSY–OP operations, to handle the Chieu Hoi program for the battalion. The Chieu Hoi program is designed to get NVA and VC defectors to come over to our side and the specific instructions given out on a battalion level were that these people were to be treated differently than POWs. If a man, after a contact or during a contact, would raise his hand and say Chieu Hoi, the Americans were supposed to give that man treatment. He was supposed to be set aside. He was supposed to be given receipts for his weapons.

None of his personal belongings were to be touched. This was the battalion SOP, but it was never carried out on a company level. On my whole tour there our battalion never took a live Chieu Hoi. There were many leaflets dropped. We found Chieu Hoi passes on bodies of dead VC and dead NVA, but we never took a person in. The feeling among the grunts was that they didn't trust the Chieu Hoi. I went down with an officer to Saigon, to the national Chieu Hoi center to recruit these former NVAs to serve as what we called Kit Carson Scouts. These scouts would serve in a line company. They would serve as the point men on the line companies. For the most part they were mistreated in the battalion. They were not given proper equipment. They were saying, well, a gook doesn't have to have this. A gook doesn't have to have that. He was supposed to have the exact complement that a U.S. soldier had in the field, but he never got it. The soldiers didn't want a Chieu Hoi, a Kit Carson, in their platoon. We had to force company commanders to take a Chieu Hoi into the company. The second incident, relating specifically as a medic, was an incident in the village of An Quan, which is in Bin Dinh province, north of Qui Nhon. I was with Charlie Company, 3/503rd, and we had been suffering serious injuries, traumatic amputations, especially from booby traps. On two specific incidents, we had men who were picked up by supposedly a MEDIVAC chopper, but the chopper was a slick with guns on it. It had a Red Cross on it, but there was no medic on board; there were no stretchers. In the third incident we had three men who were seriously injured. The gunners from the slick jumped down and started to throw our wounded on board. I had two men in our platoon who went beserk, as it were. They beat up the two gunners on the chopper while the chopper was hovering about two feet above the ground. The pilot wouldn't even land. And it was not a hot LZ. We were not taking fire from; anybody. They beat up the gunners because they were mad at the way our wounded were being treated. To add to this, our battalion did not have a Medivac chopper of its own. When we wanted Medivac, a dust-off, we had to call back to battalion headquarters and they had to call brigade. Then we got a clearance for the dust-off. This was a matter of fifteen minutes. Fifteen minutes seems pretty quick over here, but over there it's a long time, specially when you have a man dying of a serious wound. There were numerous accidents around our LZ, LZ Uplift, which is south of Bong Son, in Bin Dinh Province. We had a friendly village to the south of us. There were two times when Americans fired from the perimeter into this village. Working in S–5 I would go out and be part of the investigating team in which the American government would investigate the accident. Then we would pay them what they called a "saladium payment." Now the saladium payment was a condolence type payment, like you might send flowers to someone's funeral.

It in no way implied or implicated us as the perpetrators of this. So we would pay them a certain amount of money for people lost. In one incident there was a woman and five children killed and I think a sum of $500 was paid for this. In another incident, right before I left, a young boy was out tending cattle. An M–79 was fired from the perimeter and he was seriously wounded. We could not take him to an American hospital. We spent about an hour just preparing him for surgery. He was not taken to an American hospital but to a Vietnamese hospital. This was battalion SOP, that you did not take wounded Vietnamese to American facilities. No payment was made and I went all the way to brigade on this. I tried to get payment for the family of this boy who died, but I was not able to follow it through. At the time I left, the S–5 officer there would not listen to me; the brigade S–5 would not listen to me. The last thing that I want to relate was the last mission that I was involved in in Vietnam. Our battalion was in the An Lau Valley in Bin Dihn Province which is west of Bong Son. Our mission was to interdict NVA infiltration down the valley. I was the medic, I was the senior medic on Fire Base Abby. Along these valleys there were small garden plots and graves. In the garden plots were potatoes and small fruit-type gardens, or truck-type gardens. Intelligence said that the NVA were using these gardens as sources of food. In the period of six weeks that I was there, I know of ten civilians, ten unarmed civilians, who were killed tending these gardens. Again, I had access to the TOC and to all the briefings. The battalion CO was upset that there were no weapons found with these people. They were shot while they were working the field and there were no weapons found with the people. It was covered up on the battalion level and these people were reported as VC. In fact, they were old men who were killed working these plots. Again, there were PSY–OP missions and Chieu Hoi passes were dropped in the area. But the fact was that these people were up there to visit graves. The graves were actually in the garden plots. I doubt very much if the people really understood that they weren't supposed to be in the area. The area was not a free fire zone. So prisoners were not taken. In regard to medical treatment of wounded Vietnamese, and this involves not only captured prisoners, but also any Vietnamese, when we went out into the field we were issued a small bottle of serum albumin, about 500 cc's. Our platoon sergeant said, "This is worth $25. Never use it on a gook." There were many occasions where a wounded Vietnamese was sent back or dusted-off with only a bandage to stop the bleeding when the man needed IV fluids to make it. He was not given that aid. We had to account for our bottles of serum albumin just as we had to account for our morphine. We were, we were not allowed to waste it on a Vietnamese.

MODERATOR. Allan Crouse, former E–4, also with the 82nd Airborne Division.

CROUSE. I would like to talk about the policies and the conditions of the people in our areas of operation. We had fire bases twenty, thirty miles north of Saigon and we had one battalion on the border. I was down there from January, '69 to December, '69. This was about a year after the Tet offensive and conditions were quiet. There was some light contact, but the North Vietnamese, you know, could not stage anything right around this area because it was too much. Peace prevailed around the area and with relatively light security. We were getting work done without harassment from the enemy. We got to know some of the Vietnamese people as human beings. We talked to them, with interpreters, and got to know some of these old papa-sans, trash as the army says. I mean, these people do have so much intelligence and wisdom that it's just phenomenal. And you learn that they don't really want much materially because they never had anything. All they want is a chance for peace, to live off the land, raise their children peacefully. In the past it's just has been too much. They never knew anything else besides this war. It's just tearing everything up. We cleared about 2,000 acres north of Saigon, about twenty miles north, with many tunnels there, destroying the land.

MODERATOR. Excuse me. Allan, could you get into the dynamiting of villages?

CROUSE. Yes. Actually atrocities were not too prevalent there because the army felt it was close to a populated area and they didn't want any bad news. Just as the other man said, whenever the newsmen were around everything was nice. They went out of their way to keep calm. The army didn't want any atrocities around this area. But we would go through one or two villages where they'd practice their explosives. Just walk into these huts and destroy one or two.

MODERATOR. I will open up the floor right now to the press for questions.

QUESTION. I'd like to ask Bill Perry a question. What do you feel like, you men who go to Vietnam and are subject to such brutality? How do you feel this affects the individual when he comes back to the United States and sees things happening back here? How do you think the average Vietnam veteran that's done all these things, and gone through all these things, feels when he comes back to the States?

PERRY. People say we must stop the war. I feel it's so much more than this. The whole rich man's game has always been fear. They've always been very much into impressing us. Now here's the Empire State Building. Be impressed. Now here is the C–5A or some fantastic jet bomber. Be impressed. You know, be afraid of it. Here is a club. I'll bust your head if you don't stay in line. Be impressed. Be afraid. Competition is another thing that brings about fear. Like ever since we're little children. Come on, stupid, you're thirteen months. Why can't you walk yet? Then there's this fear that's always put into us by the movie people for instance. That all Africans are cannibals and all Indians are savages. Who are the real savages? Who is really creating this climate of fear—this climate of mistrust—this climate which makes us scared to death of the person sitting next to us? Who prevents us from loving each other? The whole fear thing is what's creating atrocities in Selma, atrocities in Phuc Vinh, atrocities in Angola, atrocities in Mozambique, atrocities in Montevideo. It's happening everywhere. We're afraid of ourselves. We're not allowed to love each other. The whole life-style of the Vietnamese people, their whole cultural and social way of life, it nothing but love. It's a kind of love we really lack in this country and a kind of love that we have to build. A kind of opening of ourselves, an honesty ourselves and a love for each other where you know there will be no reason to hurt anyone except perhaps to protect our love. You know, the kind of love which is called primitive or savage. The whole American policy is nothing but what you might call cultural imperialism. It's like a very clever form of racism. They've always been in to trying to to honkify white people as much as possible. Trying to make you whiter than white. Just taking their whole decadent culture, their whole cold-weather culture, their whole fear culture, their whole money culture, and push their fear, push this hate, push this mistrust, among all of us. It's this kind of thing some of us have felt all of our lives. You know, when I was sixteen years old, I used to hang out on street corners, drink wine with other kids, have a lot of fun, and be free. The cops came along and, bam, put me in jail for sixteen months. Said get a haircut and look like a honkey. I got out of jail, you know, and I was being free for a while, having a lot of fun, and you know the Army said come with me. And, you know, bam, they give you a haircut, you look like a honkey. . . . and act like a honkey. I came out of the Army and for two and half years I was really having a lot of fun being free. My wife is Oriental; we have two children. We were stopped in New Jersey for possession of rifles and illegal weapons. Like the whole thing happened all over again. You know, they arrested me again cut off my hair.

You're a nigger lover. You're a pig killer. We're going to make you white. You know, cut your hair. You know, the whole thing. Don't be free—you're not allowed to be free. They put the children in the home. The whole thing about what are you doing? ——— to make more gooks? These are Vietnam veterans who have joined the police force and still carry the same racism. Telling my wife thinks like, "You get your orders from Chairman Mao, don't you?" All this weird paranoid fear they have. Fear that they've had, and we've had, since birth. It's on us to eradicate this fear. It's on us to dig on love, you know, to love each other—to learn how to love. The Vietnamese people dig on preserving their beautiful life-style and they won us over by loving us. Loving us to the death of our honky culture. Loving us to the death of holding our white values. Loving us to the death of believing in technology. Loving us to the death of all the phony ——— they have always given us. And this is where it's at—digging on what they've told us are primitive cultures, you know, getting back into the sun, treating each other like real human beings, not competing, but really cooperating, and really loving while doing so. Like it's all we can do. We have to do it. It's just a question of getting it together and doing it.

MODERATOR. I have a release statement here to read to you. "To the brothers of Winter Soldier: Those of us who are still prisoners of the war machine would like to express our solidarity with those of you who have found the courage to expose what we are part of and what we are now facing. Hopefully your actions will move more of our brothers and sisters in uniform to join us in our resistance from within of the system which is responsible for the oppression of peoples around the world. Together we can bring that system to a halt. Keep up the struggle. Signed, The Brothers of the American Servicemen's Union, Selfridge Air Force Base, Michigan." And the last statement is that Representative Conyers and Senator McGovern have invited us to come and talk to a Congressional hearing. Now this is it. I don't trust the United States Government. I don't trust the FBI or the CIA and I most certainly do not trust Conyers. I don't trust McGovern, either. McGovern's a presidential candidate. Is he going to wait until he gets ready to get the votes and then invite us to come down there and speak? I'm sorry, but I'm not going to wait for that. And I don't think my brothers are going to wait for that either. We're going to take it to the street. We're not going to wait for somebody to come up and ask us, "What the ——— was that thing that went on up there in Michigan? Was that a hotdog sale? What was it?" We're going to take it right to the street and we're going to make sure people remember what's going on. I'm not going to play a political bag with them and neither are my brothers going to play the politic bag. So that's where it is.

FIRST, FOURTH, AND NINTH INFANTRY DIVISIONS

Moderators

Wayne Novick, 22, SP/4, 1st En., 26th Inf., 1st Inf. Division (From February 1969 to February 1970).

Donald Donner, 24, SP/4, Combat Engineers, 20th Brigade, 86th Combat Engineers (August 1967 to July 1968)

Veterans testifying

John Lytle, 24, SP/4 (E–4), "E" Co., 6/15 Arty., 1st Inf. Division (August 1967 to March 1969)

Robert McConnachie, 22, Sgt. (E–5), 2/28th, 1st Infantry (October 1967 to October 1968)

Ron Newton, Pfc., (E–3), 24, 3rd Brigade, HHQ Co., 704 Maintenance Bn., 4th Inf. Div., (July 1966 to June 1967)

John Hartner, 26, Sgt., (E–5), H & HD 3rd Brigade, H & HD 2nd Brigade, 4th Infantry Division (November 1969 to August 1970)

Carl Rippberger, 23, E–4, K Troop, 3rd Squad, 11th Armored Cav. Reg., Attached to 9th Infantry Division (May 1967 to May 1968)

Michael Farrell, 24, SP/4 (E–4), "A" Co., 2/60, 9th Infantry Div., (January 1967 to January 1968)

John Henry, 26, SP/4, 2/60, 1/11 Artillery, 9th Infantry Division (March 1968 to February 1969)

Franklin Shepard, 23, S. Sgt., (E–6), 5/60, 9th Infantry Division (March 1968 to August 1969)

William Rice, 21, SP/4, 3/47th, and HQ, 3rd Brigade, 9th Infantry Division (January 1969 to January 1970)

Barry Hopkins, 23, 3/39th, 9th Infantry Division (January 1969 to January 1970)

Scott Moore, 26, 1st Lt., 2/39th, 9th Infantry Division (1968 to 1969)

Mark Lenix, 24, 1st Lt., 1/11th Arty and 2/39 Infantry, 9th Inf. Division (1968 to 1969)

MODERATOR. Good afternoon. My name is Wayne Novick. This is going to be the testimony of the 1st, 4th, and 9th Infantry Divisions. I'm the moderator.

DONNER. My name's Don Donner. I'm going to moderate also. We're changing the format somewhat this afternoon. Instead of having each person rap down his basic line, about what happened to him in Vietnam, we're going to try and take wide areas—treatment of G.I.s, treatment of civilians, treatment of prisoners, H and I fire, the entire realm of free fire zones, what the war has done to us individually and collectively. For each of these sections each of the gentlemen on the panel will be allowed to testify on that one particular section before we move on to the next. We will allow questions from the press, one or two at the end of each section if anybody wishes to ask. Okay, starting here, John, would you like to introduce yourself and work on down.

LYTLE. John Lytle, 6/15 Artillery, 1st Division. I spent—I was in Vietnam in 67, 68, 69. Came back a Spec. 4. I think I was really an E–3, but I ripped my records off so they never knew what I was. My M.O.S. was 13 Echo 20, Artillery Forward Observer.

MCCONNACHIE. My name is Robert McConnachie. I'm 22, I'm from the Sunshine State, Miami, Florida. I was a student before I entered the service. I enlisted in the service. I was a sergeant E–5, I was in the 1st Infantry Division, 2nd/28th, Black Lions, I was an RTO. I was in Vietnam in 67 and 68 and right now I'm a student.

NEWTON. My name is Ron Newton, 24 years old, Portland, Oregon. I was drafted. I was with 704 Maintenance Battalion, 4th Division. Personnel Specialist. Now I'm a student at Portland State University.

HARTNER. My name is John Hartner, I am now a student, I was in graduate school before I was drafted. I served with the 4th Infantry Division, in Vietnam. When I first arrived in the country, I worked with the Third Brigade Headquarters Company in the Operating Section. Shortly after I arrived, the Third Brigade was sent home. I then worked in the Intelligence Section in the Second Brigade.

RIPPBERGER. My name is Carl Rippberger, I'm 23, I was a student before I entered the service. I was in Vietnam from May of 67 to May of 68. I was in K troop, 3rd Squadron, 11th Armored Cavalry Regiment. I was a machine-gunner for the first few months I was there. Later on I drive an armored cavalry assault vehicle. I'm now a salesman for an electrical distributor.

FARRELL. My name is Mike Farrell, I'm 24. I was a part-time student before I was drafted. I was drafted in April of '66. I got out of the army in January of '68. I was with A-company, 2nd/60th, 9th Infantry Division. I was a rifleman for the first three months that I was over there. The remainder of the tour, I was a machine-gunner. Right now I'm a student at Oakland Community College here in Detroit.

HENRY. My name is John Henry. I'm 26. I'm a student from Detroit. I was a Spec 4 in Vietnam in the 9th Infantry Division, same company he was in, 2nd/60th. I was there from March '68 to February of '69. I was an Infantryman for 9 months, worked on a mortar squad, and the last three months I was a trash man for an Artillery Unit.

SHEPARD. My name is Frank Shepard, I'm 23, from Plymouth, Michigan. I was a student

before I entered the service. I'm a free spirit now. I was in the 5th Battalion, 60th Infantry in the Headquarters Division, in the Personnel Department. Served in Vietnam from March of '68 to August of '69.

RICE. My name's Bill Rice, I'm from Vineland, New Jersey, I'm 21 years old. I was a machinegunner for D-Company, 3rd Battalion, 47th Infantry, and then when they were moved out I was transferred to Headquarters, Third Brigade.

HOPKINS. My name is Barry Hopkins, I'm 22 years old from Greensberg, Kansas. I enlisted for the draft in '68 and went to Vietnam in January, 1969 to January '70. I was with the 3rd/39th, 9th Division. I was a point man for five months.

MOORE. My name is Scott Moore, I'm 26 years old, I'm from New York City. I was a First Lieutenant in the Infantry. I was a platoon leader for five months and Forward Resupply after that. I served with the 2nd/39th, 9th Infantry Division.

LENIX. My name is Mark Lenix, I'm 24 years of age, I was a lab technician before I went in the service. I was drafted. I was a 1st Lieutenant, served with the 1st/11th Artillery attached to the 2nd/39th Infantry Battalion as a Forward Observer.

MODERATOR. We're going to start discussion on H & I fire. Bob, you were an RTO and an FO, Forward Observer, for Artillery working with the Infantry. Could you tell us about H & I fire? Exactly what it is, how it was used, how often, and things like that?

MCCONNACHIE. H & I fire is Harrassment and Interdiction. These guns, 105 Howitzers, they shoot mostly at night, to keep the V.C. on the move. They always got to keep them moving to protect us and the ambushes. I'll give you one instance on H & I fire. The people firing don't know what they're firing them at: they're so stupid. I was in a leper colony, it was called Ben Son. There was a unit of 40-meter mike mikes, they're usually not on jeeps, dusters they're called. This one unit put 46 rounds in this leper colony, killing some civilians. It was a hospital complex. They knew where it was. So I jumped in the ARVN's truck (there were 140 ARVNs at this place and there were only three Americans, a sergeant and two PFC's), and the ARVNs took me over where this unit was. There was a Captain there and he asked me if I had told his superiors. My superiors were located in Di An which is detonate 5–2. I showed him where we were on the map and he holds his hands in the air and says, I know where you're at now." You know, he says, "Don't tell my superiors," and I said okay. So I went back to my base camp where I was stationed.

MODERATOR. John, you were also in Artillery, would you care to talk about H & I?

LYTLE. We'd have to get clearance from battalion to shoot 'em.

You'd have to call in and get your clearance, get your grids, you'd mark it off on your maps and you'd get everything set up to shoot H & I's. We used to shoot H & I's three times a night anyway. Every time we shot we'd shoot like a hundred rounds, maybe two hundred rounds, of these big shells, you know. 105 Howitzer shoots a shell approximately five inches in diameter. It's about this long with a projectile on it and a shell part on it. It'll make you a nice swimming hole when it lands. So maybe three times a night we'd shoot those, you know. At least for six months we did that, I remember. We usually didn't have to get much clearance, you know. If we just wanted to shoot 'em, we would mark off for one of the companies that were out on patrol or something; they'd call in and say there's a little bit of movement (or one of the starlight scopes would pick up some movement) and we'd just throw some shells in. If it happened to be a village, we'd probably just lob some shells in there too. It's no big thing, you know. We didn't worry about it.

MODERATOR. Did you ever notice any results of the H & I fire? Were you ever in the area after H & I fire?

LYTLE. Well, yeah, like I've been around in areas, you know; walked through the villages after we've hit 'em, and they're just totally destroyed, totally. Like, say this building right here would be nothing, you know. You could see the sky, everything would be completely, completely rubble.

MODERATOR. Okay. You say the order came down from battalion on this. How do we know that these people were V.C. or were not V.C.?

LYTLE. We were in areas that if there was movement at night, wow, maybe they're trying to get you, so we get them first.

MODERATOR. Okay. John Henry, you also mentioned that you were in an area where H & I fire was S.O.P. Would you care to comment on it?

HENRY. I was in an Artillery unit for a while. It wasn't where we fired H & I's. But you've got to get clearance from the Vietnamese nationals and the Americans. They set up these fire zones, the H & I fire zones. There are areas like in the Plain of Reeds, which is south of Saigon and a stronghold of V.C., where they pretty much own the country and they walk at will at night. Well, you've got to fire a lot of harassing fire. We used to take our mortars out to the field and—well, the V.C. aren't stupid either.

They get out of the rain. They're not like us; we sleep in the rain around dykes. But the V.C., they go to houses and hamlets, rest up for the night, and get food and things. And we used to shell villages at times, like five or six rounds every thirty minutes or so all through the night. On the perimeter of the village, people had a curfew and were supposed to be in. But if some mama-san got up during the middle of the night and had to move her bowels, she was ducking flack, too. We had free fire zones; we had mad minutes, just about throughout the Ninth Division. You know about mad minutes. A mad minute—everybody gets on line, everybody in the company, and you play Machine Gun Murphy. You're told to fire a magazine through your weapon and you just pepper the countryside. Usually you do this about six o'clock at night because you get colors off the tracers. I don't know why.

MODERATOR. John, did you ever use the mad minute in an area or in a fire support base where there was a village close by?

HENRY. Well, there are hootches along the woodline and that's where pockets of V.C. would collect. So we fired towards the woodline, and where there were hootches, where there was civilian population. But they had thick bunkers, thick bunkers.

MODERATOR. Mark, you were an artillery officer, can you give us anything more on H & I policy and techniques?

LENIX. Well, H & I was to sort of keep the V.C. off guard.

You weren't sure what was there, but if they were, then of course, you just drop artillery on top of them. When I was working with H & I fire, you'd put your arms out and the only clearance you'd have would be from battalion. You'd call them, give them a grid square, and they'd say, "Sure, there's nothing there. Go ahead and shoot." And then, of course, you'd send the order to the guns and the guns would shoot. Well, on one instance that I can remember, there was nobody there and we went ahead and shot. The next day a papa-san brought in his dead wife and wounded baby. There was nobody there.

MODERATOR. Okay. Mike Farrell, we also talked about H & I; would you care to talk?

FARRELL. Yes, I was in a Brigade Medical Center in Tan An. This was a short distance from my base camp. I was trying to get dental aid and I was in the aid station. This was approximately May of '67 and they brought in a woman with a small child. The child was approximately three, four years old, and the child was very badly mutilated. He was bleeding very profusely, you know, and he was in a state of shock. I asked the doctor what had happened to this child and the doctor said that the child was hit by H & I fire. I myself did not see the child being wounded by this H & I fire, but this was the report that the chopper pilots brought in.

MODERATOR. Scott, I just want to get this in more. You were in the same unit as Mark. Can you corroborate the testimony he's given?

MOORE. Right; I was in the same unit for four or five months before Mark got there and H & I's were definitely used. I can remember going through rice paddies on search and destroy missions and finding dead peasants in the middle of the paddies, just lying there. I'm sure they were caused by H & I's.

MODERATOR. Bill (Rice), you also were talking about H & I.

RICE. Well, we went out one night when an ambush was set up around this hootch. We had gone through this area several times. We knew the papa-san and everything there. We come up there this one night and started getting a big hassle from him because mortar rounds from our 81s had gone through the roof of his hootch. Another landed outside his hootch and blew his boat up. Fortunately, no one was killed. We used to get a lot of readings. They put out these things called duffle bags and radar. They pick up readings on these and fire on them. I doubt that they had any visual contact with the people they were firing on, but rather picked them up on radar and fired on a radar sight, not knowing who was there.

MODERATOR. That's radar against personnel on the ground?

RICE. Right.

MODERATOR. Is there any way that you would understand for the radar to be used to tell if these troops were friendly or not?

RICE. About the only way you could tell, was to call and see if any friendly units were in the area. They'd check with the ARVN, with the American units, and any unit operating around us. If there were no military units there, then they would fire. They'd not check for civilians.

MODERATOR. I see.

MODERATOR (NOVICK). Just on this radar business, I was in the Infantry also. To tell you how accurate it was, they set up some anti-personnel radar in my base camp and sent my platoon out on a little riff around the NDP. They were picking up VC in between us, on the sides of us, in back of us and in front of us and there was nobody out there but us. So that's how accurate the stuff is.

MODERATOR. Okay. Most of you have agreed that H & I is fairly SOP—standard operating procedure. Does anybody else have any particular story they want to relate on this matter? Okay. For the benefit of the audience, it's my understanding that the entire free-fire zone concept, where areas are set aside and anybody there is assumed to be an enemy, H & I fire, firing without warning at anything moving in this area, is against not only the Geneva Conventions, but most of the rules on civilized warfare. Do any of the members of the press wish to raise a question on H & I fire to this panel? Okay. Our next topic is going to be treatment of GIs in the service in Vietnam by officers and other GIs. Ron, you were a personnel specialist. Would you like to give us something on this?

NEWTON. As a personnel specialist I had contact with records, of course. I saw enlisted men being used in jobs that were outside of their MOS. I was used in a completely unrelated job, a menial job at tech supply, when I was a personnel specialist, because they were short handed. I saw men that were not qualified to go out on guard duty or

shore patrols, sent out on patrols. Men who were not qualified with M–16's were sent out on patrols to use the weapons. I myself was issued a Claymore. I never saw one before I got to Vietnam.

I never had any AIT training, OJT (on the job training) and many other people were this way. No jungle training. We were part of an advanced party from 4th Infantry Division which I think is the worst Division in Vietnam because it's poorly trained. Besides we shouldn't be over there anyway. But I was part of the advance party. We did not know how to do anything right while we were over there. The first initial months the officers completely harass the men. We were living in pup tents, yet we had to have spit-shined boots. And shined buckles. If you didn't obey the commands, if you didn't get into the program, they'd take you out and ship you to the infantry. AIT, for those that don't know, is Advance Infantry Training. Now, you qualify with your weapons, you learn how to fight. Since I was a personnel specialist, I really didn't know what was coming off when I got over there. And they said, "Okay, you're going on a patrol tonight." "A what? Can I take my typewriter with me or something?"

MODERATOR. Ron, you said you were issued a Claymore and never had any Stateside training on the use of such a weapon. Did you receive training while you were in Vietnam on any weapons that you were required to use or carry?

NEWTON. No. I started out with an M–14 but shortly after we got to Vietnam we got M–16's.

MODERATOR. And you also did not have any training on the M–16?

NEWTON. I had training on the M–14, but I did not have training on the M–16.

MODERATOR. Mark, a lot of people in the States are under the impression that the GI gets the best medical care in the world. I believe you have something that's a little contrary to that. Could you give us that?

LENIX. Right. My Easter of '69 wasn't exactly what I'd call a treat. I was wounded. They decided that I wasn't wounded bad enough to be dusted off, so I waited a period of approximately nine hours while I was laying in a pig sty to be dusted off. When I was dusted off, I was taken to the hospital. I will say the treatment I got was fast, but efficient, it wasn't. I was taken into the operating room and worked on. They completely neglected the wounds on my arms and, of course, I had to say, "I don't think you're finished yet." So they sewed up the wounds on my arms. I was then released to get to a ward. I was put in a ward where there was no medic, no supervisor. I was told by the man laying next to me that I was hemorrhaging. Well, since there was no one in the ward that meant I had to get up and walk back to the operating room and open the door and say, "Doctor, I'm not done." Then they put me back on the table and said, "Oh, I guess you're not!" And they finished it up. Well, that wasn't the end of it. Then they sent me for two weeks recuperation. As I was recuperating, the wounds were supposed to be healing. Well, they didn't heal, but the doctor gave the orders to take the stitches out without ever looking at me. The stitches came out and the wounds opened back up, but I'd already been released from the hospital so they couldn't treat me again. So they sent me home. When I got back to my unit, I stopped at the hospital in Dong Tam, which was the 9th Med. Battalion Hospital, and they told me that I'd have to be operated on again. I told them that "No, thank you, brother." I went to the aid station and was worked on by a Spec/5 who was just a male nurse, but he gave me excellent treatment. The treatment that the army offered me and gave me was no good. I had to seek my own from people within the unit that I knew.

MODERATOR. What was the general attitude of the doctors in the hospital toward yourself and the other people who hadn't been treated properly?

LENIX. Well, I never saw a doctor. He came in one day and took a look at me and said, "All right. Your stitches will come out in three days." And that was the last of it. Three days later the stitches came out. He wasn't there to supervise it; it was a Spec/4, just an aide, who came and clipped 'em out. As they were coming out, the wounds were opening up and he asked the nurse in the ward, "These wounds are opening, should I taken 'em out?" And she said, "The doctor ordered it." The rest of them came out and the wounds opened back up.

MODERATOR. Is there anybody else on the panel who has any testimony?

FARRELL. Yes. It was April of '67 and I sprained an ankle. The only medical treatment I ever received was an Ace Bandage; if you're not familiar with it, it's a big elastic bandage that they use to tape up sore muscles. I could not walk out in the field. But for three months I was out in the field with this foot taped up like this and it was the only remedy they would give me. They wouldn't give me enough time off out on the line to let that foot heal up properly. They'd give me Ace bandages—new ones—each time I'd come out of the field because they'd be ruined by the water and the mud that we were in. And Darvon Compound. If you don't know what Darvons are, they're just little pain pills, mild pain pills, and they're very widely distributed over there. There is another instance of my mistreatment over there. I have very poor vision and I lost my glasses on a night ambush patrol. I only had one pair of glasses remaining and these were sunglasses. I was made to pull guard duty at night on a bunker with sunglasses. I have 220/20 vision in both eyes. As far as I'm concerned that's pretty blind. I couldn't see and then with really dark sunglasses (the type that the army issues you), I was pulling guard duty. For the remainder of my tour—I had to go to the doctor—I couldn't tell them that I couldn't see at night. I had to go get a doctor's note to tell them I had to get a profile that I wasn't supposed to be on guard duty. So seeing as I couldn't pull guard duty and details during the day, they had one remaining chore for me to do while I was waiting for my glasses to come in.

That was to pull KP, which I did. Like I pulled KP every day, I was on permanent KP for a month and a half, two months. Needless to say, everybody knows what KP is like. How do you feel at the end of the day of doing KP all day, day in and day out.

MODERATOR. Right. John, we were talking earlier about sick call, and such, if you'd care to go into that.

HENRY. The army is a very demeaning experience. They have a pre-set way of thinking about enlisted people, especially draftees. When I was an infantryman, there weren't many ways to get off the line and the thing you wanted to do was get off the line. But they'd save those jobs for the short-timers—building bunkers, filling sand bags, burning . . . good jobs like that. A lot of people were going on sick call because we were losing a lot of people. I went on sick call and I had to get my slip from the doctor that said I was exempt from going out in the field because I had a split-open toe. The conditions out in the paddies would have just aggravated it. So I got this slip from the doctor, but he said I had to go and see the major who was the battalion CO. He was clearing all people; he was like the second step after you went through the doctor. He looked at my toe, took off the bandage, and said it didn't look that bad. He said that they were obliged to send a certain amount of people out to the field—they had to field so many people from each company—and if I didn't go somebody else would have to go. So what they did, they had the first sergeant going out to the field; they had the mail clerk going out in the field; they had the supply clerk going out to the field; and they had the guy who fixed the radios going out to the field. They couldn't field enough people because too many people were going on sick call.

MODERATOR. Would you consider this going on sick call, in the majority of cases, to be malingering?

HENRY. Well, it's really hard to rap to people who haven't been in the army. If you've never been to Vietnam and you've never been in the situation where you go out every day, you've got a really good chance to die. It was tough when you went on sick call because they gave you a bad time. You had to sit on the porch, not smoke cigarettes, and stand around until sick call started at eight o'clock. You had to be there at 7:30. You had to go to the orderly room and get a pass, which meant you had to miss breakfast. They didn't make it easy to be sick; and it wasn't fun to be sick, either, because they always had something else. Like if you couldn't go out to the field, you could fill sand bags or something. You had to be really sick-sick to stop doing anything.

MODERATOR. Okay. Evidently it was required to have a certain amount of people in the field at all times. If people were sick, documented sick by the doctor, they had to go to a major who was in charge of putting a certain number of people out in the field. If he could not get enough people out in the field, then he could override the doctor's orders, even though the person was classified by the doctor as supposed to be staying in?

HENRY. Well, I can only speak for myself, and the doctor told me that I was borderline. He said that if I went out to the field it might be aggravated, but there weren't any stitches in it. I got a shot of Tetanus and some pills. I was wearing shower shoes and he said that I should keep it dry as much as possible and keep it out in the air. If I went out to the field, I'd have to wear my boots and I'd be wet as long as I was out there. I know of other people who got turned down by the major who had to go back out in the field even though they had crotch rot so bad that it was from genital to toe. We lost a lot of people the first couple of months I was in country. My MOS was mortars and they disbanded the mortar platoon to fill the infantry platoon.

MODERATOR. By lost, you mean a lot of men were ripped off, killed? And they had to fill back up, or what?

HENRY. Yeah, we lost fifty percent. More than fifty percent of our casualties were by booby traps and that's just being unlucky because all it takes is one guy to put his foot in the wrong place and a lot of people get hurt. There's no enemy contact, no direct enemy contact. You're not getting a body count, but they are. I don't think we ever did better than they did against us because they were ingenious, you know.

MODERATOR. Okay. Ron, did you want to say something else?

NEWTON. Yes, I had ulcers while I was over in Vietnam, probably as a direct result of being in Vietnam because I didn't like it at all. At first, I went on sick call a couple of times, complained of a bad stomach, a progressively growing worse stomach. Then they started thinking I was faking because some of the men were faking. But one night I had an attack which started bleeding—bowel movements produced blood. In the morning I couldn't get out of my bunk. The sergeant came in and said, "Get the ——— out of the bunk. Go out and work." And I said, "I can't get up." So he went and got the 1st Sergeant and they grabbed me, took me out of the bunk, and I passed out. Then they thought, well, maybe he isn't faking, so they got me on a stretcher, took me over

to the hospital, and found out I did have ulcers.

I was in the hospital that time for two weeks. They put me on a bland diet, but at the same time, in the first three days or so, I couldn't get around very much. They wanted me to make my bunk, lay on top of it, and do a few details around the hospital. I refused and that made them a little uptight. They wanted to get me out of there, since I wouldn't play ball. About a month later, I went back the second time with worse ulcers. They finally gave me a different diet in the company so that I could keep working.

But the second time I went back, they shipped me to Qui Whon where I did finally receive some treatment, some really good treatment and I was able to combat the ulcers. But every time that I tried to go on sick call, since I was one of the troublemakers in the company, they tried to refuse me. Also, I had a dental problem. Some of us lost our toothbrushes while we were over there; they didn't have any more toothbrushes to give us, because we were Advanced Advance Party.

The first month or two we were over there, we didn't have anything. We had a canteen of water, that's it. No toothbrushes whatever. My teeth got progressively worse. Finally, I wanted to go see a dentist because I started getting sores on my teeth, and they said, "No, we can't spare you." It got so bad that I could just lift my gum up, or lift my teeth and say, "Hey, look at that." They finally gave me dental treatment, but now as a result of those ——— people, I'm going to lose my teeth.

MODERATOR. It is very common for whoever is in charge, the sergeant or the officer in charge of allowing people to go to sick call, to put it off for any length of time?

NEWTON. If they can. They'll try to say faking at first. If they see signs of it, they'll put it off some more until they can spare you.

MODERATOR. John Hartner, we were talking earlier about many, many things. One of the most important things which we feel we must talk about on this panel is the treatment of both civilians and suspected (meaning civilian) VC. Would you care to go into that?

HARTNER. First, I want to tell you a little bit about the way we ran our operations. We, of course, like everybody else in Vietnam, ran our operations under the free-fire zone concept. This is where the Vietnamese clear, with military personnel, a certain area that they are going to work. I'm talking about our American troops. The result of this clearance is that anything then in this area is considered enemy. In the area that we worked in, which was the Central Highland area, there are a lot of Montagnards. The Montagnards, of course, were not consulted. The Montagnards are hated by the Vietnamese, and they couldn't care less whether they lived or died. When I was working in the Intelligence Section of the 2nd Brigade, our average reports, daily reports, consisted of individuals who were fired upon that had no weapon whatsoever. These were primarily Montagnard farmers and hunters just moving around doing their daily chores. But our troops were under orders to fire on these individuals.

I have an example that I'd like to read right now. I'd say that approximately 60 percent of all our reports consisted of this type of material. "On the 24th of July, 1970, 1 Bravo, 1st 22nd, Bravo Romeo 583818, observed two individuals ten meters to the west, wearing blue shirts, black trousers, no weapons. They employed small arms resulting in one enemy KIA; the other fled north. Artillery was employed. They swept with negative findings." This was an everyday occurrence, or more than every day—several times a day, depending on how many individuals our troops ran into. Every once in a while, we'd be assigned an Air Cav. Troop. I have another example of the same thing. This time, however, there were four NVA soldiers with this Montagnard village. "On the 24th of July, 1970, Bravo, 17th Cav. at Bravo Romeo 2902656, observed 15 to 20 individuals.

They received an unknown number of small arms, ground to air fire with negative hits. That means that a couple of the NVA took their rifles and they fired at the gunships expended, resulting in six enemy KIA. Five minutes later they observed an unknown number of individuals in a bunker and hut complex. This was a Montangard village. "They employed artillery and an air strike resulting in ten enemy KIA. Thirty minutes later they observed 15 individuals running south along the ridge line." These were individuals who were now fleeing the village. "Artillery was employed again resulting in 10 more KIA. An hour and a half later, they observed 30 to 40 enemy moving south into a wood line. Artillery and an air strike was again employed resulting in 14 more KIA. Thirty minutes after that they observed 12 individuals. Gunships one again expended resulting in 8 enemy KIA." If the count was correct, a total of 48 people died that day. There were only four weapons discovered among these people. It was a Montagnard village.

MODERATOR. For those of you who were not here yesterday, we had a chopper pilot testifying and he mentioned that the way he was told to distinguish between VC, NVA and civilians was that if he was up in the air and he saw somebody down on the ground who was running, that was a VC. If he was up in the air and he saw somebody on the ground standing still and waving at him, that was a well-trained VC. In any case, take care of them both.

You mentioned earlier a conversation which you had. Would you like to talk about that, too?

HARTNER. This is an example of an officer's attitude who flew some of these missions. He was an intelligence officer, working for the 3rd Brigade. One night he was talking to two Specialists bragging about the mission that he had been on that day, how good it had felt to kill one of the individuals. At that time I was standing around the back side of the wall of the TOC, posting maps, and the conversation went like this: The officer is talking now to the two Specialists: "I promise you that I will personally kill two dinks tomorrow. I'll bet you that I'll kill two dinks tomorrow." This time I walked around. I said, "Sir, what do you consider a dink? Any Vietnamese?" His answer: "Anything over three months old." My response: "Sir, you are really . . . sorry." The officer then spoke: "It doesn't make any difference if they have a weapon or . . . this big. I killed a woman once, and it was really funny."

MODERATOR. Most of us can testify that in many, many cases, this is the general attitude of not only the officers but ourselves. Carl, would you like to go into those first two slides you have?

RIPPBERGER. The first two slides you're going to see were the burning of a village. Our armored column moved it. It was in June or July of '67. It moved into a village. The people obviously heard us coming and fled the village in fear of what would happen if they were still there when we got there. We made a thorough search of the village. We found no weapons and nothing to suspect that these people were Viet Cong. Orders came down to burn the village anyway. It was a small farming villages of maybe 10–15 hootches.

MODERATOR. This is a picture of the village itself burning, is that correct?

RIPPBERGER. Right. This is one of the hootches burning. All the people's belongings, everything they owned were in these hootches.

MODERATOR. Carl, was there any warning given to these people before moving in, or did you just move into the village and say we're going to burn it?

RIPPBERGER. No, we were on search and destroy and we were just driving through. The helicopter spotted this small farming village and as we moved in the tanks and armored cavalry assault vehicles were very loud. They can be heard for miles and the people left before we got there. We found no weapons or anything there.

MODERATOR. Do you have any knowledge of where the people went to, both when you were coming in and after you had left their village destroyed?

RIPPBERGER. I don't know where the people would have gone, other than into the jungle waiting for us to leave.

MODERATOR. Scott and Mark, since you were both in the same unit, I believe you both have testimony related to burning of villages which you can both corroborate. Can we hear some of that, please?

LENIX. Well, in the burning of villages and of individual hootches along stream banks or in wood lines, if there was no one there, then apparently they must be VC and were afraid of you. If they were there, then the civilians were of course mistreated and their houses were burned anyway. It was standard procedure that if you swept through a village and happened to see anything that you wanted, you just took it for the simple reason that the people couldn't stop you, because if they did, then they'd die. So, it was a terrible relationship. It was the Lord and the Peasant. We weren't serving the people at all, other than ripping them off and burning them out of their homes. This isn't an isolated incident.

I myself have burned a whole lot of villages. It doesn't happen just once, it happens every day, and that's the thing that's so terrible. When you think about it, it's like having someone come to your home, set it on fire, say I'm sorry but I like your stereo, and I'm going to take it. There's nothing you can do, because if you say no, they'll shoot you down. And this goes on all the time. I think Scott can testify to this, as Scott and I served in the same unit.

MOORE. It did happen a lot. The battalion commander at this time frowned upon it. However, the platoon leaders and company commanders, when he was out of the way or was not in the area with the chopper, burned a lot of places. As Mark said, you just go into a place, walk into these hootches, take what you want and walk out. The people didn't say anything because you had a gun and they didn't.

FARRELL. I also can elaborate a little further on that. I can give you a specific date where an order like this came down. Easter of 1967 we had a mission, a search and destroy. It was to destroy every man-made object that we came to, until we reached our objective from the place where we were inserted by helicopters until we reached our objective where we would be airlifted out back to our base camp. And upon landing, we were told that all the gunners on the helicopters were going to open up fire on the woodline to suppress fire. We landed right next to the woodline and there was a young woman with a child running down a path. She wasn't in the woodline; she wasn't an enemy. She had her baby and she was running away from the soldiers. A gunner opened up. Luckily, he didn't hit her, but I saw the bullets inches away from her, just missing her.

Whether he did it on purpose, I don't know. I do know that he did open fire on this woman who was completely defenseless, was not an enemy, didn't have a weapon, just had a baby in her arms, and I say again this was on Easter Sunday. You know, it's sort of symbolic that Easter Sunday, if you're

Christian, you know, it's supposed to be the birth of Christ and we're destroying everything in the name of the United States.

MODERATOR. John Henry? In my unit we had many civilians who raided our trash dumps for wood to build houses and such. Do you want to talk about any of that?

HENRY. When I was trashmaster, 1/11 Artillery, my entire job consisted of making a run to the trash dump once a day and going to My Tho with Special Service people for lunch. We used to make our dump run about 11:30 in the morning so we'd have the rest of the afternoon to go to the pool. There are two kinds of life in Vietnam: there's the good life and then there's the infantry life. And I was an infantryman for nine months and it was a bad life. We used to make our run about lunchtime and the Vietnamese used to climb over the brim to get the boxes from the artillery canisters and the plastic wrapping before it went into the fire. Well, they had some MP's up there at the gate watching the trash trucks come in so you couldn't run dope out. They didn't do anything with the people for a long time. The people were just running amuck.

Then they issued a few MP's BB guns and put them inside the dump. They were posted every so far and they'd shoot the people with the BB guns as they came over the brim. Well, to the MP's it ended up to be a joke. You'd be shooting a fat old mama-san in the ass and she's be screaming, but you weren't really bugging the people. So they got some ARVN's and gave them BB guns to shoot their own people. BB guns—I don't know—that's kind of insulting right there. Most of the people in Vietnam are poor people who aren't making a lot of money off the war. They make a little money—they know some Americans and get some soap and some cigarettes. But the peasant—he doesn't live too well.

FARRELL. When we would come in from the field, we would have to pull bunker guard in the daytime, to get out of details. These kids would come into the dump around the berm and try to take cans and anything that they could use. They issued us M–79's with CS gas and they told us to shoot close to them. We'd shoot maybe around eight or nine rounds of M–79 CS, and chase them the way way back to the woodline. We wouldn't be aiming close to them, we'd be aiming right at them.

MOORE. We did the same thing in 239. In fact, I've participated in that myself. Shooting at kids and civilians in garbage dumps with the M–79. You remember, Mark, when that happened. I saw brutalization of civilians. We were on an S&D, search and destroy, mission one time, outside of Ra Kiem early in '68 and we were about, I'd say, 2 miles outside of Ra Kiem. All of a sudden a water buffalo charged the point, and the guy machine-gunned the water buffalo. It so happened that an ARVN squad was in front of us and they thought they were being ambushed. They hadn't seen us, so they started firing at us, and a small fire fight broke out. Well, in the middle of the fire fight (the fire fight stopped after a few minutes) a civilian was hit, I think in the chest. He was on a bicycle when he was hit, and we had about two klicks to go back to Ra Kiem, so instead of calling in a dustoff, we just threw him over the bicycle. He was still alive, and he went back that way, on the bicycle, bleeding. I don't know what happened to him. I think he died, but I don't know.

MODERATOR. Scott, I think this might fit in here. You were talking to me before about inflated Medcap counts. Could you explain exactly what a Medcap is, and explain how the inflated count would harm the civilians?

MOORE. Medcap is an idea. It's supposedly treating the Vietnamese civilians for wounds received by H&I fires or for diseases they have or things along this line. I should first explain that in the 9th Division there was a tremendous competition among the Colonels, not only in this particular area which we're talking about, but also body count and combat effectiveness which we talked about before. Pressure was put on me as a platoon leader to make sure I got a lot of people out into the field. And they didn't care how I got them out there. If I didn't get them out, all sorts of things were threatened. So I sent men out who had jungle rot and this sort of thing. Pressure was put on the battalion doctor. As a matter of fact, everything had to be approved by the major, the executive officer, and if the battalion doctor had too many people on sick call, pressure was put on him. So it's a circle. I think Mark can get into the Medcap Program. He was on more Medcaps than I was.

LENIX. Well, the Medcap Program was supposed to be part of a pacification plan that the United States was to carry out in Vietnam. And it was trying to win the people, of course, by being nice to them and treating them. I was still on the line as a combat troop, and we'd go in to give the doctor and his team of people security. When you go into a village for a Medcap, you didn't need the security because anybody who was there wasn't going to mess with you. They knew you were bringing them good things. But the thing is, the people didn't get treated. Not like they say. You'd have Medcaps where there's be 10 people and out of the 10 people you'd give away ten bars of soap and three candy bars. And then you'd go back to the battalion, and the colonel would want to know, "Well, how'd we do on the Medcap today boys? Did we get to treat a lot people?" "Sure, we treated a lot of people, sir. We treated 50 people. We treated a lot of bad feet and a lot of little babies that were sick. We gave a lot of injections." And you did nothing. You threw soap out, then everybody sat down and ate bananas and ripped off the people. Then you'd leave, and that was the pacification program. So no matter what you hear, it's not the truth.

MODERATOR. Mark, or Scott, what was the attitude of the medical personnel towards the civilians while on a Medcap?

MOORE. I guess Mark pointed out that they didn't really care. Some of them did; it depended on the individual. But the general attitude was to get as many people treated so it would look good on the Medcap chart which they had. I was with the 2/39. The other battalions were competing to see who could treat more people and I remember the S–5 officers standing up at briefings and saying, "Well, you treated 60 people," and the colonel would say, "Well, 2/60th treated 85. Let's get the count up." So he'd go back and sometimes read *Playboy* Magazine and come back and report 85. Sometimes they never got treated. Bob, you told me about an incident where a little kid was killed. Could you go into that in more detail?

MCCONNACHIE. When I was out in the field outside of Lai Khe with the infantry, we were moved north, so some of us had to go by slicks, which are helicopters, and some by trucks, or jeeps, to Quan Loi, to resupply the people who left before us. On the way up to Quan Loi, we were on Highway 13, you go through villages and you see little kids with their hands out, begging. Well, at first I saw GIs tossing the cans out to them, C-ration cans. Then all of a sudden I saw they were coming pretty fast at the children, and I saw two or three of them killed right there, stoned with C-ration cans. We were stopped by the MPs; he just warned us, so we kept on with our convoy and nothing was said about the kids.

MODERATOR. Were there any officers present?

MCCONNACHIE. Yes, there was a 1st Lieutenant present when we were going to Quan Loi.

MODERATOR. Did he say anything?

MCCONNACHIE. No, he just looked away and kept on walking towards his jeep when the MPs were talking to us.

MODERATOR. OK, and besides the MPs' warning, was there any other action taken?

MCCONNACHIE. No, there wasn't.

MODERATOR. Yes, John?

HENRY. There was a certain craziness among the people in Vietnam, when they were in Vietnam. When I was there, you'd be on back of a deuce and a half, and you'd throw smoke bombs into busses. All the people would be running. There are a lot of games you play with the people. The Army kind of fosters this gaming. Most houses have shrines, Buddhist shrines, and on patrol, you'd go in and rip off knick-knacks to send home, you know. I've got some Buddhist prayer beads at home that I saw ripped off by another guy who gave them to me, and I tried to give them back to a Buddhist, but I'm afraid you don't do things like that.

MODERATOR. Scott and Mark, I just want to ask you, since you both were officers, and I guess you were a lot closer to the general attitude of the officers during these incidents? You know you were shocked, did you do anything, and if not, why not?

MOORE. Well, I think it was a matter of the training I'd received when I went through Officer Candidate School at Benning and I was a Tactical Officer after that. And like, I was gungho and just in a weird mentality. When I think back on it, it is difficult to believe I felt like that once. But to me, at that time, there was no humaneness. These people were subhuman, and well, they were, the expression is, "good." There was just this inhumane attitude in general. So usually, at least the way I saw it nothing very much was said about it.

LENIX. To go along with what Scott said about the mistreatment of civilians and personnel, that happened *all* the time and nothing was said about it. I was also an officer, and if it was to be reported, apparently it should have been reported by myself. But my attitude at that time was that they were subhumans and it didn't make any difference what happened to them because I didn't want to be there anyway. I just wanted to get home and get it over with. And if it would make it a little easier for me, well, then, I'd make it easier on myself.

I have an incident that I'd like to relate. On the first operation that I was on, in-country, we went into a village called Five Fingers. It was a typical cordon and search which means you surround the village and then you sweep through it. And hopefully, when you're sweeping, if anybody's running from you, they're going to run into the surrounding troops on the other side and then they'd get wiped out. We received fire as we walked into the village. We took no casualties, but we did end up with a body count. No weapons were found, so apparently they were civilians.

The next day, in the morning, they rounded up the entire village, all of them, and marched them out. They were all prisoners of war, all of them. Men, women, children, made no difference. We filled two deuce and a halfs. They had to walk maybe 5000 meters to the vehicles. From the vehicles they were transported to our forward base where they were interrogated. Then they were just relocated, man, just moved away. The next day we went back into the village. We were to finish it off. There was burning and things going on and one of the things that was picked up were two Hondas that were confiscated by the troops. As these were confiscated, one was sold on the road immediately to another civilian who just happened to be passing by and the guy turned the motorcycle into Vietnamese Piasters. So he had ready cash.

The other one was taken down the road a short way, was repaired at a Honda repair shop, and then was just taken with the troops. They used it at the base. Not only were they confiscated, but the part that was

bad, was that it was reported on the battalion board as a VC platoon, a VC transportation platoon that had been captured. Then of course the Colonel brought this up when he was with his contemporaries, people of his same rank. "Yeah, well, my battalion got a transportation platoon yesterday, man. We got it on the board. Look, doesn't that look nice?" And what had happened was that we ripped off two mortorcycles.

MODERATOR. You say when these people were relocated, they were put into deuce and a halfs; they were taken for interrogation. Were they allowed to take any of their belongings with them?

LENIX. Right, and the next day, like I say, we went through the village and tore *everything* apart. You know, tore walls out of hootches, just ripped everything apart looking for weapons or whatever. But we found nothing. They just set a torch to whatever you wanted to burn.

MODERATOR. Mike, would you like to speak?

FARRELL. Yeah about the brutalizing effect that war has on people and that the Army helps to foster. Our platoon sergeant told us (I'm going to gentle down the language. I'm not going to say it the way he said it), he said, "If there's a woman in a hootch, lift up her dress, you know, and tell by her sex; if it's a male, kill him; and if it's a female, rape her." You know, like this man, this was his third war. He's rather proud of the fact that he was in his third war. Served in World War II, Korea and Vietnam. I think he had irrational conduct because we were slightly rebellious about all the work we had to do plus the ambush patrols we had to go on at night. There was a lot of complaining. This was in a forward area, the village of Bam U Thanh. We're out there in close march drill in Vietnam. This was his punishment to us because we were grumbling. In that same village where we were marching, we got fired upon. I could just go on, and on, on. A spotter pilot flies one of these little planes around for the artillery.

It's like a Piper Cub; it's a single engine plane and its top speed is about 90–100 miles an hour. They'd also call in the jets and they monitor where the jets were dropping their bombs, and they'd get body counts from them. They see pieces of arms, bodies, flying in the air and then they'd get a body count off of that. Here's a man flying around, 100 feet, 200 feet, 300 feet in the air, and he's counting bodies that are reported back to the news. Really it's a joke. I myself really never had anything accurate as a body count from our company sweeping through an area and really killing somebody.

MODERATOR. By the way, Mike, earlier we were talking to John Henry about the dumps. I believe that you mentioned to me that you had seen a child on the dumps who was permanently lamed. Could you go into that a bit?

FARRELL. We threw CS gas at them in the dumps. At our battalion base camp the supply sergeant said that if any of them gooks come over by the garbage dump, to fire over their heads. So like I just didn't do it. The fellow I was with was firing over their heads; he fired over a couple of children's heads. Another time, I was on sick call, and there was a young child, a Vietnamese child in there. I'd say school age, about 6, 7. He had a mutilated limb. I really don't remember whether it was his arm or his leg, but he was hit by a bullet from an M–16. I asked the Medic that used to be attached to our Company what happened to that child. He said he was down at the dump and he was hit; the sergeant shot at him. Chasing him away and he hit him. I asked him, "Did anything come of it?", and he said "No."

MODERATOR. Bill Rice.

RICE. The psychology used, especially in the 9th Division, was that they take C-ration cans and make booby traps out of them. They tried to psych people's minds out that these people are always out to get you.

MODERATODR. We're going to end this segment right here. Does the press have any questions on treatment of civilians? Scott, did you want to say something?

LENIX. No, I did. In November, '68, in an area called the Wagon Wheel just northwest of Saigon, while on a routine Search and Destroy mission, gunships which were providing security and cover for us in case we had any contact, were circling overhead. Well, no contact was made, and the gunhsips got bored. So they made a gun run on a hootch with miniguns and rockets. When they left the area, we found one dead baby, which was a young child, very young, in its mother's arms, and we found a baby girl about three years old, also dead.

Because these people were bored; they were just sick of flying around doing nothing. When it was reported to the battalion, the only reprimand was to put the two bodies on the body count board and just add them up with the rest of the dead people. There was no reprimand; there was nothing. We tried to call the gunship off, but there was nothing you could do. He just made his run, dropped his ordnance, and left. And there they were, man. The mother was, of course, hysterical. How would you like it if someone came in and shot your baby? And there was nothing we could do, man, we just watched it. And nothing happened. I have no idea what happenned to the helicopter pilot, or to anyone in the gunship. It was gone. Things like this happen. I'm sure, more than once, because if I saw it, I'm sure a lot of veterans who aren't here saw it.

And this is why we have to stop the war. Because not only are we killing our brothers in the Armed Forces, and brothers on the other side, but we're killing innocent people, man, innocent civilians, who are just standing by and happen to be at the place at that time and for no other reason than that, wind up dead.

MODERATOR. This is much, this is exactly the sort of thing that John was talking of at first. John was at the other end of the whole thing. He was the person who got the reports on how many people were killed, how many weapons were found, who as a VC, who apparently were civilians, and how they were all lumped together. John, do you have something to say?

HENRY. In my unit there was a bounty posted for a body count because we went dry for a long time. We were pulling blocking forces and things and we were offered a fifth of liquor for the first man who got the first body. If you're E–6 or under, you can't buy alcohol, in Vietnam. It doesn't matter if you are 53 years old, you can't do it, not in a PX. If you're a 19 year old lieutenant, you can. The incentive, the programs that they build to talk you into killing people. . . . My friend Frank here was in a unit that exemplifies this. We had a Brigade Commander called Colonel ——— ———, who issued Recondo pins. These were glory badges, and if you hadn't tasted your first blood, you couldn't pin one on. He stood up there on a little hill, and let us all take the pledge. All of us pinned on one of our Recondo pins, if we promised, you know . . . had to promise. Frank's unit was even more ridiculous, I think, more absurd, not ridiculous. It does certain things to your head, and I think it would be a really opportune time for him to expose that.

MODERATOR. One moment, please, does any member of the press have questions?

PRESS QUESTION. Does any member of the panel remember a General ———?

UNKNOWN PANELIST. Commander of the 9th Division?

PRESS QUESTION. Right . . . do you remember appetizing tales about him?

UNKNOWN PANELIST. Right, I was in three parades that he had.

MODERATOR. Hold on a second, please. It's against the policy of the Winter Soldier to name any names of any officers or NCOs because we are trying to avoid scapegoating. That is one of the main premises, so once this man has been named let's just hold back on any tales about him specifically. If it had been mentioned, "just a general" that would have been one thing, but we are not going to do anything by scapegoating; we don't want these people, to just jump on them; we want the government policy changed; we don't want them scapegoating more Calleys.

QUESTION FROM THE AUDIENCE. My question was for Mike. General ——— is well known for having gone above and beyond the call of duty with regards to obtaining high body-counts and things like that. According to another witness who's not here he called his Command ship the Gook mobile. My intent was not to scapegoat General ———, but to see if there was anything further informational about this rather outstanding officer.

MODERATOR. Okay, we're going to be getting into inflated body counts; the entire question of how do you up the morale of the men in the fleld, how do you get them to kill. Frank, we were talking at considerable length earlier about a special award which was issued—would you care to tell the rest of the people about that?

SHEPARD. Well, as you were mentioning, there are many ways to build up your body count. In our particular unit, as John mentioned, he had the Recondo badge. We had this badge known as the Sat Cong badge. This badge, translated into English, means "Kill Cong". This represents one Viet Cong—or civilian, whatever it may be, because there's really no way of telling. It represents one life. These badges were given when someone could prove that he had killed a Viet Cong, or Vietnamese. There are many ways of doing this. One is to have somebody verify that you did in fact see him kill a Vietnamese. Another way is—and this a common way—to cut off the ear of the dead Vietnamese and bring it in. You could exchange it for one of these badges. The badges were created on a battalion level; I have the order here that created this badge, and the sick individual that signed it.

MODERATOR. I tell you Frank, on the "sick individual" let's just say a Captain in the infantry'.

SHEPARD. All right. This is a disposition form. It's an official Army form dated 28 June '69. It reads as follows: Any member of this battalion who personally kills a Viet Cong will be presented a Sat Cong badge—Kill Viet Cong—for his gallant accomplishment. The Sat Cong badge will only be given to those individuals who have accomplished the above-mentioned feat. There will be no honorary presentations. Furthermore, only personnel who have personally killed a Viet Cong may wear the Sat Cong badge. Company Commanders will draw Sat Cong badges from the Executive Officer, and will maintain all control." And also, explaining more about the badge, this is what is known as a Chieu Hoi leaflet. On one side, it's in Vietnamese; on the other side it's translated into English. This is used for two purposes: It's to build up the morale of the soldier, make him want to kill, and it's also to scare the hell out of the Viet Cong. It's entitled, *Viet Cong, N.V.A. Beware.* It says: "You are now located in the Area of Operations of the Cong-Killer 5th Battalion, 60th Infantry.

Each member of this elite American unit is a trained killer, dedicated to the annihilation of every VC NVA. The proof of this dedication is the Cong bade he proudly wears proclaiming he has personally killed a VC–NVA. "We don't rest; we will hunt you with our helicopters, track you down with our radar, search above and below the water with boats, bombard you with artillery and air strikes. There are no havens here. You are not safe nor are you welcome here. Rally

to the government of Vietnam now, or face the fact that you will soon join your ancestors. Signed, Cong-killer 5th Battalion, 60th Infantry."

MODERATOR. That's sort of interesting, the "you are not safe nor are you welcome here"—this was in Vietnam, was it not?

SHEPARD. Yes, it's their country.

MODERATOR. Okay Frank, in talking about this, how do we know that these people were VC–NVA, rather than normal peasants?

SHEPARD. There's no possible way, really, to tell. As for myself, I never witnessed anyone cutting off an ear, for example, and bringing it in; I don't know that these were Viet-Cong. It just seems that if you have something like this you're going to get instances where people take civilians to get one of these badges. This was considered quite an honor, in fact, to have one of these badges. It was, it now seems rather sick, but over there it was the accepted thing that you were a real man if you had one. Some of them put oak-leaf clusters on the bottom if they killed more than one. Like I say, it's sick.

MODERATOR. Frank, the bottom line reads, "rally to the government of Vietnam now." Was this used as a Chieu Hoi pass, and if it was, or if it wasn't, were other Chieu Hoi passes accepted by your unit?

SHEPARD. No, there were the standard Chieu Hoi passes that are issued to all units; this was not considered a Chieu Hoi leaflet; this was more or less a threat. Now, if you were a civilian, imagine reading this in your village. This was dropped over populated areas. You can imagine reading this in your area. You'd be in fear for your life; afraid someone would take your ear and get one of these badges. If you collected so many badges, if you killed so many, you would get an R & R, or a pass. Get to go to Saigon, something like that. It was just part of the way to build up the body count.

MODERATOR. Okay, Frank, what was the purpose of these Sat Cong badges? For what were they designed—to up the morale, to up the body count, or what?

SHEPARD. Yes, up the body count, up the morale, make the men want to kill. As it said in the leaflet, it was, you know, "trained killers". The unit is full of trained killers.

MODERATOR. Another interesting thing that was brought out, these badges were made up at the local Vietnamese laundry.

SHEPARD. Cost the taxpayers 11¢ a piece.

MODERATOR. 11¢ a piece!

SHEPARD. All it is really, if you can't see it that well, it's just a cloth; it's regular O.D., really and it had the letters "Sat Cong" labeled on it, in hand, you know, or in a sewing machine. It's covered with plastic, and the ring at the top is to hang it over your button. They wear these to the field. Covered with plastic so the rain and the mud won't get at it. And people can see that you're a killer.

MODERATOR. Okay, do you have any evidence for the press that this actually did take place, other than your saying so?

SHEPARD. Yes, I do. I have two letters from the Defense Department admitting that the Sat Cong badge was initiated in my unit. They say the practice was discontinued after this letter was written. As I say, they do admit that it did happen. There's no question in their mind that it did happen. They pretend that they don't know the purpose for it, but as I say, I have the orders that were issued. I know the purpose for it, and everybody that was there knows the purpose for it. They say they can't do anything about this; they couldn't prosecute the individuals, as they indicated they would if they could, because the commanding officer and the brigade commander were killed in a helicopter crash. Well, that's kind of funny. In the Calley case they say that they can't prosecute the higher officers because it's an individual thing, and there they turn it around. It's another inconsistency.

MODERATOR. If they wish to take action, then somebody has signed their name to this, and there is a live personnel.

SHEPARD. Yes, I believe he's responsible for it. I think he was, he was taught in the Army that the reward system is a good system, and you should be given something to spur your men on to kill, and want to kill. I think this is just came out of his own mind; I think it's sort of an isolated instance. But it is, of course, part of our general policy.

MODERATOR. Thank you very much. Scott, you and I talked about upping the body count before. Could you tell us some of the ways in which this is done, and some of the reasons for it?

MOORE. As I explained before, with our Battalion, and the 9th Division in general, there was this tremendous competition between the Colonels. Vietnam is not a land war; as you gained land in other wars, your efficiency report would go up; in this war, it's based on body count. The more people you kill, the better efficiency report, officer's efficiency report, you get. So what happened here is a case of the colonels going into competition, and making up more bodies than they really had. And this was, of course, passed on down to the company commanders, platoon leaders, and the squad leaders. So, ———, we were reporting stuff, water buffalo in some cases, and shadows.

I remember one time I called artillery into a woodline, where I received sniper fire, and didn't check the woodline, and called in a three body count; this went on all the time. Other fire-fights, the count would be 80, 90, and personally I only saw two, three bodies. So it's a totally inflated system. What's happened, is, the American public's been lied to. The Army's stated that we've got a kill ratio of one to thirteen, and yes, it's one to thirteen, because of this inflation. But it's a lot of bull.

LENIX. Going along with what Scott said, I was involved in an action on January 6th, where Alpha Company, 2nd/39th was ambushed. The ambush was effective; Alpha Company lost a lot of people. It turned out to be more than my company Bravo Company, which went to help them. Quite a few battalions were trying to get everyone out. Well, in the process, there were air strikes, artillery all night. We had spooky overhead kicking out flares with miniguns. The area was saturated. I imagine the expenditure in dollars would run into a hundred thousand, two hundred thousand dollars worth of ordinance was expended. And we had lost twelve lives. Well, in order to justify this, they had to do something, so the next day we swept the area. I personally swept a large area with my company, and saw *no* bodies, none whatsoever.

But the next day, or when the next issue of the paper came out, there was a body count of a hundred and one, and it was telling what a great victory it was for 2/39 to have been able to produce these bodies. There were none—no bodies at all. So there's where your thirteen to one comes from. I saw twelve of ours, but I didn't see thirteen of theirs—I didn't see *any* of theirs. So I really don't think we're gaining anything in the war, except losing people. Because we found nothing. There was no evidence that a conflict had even taken place; there was no evidence of a fire fight. Nothing.

But we got a hundred and one bodies. And a hundred and one bodies from just mud and dirt is really I think a fantastic story to tell. But it doesn't happen just once, because as Scott has said, it's happened many times. And I'm sure everyone down the line could tell you two, three, five, ten occasions when they were with a unit, got absolutely nothing, and the body count was six, three, two. You'd be on an LZ and they'd say, "What's your body count today?" You'd say, "Nothing." And they'd say, "Well, we need bodies."

So everyone would face the outside, shoot a magazine, and then you'd just call in and say, "Well, we got six." And you'd never move from where you were; you'd just shoot your weapon and call them in and say, "Well, we got six," and then you'd fly out. And this is what the higher-echelon people wanted to hear. They didn't care what you were doing, or how you were getting it; they wanted bodies, and that's where civilians came in also.

MODERATOR. Mark or Scott? John has testified that there were rewards offered in his unit for bodies. Was this practiced in your unit either on the company or a higher level?

MOORE. No, it was mostly a pat on the back, this sort of thing. As I remember, the sniper units in our unit, for so many killed, I've forgotten the exact number, they received an award or decoration like a Bronze Star or a Silver Star, depending on how high the kill was. And a lot of snipers would go out at night and shoot a few rounds, or usually not shoot a few rounds because of security problems, but they'd come back and say they shot two or three people, and then of course that would add up.

MODERATOR. Okay, back to John Hartner again. John was in Operations at Headquarters for the 4th Division. He's brought back quite a bit of information, very interesting information, I might add. One thing which I think would be very worthwhile for all of us to hear, it's a bit lengthy, but I'll run through it fast, is the total take, I guess you'd call it, for the Fourth Division's entire Cambodian operation. These are the official figures which were turned in to the 4th Division. Later on, if you want, you can check them against whatever the newspapers said. For the total entire 4th Division:

Killed in action	61
Detainees	5
Starlight scope	1
Ak–47s	25
Rifles (SKS, Carbines, etc.)	9
Pistols	5
Grenades	236
Piasters (money)	39,840
Crossbows	10
75mm recoilless rifle (chicom)	1
120mm rounds	3
M–79 LAWS	2
SAs (small arms)	4,153
60mm rounds	27
82mm mortar rounds	46
B–40 rounds (B–40's the rocket used much the same as the bazooka in the U.S. Army)	6
Pounds of TNT	45
Pounds of medical supplies	770
Pounds of corn	300
Pounds of rice	21,288
Pounds of salt	361
Pounds of potatoes	920
Sewing machine	1

This was for the entire Cambodia excursion for the 4th Division. This is the thing which is saving our boys in Vietnam by going after them in a neighboring country. Against the Geneva Convention.

MODERATOR. Is there anyone else on the panel who has anything on this?

UNIDENTIFIED PANELIST. We never really had that much incentive for body counts. But this is slightly related. You know, everybody likes souvenirs. That's sort of like an American pastime. I went to visit a friend. There was a Conex—it's a metal box that they ship goods over to Vietnam in, and they're big enough for a man to walk in. On top of it was a set of ears drying in the sun. This was right behind the battalion TOC, which is Tactical Operations Center. They could not help but see a set of ears on Conex, you know, drying in the sun. I thought at first that it was revolting, but after a while I thought, you know, hey man, maybe I want a souvenir. One of these days when I come across a body I'll get myself a finger or an

ear. When I went over there, it was a revolting idea. But then, you know, once you did kill a body, you could bring back the souvenir that you did kill it.

MODERATOR. Are there any questions from the press?

PRESS QUESTION. In reference to the incidents of the higher-ups coming over and asking for the body counts, your having none, and turning around and shooting into the air and then reporting—do you have any opinion as to why you were asked to go to the trouble of expending that ammunition? In other words, why did not the higher-ups simply choose a number out of the blue sky? Why were you asked to participate?

LENIX. It's very simple. You key the mike on your radio, and say, "In contact." In the background you have, of course, small arms fire. Then about ten minutes later you call in and say, "We got six." So, he knows you're playing the game; and you know you're playing the game; but, it's the game. And therefore he's convinced they must have got them; he heard the small arms fire. He's convinced and apparently that frees his spirit.

PRESS QUESTION. Is there a dynamic going on in which the officer, the higher-up, tries to implicate the rank and file men such that both of them are in the game?

LENIX. Right.

MODERATOR. Are there any other questions from the press?

PRESS QUESTION: How big is the 4th Division?

HARTNER. Well, I couldn't tell you right now in numbers; at that time it consisted of two brigades. If you look on that sheet of paper, I believe we had six battalions or seven battalions. Of course, the size would fluctuate constantly, too, within each of your battalions. There were six battalions: in each of your battalions you had your supporting companies, such as artillery, maintenance crews, headquarters companies, etc. and then you had usually four infantry companies ranging between a hundred and fifty and a hundred men each.

MODERATOR. Are there any other questions?

QUESTION FROM THE AUDIENCE: I have a question to the guy in the light shirt on the badges. What did the Viet Cong do when they caught a man who had a Sat Cong badge?

SHEPARD. That's a good question. I'm afraid you'd have to ask them. But I would imagine it would anger them somewhat. They could see that he had this thing that represented the life of one of their comrades. If he were wearing a badge saying that he had killed an American, I imagine it would upset you. I don't know if he would be treated too kindly, but I don't recall that situation.

MODERATOR. Perhaps we'd better also ask, how you came by the badge?

SHEPARD. Well, I have sticky fingers by nature, so I confiscated this one from battalion headquarters. This is an unauthorized badge, by the way, so, no commander has the authority to create this, so, I'll pay the government back their 11¢ any time they're ready.

MODERATOR. Okay, the question from the floor was, how does a GI who has been trained through his life to believe that the Vietnamese are people, and that we're defending their freedom, and all this other ——— that the government puts out, how do you take him and turn him into a killer, and how does he justify that? Well I can answer for myself. First of all, you're never really taught that the Vietnamese are human beings, not in the Army and not out. It's the whole racist policy of the government. You're not taught that blacks are human beings; you're not taught that Indians are human beings; you're not taught that Vietnamese are human beings. You're not taught that anybody except a white American is a human being. And this is basically what happens. So when you get into the Army, all they have to really do is teach you how to use a gun.

MODERATOR/DONNER. It could probably be answered very simply. The quickest answer which I think would be most truthful, is how many Japs did John Wayne kill last night?

MODERATOR. I think there was one more question.

Question from the Audience: Is there any way of determining what percentage of the body count actually represents bodies?

LYTLE. They used to report body counts, after H & I's or after a battle, or something like that. If it looked like in the Starlight Scope that there was maybe ten people moving, we'd fire out there. Then if there wasn't any movement, we'd say, "Okay, we got ten," or something like that. And this would just add up, each night, from each battalion and you'd end up getting like 40 or 50 body counts per day, without sometimes ever seeing any bodies.

MODERATOR/NOVICK. I'd like to answer that also. In my unit, I was with the 1/26th Infantry, First Infantry Division, in the entire year I was there, my platoon actually killed maybe five VC. We turned in a body count of close to a hundred from my platoon alone. And I know the other platoons were doing the same thing. So that's how accurate it is.

MOORE. I think in my time on the line in Vietnam I saw in a combat situation maybe 35 dead enemy and that's it. And before I left the battalion, the body count over a seven month period, was a thousand, two hundred.

Question from the Audience. Do any members of the panel have any information on lowering of American body count? In other words, covering up how many are truly dead. I know this question was got into quite a bit this morning with the Airborne units.

LYTLE. I know of one instance. We haven't been able to prove anything about this, but there was one battle we fought for about a day. I was told that we lost a company of men. It was never reported back here in the States. There was never any report of it. It kind of seems strange to me.

Question from the Audience. You wouldn't have any idea about the total number of Americans killed there? The figure is approximately around 50,000.

LYTLE. I don't know. I really don't, I can't tell you.

HENRY. When I was in Vietnam there were 11 support people for every infantryman over there and the casualty rate was running, I'd say from my own experience, like five to one—five infantry people for every one support person. When you get blanket statistics on your local news in black letters and you see 800 Americans dead you're thinking in terms of 500,000 GIs and that's not the way it is. You have got to divide that number by 11 and subtract a few. I remember when we were supposed to be de-escalating, one of the many times, and my mother wrote to me how good it was becoming. Well they don't report by division or by brigade. You can't check. Now I'm sure the Army wouldn't falsify people, KIA's, but they might spread it over a month or something. Like it doesn't really matter to you whether your son dies last Thursday or the week before. The only point is that you're going to get your letters back that you wrote him, they'll make sure of that, and you'll get a flag and an honor guard and more than likely a Silver Star or a Bronze Star. It all depends what his rank was. It's prety cold-blooded, the whole thing. You just got to accept that. I imagine they're telling you how many people are really dead, but I'm sure they're not telling you, like, in a meaningful way—who is dying. When I was in the 9th Division we got some people from I Corps because they were not having much contact and they put them down in the Delta in the 9th Division. You don't hear about that either.

MODERATOR. I think that what we're trying to say is, that the total number which is reported may be correct. I would have my doubts on that. It's too easy to mail out 400 letters saying your son died and report 200 in the press. Carl, you have a number of slides. Would you care to go through them, numbers 3 through 7, and talk about them?

RIPPBERGER. This first slide here shows a Prisoner of War. He was being interrogated. The way they tried to get him to talk is by making him stand in front of a pile of Viet Cong bodies that we had picked up and stare at them. (Next slide.) The same POW was forced to sit probably from 6 to 8 hours by this pile of bodies in the hot sun.

MODERATOR. Carl, how long had those bodies been there? One day or what?

RIPPBERGER. They were killed at approximately three in the morning and they were not taken away until three or four in the afternoon. This is a shot of five or six GIs going through the bodies looking for souvenirs. In this picture there is a Lieutenant and a Captain overlooking what's going on. (Next slide) This was earlier in the day. This fellow here, he could not speak Vietnamese and periodically he walked up to the prisoners and hit them. A few times he kicked them. This went on quite a while till they moved these young kids here into the pile of bodies. This is a shot of our interrogater. The M–16 has an open flash suppressor at the end and three prongs which are about a half inch long. He took them and forced them into this prisoner's nose and he twisted them. It's extremely painful.

MODERATOR. I believe that's the last slide. Earlier you said something about these people being forced to sit by the bodies. Is that what you meant?

RIPPENBERGER. Right, we took our POWs and forced them to sit and look at the bodies. This went on for hours.

MODERATOR. Officers were present at all times, right?

RIPPBERGER. Yes, field grade officers were present all day long, they were flying in and out. This was a major firefight. This happened on June 19th, 1967.

MODERATOR. For the benefit of people who don't know the military, field grade is major and above. What was their attitude?

RIPPBERGER. Nobody seemed to care. They were extremely happy that we had a body count. That's how they got their medals. I might add that some of the officers after this firefight received medals for flying over in a helicopter. Bronze Stars and Silver Stars and medals of this type. During the firefight they were nowhere near the area. They received medals anyway

MODERATOR. Was this one isolated incident or did this happen numerous times?

RIPPBERGER. No, this happened often. Any time we saw any action things like this went on.

MODERATOR. Mark, I believe you have something to say about mistreatment of prisoners.

LENIS. Right. Well, as has been mentioned before, making the prisoners extremely uncomfortable was just sort of the accepted rule. We were on an operation in the early part of '69 where we encountered three VC. One was KIA. He was killed in the contact and another was wounded. His wound was too serious to be treated by the medic, but not so serious he'd have died if we could have got him dusted off. He was laying there and the medic said "I can't do anything for him, we're going to need a dustoff." Well, apparently the commanding officer decided that a dustoff wasn't necessary and had one of the Chieu Hoi's or one of our Tiger Scouts, who were Vietnamese, interrogate the man. He was laying on the ground on his back and apparently was in shock. The Tiger Scout muttered a few words in Vietnamese and then shot him through the joint of the elbow. It was a grotesque scene. His arm just sort of flopped around on the ground

and he had to be in shock because there was no expression of pain. He had no expression on his face, at all. He shot him a few more times and then eventually he just put the muzzle of his weapon to his head and blew him away. I don't believe that the Geneva Convention regards this as fair treatment of prisoners.

RICE. We had very little contact with prisoners, actually our company never ran into too many of them. On occasions we took detainees. Whether they were Viet Cong or not was not determined at the time. Officers would take them and with the Tiger Scout perform interrogations, field interrogations. Sometimes including beatings. Other times the favorite trick—especially in the Delta where you have a lot of water, you just take him down to the water and dunk him a few times until he starts talking. Just hold him down longer each time, until he talks. That was the main way to get information from people. Now these were not confirmed VC. These could have been civilians, because a lot of them were shipped out on a helicopter later on to detainee centers.

MODERATOR. We were talking earlier about a VC who had been wounded. Do you want to try and relate the story as best you can

RICE. Right. Our company was sweeping northeast of the city of Jon Trong in Jon Trong District in Cam Hoa province. When we came across this paddy, our point element broke into this paddy which was being worked by the farmers. There were old men and women with water buffalo and children working in the field. They commenced to yelling "La De" which means "Come here" in Vietnamese and the people started running when they saw the Americans. At this time someone noticed a young man, of approximately military age, taking off down a paddy dike. The point element opened up on him and finally brought him down. He received a gun shot wound in the head.

MODERATOR. May I ask, was he carrying a weapon?

RICE. No, he was not. The only thing he had was a transistor radio. We came up to him and found the transistor. I do not know whether he had an ID card or not. Our medic went up to him and started treating him. At this time we were ordered on up the road. I got about ten feet up the road and another member of my platoon said one of the sergeants had slit his throat.

MODERATOR. Okay, this again is almost hearsay evidence, but the medic did leave the body? Did it just stay there, or what?

RICE. No, the medic left the body. We left the body laying on the dike, and went on.

MODERATOR. So in other words, the person was abandoned, even if his throat was not slit.

RICE. This is true.

MODERATOR. Okay, what happened? This is sort of interesting. I remember on the Cambodian invasion one sewing machine was captured. Did the transistor radio get recorded as captured?

RICE. The transistor radio wound up in our hootch where we used to listen to it.

MODERATOR. Ron, you were speaking to me yesterday about a POW compound. Could you elaborate on that?

NEWTON. Just vaguely. I saw it only once. We usually don't keep any prisoners in a support outfit. They set one up for awhile and transported them in. I was there very early in 1966, but I only saw one incident where prisoners would try to put their fingers through the wire. Something anybody would do. They would put their fingers through the wire and guys would take the butts of their rifles and smash them. Just like you see in the movies, just like John Wayne again. That's probably the only incident I could recall. I saw one beating at the same time. I don't know any details about it. I just saw the physical aspects of this beating.

MODERATOR. This POW compound, was it just a wired-in area without any shelter at all?

NEWTON. Yes. I think it was temporary. I don't think they were supposed to be kept there. I don't know how long it existed. I only saw it once.

MODERATOR. Bill Rice, could I ask you one more question about that incident of the farmer, or VC, one of the two, whichever it was. Was there an officer present with your group?

RICE. Yes, it was a company operation. We had Lieutenants and a Captain.

MODERATOR. Thank you. John Henry, you and I talked a bit about the interrogation of prisoners. Do you want to go in to that, please?

HENRY. When he was talking about holding people down under water until they talked, I've seen that. I've seen LRRPs interrogate prisoners, knock out teeth, and then hold them under water. But pretty soon a chopper comes in and takes them to wherever the final disposition of them is made. But the point is, you don't know if these people are VC or just civilians. You're so indoctrinated that women and children are a lot of times more dangerous than old men and old women, which is why I think so many women and children get killed, just because of the poop that's handed down when you first get to country.

MODERATOR. Mike Farrell, we also talked about this a little bit. You mentioned one instance of a Sergeant working with a POW. Would you like to talk about it?

FARRELL. I didn't see this. This is again "alleged". Here's another instance. We were out in the field and we came across a woman in a hootch. She was by herself. It was an older woman and she didn't want to leave her house. They wanted to take her with us to detain her. She was treated in a very humiliating way. She was dragged by a GI and her blouse was ripped open. She wasn't wearing anything underneath and one person went up there and made an attempt to cover her up. But then, as they were crossing a bridge, the woman jumped. It was right on the edge of a mangrove swamp. There was a stream there; they were crossing the bridge and the woman jumped into the water. She was never seen again. Nobody in our unit ever saw her again, so she could have drowned, she could have swam under water, she could have gone anywhere.

MODERATOR. Barry, we were talking earlier about an operation your unit went on where quite a few prisoners were mistreated.

HOPKINS. Yes, I think it was in April. I don't remember the province. It was pretty close to our fire base—Fire Base Moore. They reported that they had seen six VC. They eagle-flighted men in there and we started coming in on these hootches. It was wide open and there were a lot of hootches. We started going to each one and there were about five or six VC in each one. They were all real young, like about 18, 19 years old. We got 32 prisoners. They reported that there were that many and just a few more that were killed by the helicopters and our own men. I think they divided them up so we could have those evenly. There was more VC there than what they thought. The Major came in and he and I witnessed one of my friends chasing one of these kids. He stabbed him and the kid just didn't want to die. So he took him in the moat and drowned him and it took a long time to drown him. He just didn't want to die. I couldn't dig going out, walking all that ways, and bringing in all these prisoners like these other guys. I just stuck around where the Major was and was helping tag all the prisoners that they brought up. We used wire and string, wrote a number on it, and tied it around their necks to tag them. We had six women that we brought in. Some of my friends were really messing around with these women. When they jumped off the helicopter when we brought them into camp, there were newsmen there. They were filming this.

MODERATOR. On the operation bringing them back there was quite a bit of mistreatment, but unfortunately, your friend, when they did get back, mistreated a prisoner in front of newsmen's cameras, right?

HOPKINS. Yes, to me, this was sort of just like My Lai. He was caught, and for that he was prosecuted. There was a lot of mistreatment. We stood there and watched these leeches on these peoples' backs. They would suck out enough blood (they would be about five inches long) and these young guys would just fall over and nothing was done.

MODERATOR. No medical attention was given to them?

HOPKINS. None at all, and the Major was standing right there. He observed us tying these tags around their necks and lot of the mishandling of the women and the young men.

MODERATOR. Are there any questions on treatment of POWs?

Question from the Audience: Yes, I'd like to know, you said that when this guy was caught, he was shipped out or something like this. At any other time was there any reprimand for mistreatment of prisoners? Who was the one by and what type would it be?

HOPKINS. No, this man was the only one that I could recall, and I don't think that it ever got out of our battalion. The Colonel and the Major worked it out, his papers were drawn up, and he was just sent to another company. He was still in the 9th Division, but other than that nothing else was done to him. They just wanted to get him out.

UNIDENTIFIED PANELIST. It's kind of a rampant de-personalization of humanity, you know.

QUESTION FROM THE AUDIENCE. What exactly is a dustoff? What would they do with the bodies of the dead VC? What kind of burial do they give them?

MODERATOR. A dustoff is a MEDIVAC. It's a chopper which comes in (a helicopter) to rescue, (not exactly rescue) to pick up wounded personnel and to take them back to back areas for treatment. What do they do with the dead bodies of VC? Okay, what does the trashman have to say?

HENRY/TRASHMAN. They just leave them there and they rot. Then the people come and bury them. The same people who rebuild all the bunkers that we blow up.

MODERATOR. I think this is a perfect lead-in to our next session. Basically, what has Vietnam done to ourselves. Carl, you have another picture and I think it is very applicable.

RIPPBERGER. The next slide is a slide of myself. I'm extremely shameful of it. I'm going to show it to you so you can see this sadistic state of mind that my government put me into. I'm showing it in hope that none of you people that have never been involved ever let this happen to you. Don't ever let your government do this to you. Okay—that's me. I'm holding a dead body—smiling. It's on the back of my armored cavalry assault vehicle. It's there because everyone in our platoon took two bodies and put them on the back ramp, drove them through a village for show, and dumped them off at the edge of the village.

MODERATOR. Does anybody else have anything particularly they want to add to this?

FARRELL. Yes, the brutalizing effect it has on yourself. We were out on eagle flights. This is just where a small unit of men go out on helicopters. They are set down, they sweep a couple of thousand meters, and they are picked up from their objective to go to another area. You just go out for a day; the object of it is to try and catch the Viet Cong by a series of quick movements like jumping—leap frogging. We'd been in contact all day, no matter where we went. We didn't

produce very good results. Choppers finally came in to pick us up to take us back. I was sitting on the helicopter. I was the machine-gunner at the time. I was sitting in the door of the helicopter and then all of a sudden I felt the crew chief kick me out of the helicopter. You know—unload, unload. I looked over and see one helicopter with its blade starting to slow down, so I figured that it had been shot down. As soon as I got off the helicopter, I got out from underneath the blades and I noticed there was a farmer in the distance, about four or five hundred meters, riding his water buffaloe back from the field. I jumped off the helicopter and opened up at him with my machine gun. He was just a civilian farmer and I shot at him. But thank God I missed him. It was just the severe frustration of being shot at all day.

MODERATOR. Part of the reason for the attitude of Americans is sort of a racial thing. We are seeing it right now. We don't understand Vietnam. We think they're less than we are. We don't understand their personnel; we don't understand their customs; we don't understand their entire culture. Ron, would you like to talk about it?

NEWTON. I arrived in Vietnam in '66 in the summer months just before the monsoons. The first night we were there we were going on convoy because we were trying to get the 4th Division through to Dragon Mountain Base Camp near Pleiku. This has already been mentioned, but I'd like to add to it. I saw C-rations being thrown. I threw C-rations. I'm not proud of it. I saw people pointing weapons at people just trying to scare them a little bit. I saw people locking up and loading. Finally we put up base camp, talking about the women we were going to mess with and the people we were going to kill. Support is really boring. You don't get to kill anybody out there; you just get to support, whatever. Now this is '66, mind you. I was in a tearoom, a bar, in Pleiku one afternoon.

I saw an officer complaining about a watered drink. He picked up the Vietnamese girl that he thought had watered the drink, grabbed her by the neck, and lifted her up. He was about 6 foot or more. Lifted her up, raised back, and slapped her hard. And you know what? They carried her out of that room. I don't know what happened to her. But everybody sat back down and started drinking. You know, nothing was thought about it. This happened all the time, abuse of the people. It was like we were uncaged animals. We were bored . . . bored and we wanted to do something, you know. It's like the guy coming to the big city and he wants to do something. We were able to create inflation in Pleiku. As an analogy, it would be like you trying to purchase a regular $100 apartment for $300. Now that's beyond my means. I think it's beyond a lot of peoples means. These people could not purchase apartments. They couldn't buy food anymore because we were paying whatever the people wanted. The prices just kept going, going, going. Finally the General put Pleiku off limits because of the inflation, because we were driving the women to prostitution so they could feed their kids. We were driving all the people to corrupt activities just to keep alive. We were driving these people. And this is racism. We were the supreme race. These people were nothing.

MODERATOR. One question which has often been asked, "If this is the way we feel about the war, then why are we here now rather than before we went?"

NEWTON. I was a hawk.

MODERATOR. John, you and I have talked about this to some considerable depth. You have just been over recently (in Vietnam). You mentioned being in some of the Moratorium-Mobilization things. Would you care to read that letter for us?

HARTNER. I'm different from some of the people on this panel, in that I was very against the war before I went to Vietnam. I marched in the two Moratoriums of '69. The night before I left my home, I wrote a letter to my Senator, that's James Pearson of Kansas. "It is very difficult to write a letter so extremely important to me, and I hope to my country, because I'm afraid some mistake might be made in its interpretation. For several years now, our involvement in Vietnam has been a prime concern of mine as it should be for all. I have spent considerable time studying the history of our involvement, the development of our policies concerning this problem, and its current trends.

My conclusions, Sir, is that we have made a horrible mistake; a mistake that has caused not just billions of tax dollars, but what is most important, is that it has cost thousands of lives, both American and Vietnamese. Since life is the most precious gift that God has given us, it seems to me that before a country requires a man to face the possibility of death, it should give him a very clear and definite reason. This, I believe, our Administration has failed to do. So often, I have wished that I could approach our President, and ask him to please give me the answers to several questions, which I believe are so important. I've wanted to ask him why the elections were never held, the Geneva Conference set up: why we fired at Tonkin Gulf; why it appears that the Military Industrial Complex has so much power in the government policy; why we believe that the number of lives sacrificed has been worth it; why we believe that our democratic ideal is so right for the Vietnamese people. Since I have already stated my opinion concerning our involvement, I'm sure you understand the answers I hold to these questions and others like them. This is also very important to me, because I do love my country. I love the freedom it has given me. It has allowed my family to grow happily. It has allowed me to receive the type of education I desire, and to choose the profession I wish to engage in. It has allowed my mother to raise her family in a joyful environment, and it has allowed my father to speak freely to his congregation. These are only a few of the reasons I have for respecting, loving and wishing to spend the rest of my life in this country. There is, however, a conflict, for you see this country which has allowed me to hold and express my opinions publicly has now placed me in a situation where I could be tried and jailed for these beliefs; in a few days, I will be leaving for Vietnam and I'm going not because in any way I believe what we are doing is right there, but because this is what my government is now requiring me to do in order to spend the rest of my life here. But I must also stand up for what I believe in and for this reason, unless in some way or by someone I can be shown that what I believe in is wrong, then I will not be able to participate in any offensive actions. So this freedom of belief may lead to a restriction of my physical freedom. I urge you, Sir, to please do all within your power to aid in ending this confusion. Peace means so very much. Thank you for your time."

MODERATOR. I think that's what we're trying to say here today. Peace means so very much.

AMERICAL DIVISION

Moderator

Barry Romo, 23, 1st Lt., "A" Co., 2/1, 196 L.I.B., "C" Co., 3/4, 11th Inf. Bde., Americal Division (From July 1967 to 1968)

Veterans testifying

William Bezanson, 24, Pfc., 4/3, 11th Brigade, Americal Division and 123rd Aviation Bn. (From 1967 to 1968)

Ronald Palosaari, 23, SP/4, 1/6, 198 L.I.B., Americal Division (From 1967 to 1968)

Jim Weber, 24, Sgt. (E–5), "A" Co., 1/6 & 1/46, 198 L.I.B., Americal Division (From November 1967 to November 1968).

John Beitzel, 21, Sgt. (E–5), 4/21, 11th Brigade, Americal Division (From January 1969 to January 1970)

Curtis Wingrodski, 22, SP/4, 59th Scout Dog, 11th Brigade, Americal Division (From March 1969 to October 1969)

Gary Keyes, 22, SP/4, "E" Troop, 1st Cav. Reg., 11th Brigade, Americal Division (From April 1969 to March 1970)

Robert Kruch, 25, Pfc. (E–3), 3/21, 196 L.I.B., Americal Division

Doug Wright, SP/4, 1/6/198 L.I.B., Americal Division

MODERATOR. The Americal Division was formed in 1967 out of three separate brigades. It's stationed in I Corps area, with its headquarters in Chu Lai. My name is Barry Romo. I'm a former 1st Lieutenant with the 196th Light Infantry Brigade, and also the 11th Infantry Brigade. I was commissioned when I was 19 years old and served as a Battalion S2, which is an intelligence office, and as an infantry platoon leader. During this discussion we are not going to dwell on the atrocities that were committed by my unit or by Americans in Vietnam. That has been rehashed. We will give a short testimony about some of the things we did see and try to go into the reasons behind them. When I arrived in country, one of the first things I saw was the pacification program, which consisted of moving or forcing villagers to leave their homes and bringing them to the coast so as to deny them to the Communists. These people were forced out of their homes. I saw the use of artillery fire against civilian targets because of the possibility of VC with no regard taken for the Vietnamese. I saw rice stolen from Vietnamese because it was considered too much for them to have. I saw also a general racist attitude by most Americans towards the Vietnamese.

BEZANSON. My name is William Bezanson. I was a Pfc. in the 11th Infantry Brigade in Vietnam. I was also with the 123rd Aviation Battalion. We supported such actions as My Lai, the Quang Nai Valley. Quang Nai Valley had many incidents of villages being wiped out because the North Vietnamese may use them for food, but we're not here to dwell on these subjects today. The reasons for all these things taking place are the reason we're up here today. There's been enough rehashing of incidents such as My Lai. To me, the greatest guilt that any man can suffer, is that he died without a good reason. And to me, Vietnam is not a good enough reason. Not when we're destroying the Vietnamese land, property and populace. We're destroying the very moral fiber of this country at the same time. And those of us that do put our principles above personal ambition are labeled Communists by the very people that sent us over there. I've got a quote here from a John Birch magazine entitled, *American Opinion* and the man that makes the quote is General Scott. He is the author of *God Is My Co-Pilot*. And he says, "Our threat is not from abroad. It's not from outside the gate. It's right here in the midst of our homes. The danger is internal and the solution can only be internal. Every American must once again accept the responsibility for what is done in his name. We are still the strongest nation on earth and once enough Americans raise their voices to be heard nothing can defeat us." That's why we're here today. These people that run around here waving flags, trying to disrupt our meeting, all we're trying to do is, we're asking you to give us enough respect. We lost friends, arms, legs, and sometimes lives in Vietnam because you sent us over there. We're only asking that you give us enough respect to listen to us.

PALOSAARI. I was with the Americal Division, 198th Infantry Brigade, 1/6 Infantry. I served from October, 1967 to September, 1968. And, for the first, maybe, three months, I was

rather inactive as far as any enemy contact. I mean we had, you know, light sniper fire, this sort of thing, but nothing really big. And then one time we were coming up. You know, walking down the trail, you know. It was really not much of any mission, except just to see what was out there, you know. And if there was anything to be had, to get it. And we had come across two Viet Cong by a well, drinking water. We had fired at them and they naturally, you know, taken off. Ran. And we never did get them. And there was a small hootch nearby with a bunker. And I did not see this personally, but later on the guys were bragging about it, some of the other men. They had, in Vietnamese, yelled down the bunker, "Is anyone there?" And, simultaneously, while yelling this, they dropped a grenade in. I went up to the bunker later. There was a, I think, what was a little boy and a little girl killed and there was an old lady in there. And the feelings that I had were rather mixed. I was, you know, rather shocked, you know, because they were bragging about this, and thought it was rather humorous. But, at the same time, it seemed to be more or less something that was socially acceptable. We weren't really, you know, concerned that, you know, these, these were little kids. But that, what we were concerned with is, that they had slanted-eyes and were Vietnamese and that was enough to justify it. It's just, you know, well, that's war. I wrote a friend of mine that was also in the army in Vietnam at that time. And I told him about this incident. And I'd like to read you his reply and show you that, you know, this was not only a feeling among our company, among myself, but universally a feeling of the men, Americans, over there. What he said was, "You guys are killing off kids, huh? Ain't no big thing. They're the same-same. I hate all these gooks, VC or not." And that pretty well exemplifies how Americans feel. It's rather unfortunate. I really feel ashamed of myself. I find it embarrassing to admit that I am a Vietnam veteran. And this was only, you know, one of many sorts of incidents. It was nothing as huge as My Lai or maybe nothing as drastic as torture, or anything like that. They prob bly died instantly. But it was still three human lives. Another type of thing that goes on, is, we were in a valley and I think we had nicknamed it AK Valley, after the AK–47 because we were getting, every once in a while, sniper fire. And you can tell when it's an AK–47 because it makes kind of like a popping sound when it fires. It's like a crack. And we had CIDGs working with us.

CIDGs are Civilian Independent Defense Group. And they had spotted (they were like our point men, more or less) an NVA, presumably carrying a weapon, I guess it must have been. And they had fired on him. They had blown off the top of his head. And then one of the CIDG had cut off one of his ears. And I understand, that according to Buddhism, unless your body is complete, you cannot go wherever it is that the Buddhas go to after they die. So, they had done this. And as we walked by, you know, everyone thought it was, you know, kind of cool, to see this head there that was, you know, half-gone to begin with and have the ear sliced off and there it was just like a, you know, it was flat—with a small hole left in the side of the head. This feeling that we had that it was, you know, a rather humorous incident, or, you know, looked upon as being a good thing, and we were really men because, not that the CIDG had done this, but because, you know, it was an act that we would have liked to have perpetrated ourselves, I think. It's something, you know, it's, it's more or less condoned over there. And the feelings that you have are the policies of the military—that this is really, you know, a thing to be manly about. Another, not the same sort of incident, but this is more dealing with lack of medical attention of a Vietnamese peasant.

We had come across rice paddies and someone had said that they had seen two VC in the rice paddy carrying weapons. And I was an M–79 man at the time, and they called all M–79s up front, so naturally I go up front and they told me this. And they had fired at them. There was two big boulders in this rice paddy and these two VC were supposed to be behind this boulder. So I lop M–79s behind the boulder and we went back there later on to see, you know, if anything, you know, if there'd be anything there. So, when we get back there, all we found was a Vietnamese peasant farmer with a sickle in his hand—or it lay next to him; his thigh was broken by an M–16 bullet and his spine was hit with shrapnel from the M–79. He had passed out in the sun. We, we waited for about two hours for a MEDIVAC to come out and pick him up. When the chopper came, it wasn't a MEDIVAC, it was just a regular chopper. He had just been laying there in the sun and he had passed out in the sun. And I'm not even sure if they gave him morphine. I know they wrapped his leg up. And that was about the extent of any medical attention that he got while we were with him. I need some water.

WEBER. I'm, I'm Jim Weber. I was formerly a sergeant and I was also in Ron's platoon. And I can kind of verify what he's saying in case anyone kind of doubts it. A lot of stuff happened like that. Especially things about the medical attention, things like that. I was in two different battalions. I was in the 1st of the 6th and the 1st of the 46th. In the 1st of the 46th there was one—I say an example; like, I say, we can go on all day rapping about war atrocities. Okay, anyhow, right? Now, we had surrounded this village and went into it on the north side. We had taken one Vietnamese suspect, a Viet Cong suspect, you know, kept him with us. About 15 minutes later we found another one that was hiding in a bunker underneath these hootches. And I have a lot of pictures and things here that we didn't have time to get blown up that I can verify this with. Okay, now here's the picture that I want to show you, it's a picture of a GI holding up a head. Okay, now, this was when I was with the 1/46th Battalion. This happened in December of '67, west of Chu Lai. Other isolated examples. We had moved into a village. We had confiscated approximately 25 pounds of rice. We rounded up approximately 40 civilians in the village. It was decided that there was too much rice in the village for 40 people. We left them with five pounds of rice. One woman was complaining about it and she kept saying that she wanted back her rice. The officer in charge, you know, hit her over the head with a rifle for complaining. He was complaining because she was too close to him, you know, and she smelled and everything like that.

BEITZEL. My name is John Beitzel. I'm 21. I served in the 11th Brigade, 4/21 Infantry. I served as a sergeant and as squad leader. Worked in Quang Ngai Province. I worked around My Lai and Duc Pho. I've witnessed the mutilation of bodies. This consisted of cutting off ears and plucking out teeth for souvenirs. I have pictures of this that I've showed to the presss at other times. Don't have them with me today. I've witnessed electrical torture many times with not only VC suspects and prisoners, but also detainees. I've witnessed the relocation of villagers. One particular operation was a three day operation where we took all the villagers out of the village, put them in a barbed-wire compound, interrogated them.

Tortured some of them. Beat some of them. And then we had supplies brought in. Bangelore torpedoes, all types of explosives—to just level the hill and just get rid of anything; make it look like there was never a hill there. My CO once fired at a group of kids merely because they came up to our hill to collect C-rations. We were also ordered to fire gas grenades at them. There was a big pressure for body count. We had a very low body count in our company and we had a lot of pressure come down from the battalion commander to the company commander, down on to us. We were given new incentives to get a higher body count such as a six-pack of beer or a case of soda. And sometimes, a three-day pass, you know, for the amount of body count we had. Common things in my company were throwing grenades into civilian bunkers. We once threw a white phosphorous grenade. And a lot of times I never thought people were in these bunkers, but an old man came out when we threw this white phosphorous grenade in and he was all singed and burned. We . . . everywhere we went we would recon by fire if we felt . . . if we felt it necessary. We'd innumerable amounts of free fire zones. We shot at anything on high ground. And in this particular area where I was at, the mountains and the high ground was very close to the beach. Was only a few miles between the beach and the high ground and there was a lot of hills, isolated hills, all over the place.

We shot anything or anybody that went up on these hills. Because they were free fire zones. Burning villages was very common. It was mentioned on an earlier panel that villagers would leave and that we suspected that they left because they were VC and they didn't want to be captured. So we would burn their hill. Whenever we received sniper fire we would return it, no matter where it came from. If it was a hill with people on it or not. I was in Vietnam from January '69 to January '70. We were ordered to go out on a patrol, a regular patrol that we go on all the time—during a cease fire. We were very perturbed at this because we wanted to take the time off to write letters home. In one incident, we were working with another company and our battalion was nearby. Both companies were on the same radio frequency. Over the radio, the other company told us to pass on to our higher command that they had a body count of thirteen. So we passed it on up. (They were too far to have radio contact.) So we passed it on up. Then later, one of our platoons went into the village and they said we can confirm the body count of that company. They said, there's nine women, three children and one baby.

BEZANSON. John, could you give us any reason as to why this happened? Was this an individual thing or is it a company policy, any of the torture of prisoners or the . . .?

BEITZEL. Well, as far as torturing the prisoners, this happened as . . . I've seen a major there during torturing of prisoners. We also had electrical field phones in our battalion base camp in the Headquarters, TOC Room that's what they call the headquarters. There was torture going on in there so I'm as sure . . . I'm sure everyone from battalion commander on down knew of it; so I can presume from this, it was policy. These things I'm telling about—about burning the villages, free fire zones, reconning by fire—they were all common. They weren't isolated. We did them wherever we went.

WINDGRODZKI. My name is Curtis Windgrodzki. I was a Spec/4 in the Americal Division, 11th Brigade, 59th Scout Dog and, I, I, don't know what to say. I've listened—I've been here for three days listening to, you know, people come up here and tell whatever war stories they have and what not. And, as I said, I worked for Scott Dog and I worked with different companies of different battalions in our area. And I got to rap with the guys and, I just know that, we learned somewhere along the line, that a dink was less than a person. And these things go on. They really happen. I don't know how to . . . man, I can't talk. I can't tell you people . . .

incidents or whatever you want to hear. I'm just here because it goes on and on and somebody's got to do something. Here I am, you know.

KEYES. I was a Spec/4 when I was assigned to E-Troop, 1st Cav, Americal Division. I guess the worst thing I really saw over there was mistreatment of civilians. Now, most of this went on when we had convoys running from Duc Pho to Sai Wen. Such things as tear gassing villages, throwing spent 50 caliber rounds at civilians. Sometimes, another instance, where children were with split skulls from a thrown 50 caliber round. You can kill them just throwing them. Running down hootches. Doing things in rice paddies. Destroying their crops. The worst thing I ever really saw was when we're on a mission. We're taking some grunts out on a beachhead. And there were some fishermen out on the ocean and a couple of our sergeants thought it would be a good sport to use them as target practice. So they swung their 50 calibers around and they just shot the ——— out of them, for no reason, I guess. And, I'm no better. Lots of times on mine sweep, we'd pass a lake, also running from Duc Pho to Sai Wen, and there'd be fishermen in this lake and since we had nothing better to do, we'd fire M–79 rounds at them, M–16 rounds. Sometimes M–60s. We'd call for a test fire. And . . . sort of aim their way, hoping we'd hit somebody. I can't really say why we did it. Maybe it was because we were taught to hate them. I know this is all I heard when I was over there. I was told by my own lieutenant, my CO, well, he saw me wearing one of these bracelets—you've probably seen them before. Well, a Vietnamese boy gave it to me and we were pretty up tight you know.

I thought he was a pretty neat little kid. And first thing he did was, he told me, he asked me why I was wearing it. I told him, I said, "Well, a Vietnamese boy gave it to me." I said it was a token of his friendship, really. He liked me and I liked him. We gave each other gifts, I suppose. And, he told me to take it off. And, of course, I didn't agree. I didn't want to take it off. I didn't feel I should. But, he told me these are the same people—he says, "Why do you accept gifts from the same people that go out and put mines in the roads and blow up your buddies?" And he told me that if I didn't take it off, he'd go to more maybe drastic measures. I don't know. And he just dismissed me. But, I don't know. I don't want to give any blood stories or nothing. I just can't do it. I just want you to know that the people over there aren't really being treated as human beings. They're being treated as slaves, let's say. Maybe not even slaves. I don't know. I don't know. I just don't know what to say. I just wanted you to know about it.

KRUCH. My name is Robert A. Kruch. I was a Pfc. in Vietnam with Company A, 3/21st, 196th Light Infantry Brigade. And a few people may have heard about it. It was in August of '69 that they (my company) refused to fight. Then I had some rather bitter feelings. I seen some of the things some other people have talked about. But I've also seen mistreatment of GIs by the higher command because they wouldn't produce a body count. After I had joined my company, we went in on a stand-down because most people had been in field for 2½ months and we got into a fight with a recon platoon, which our colonel didn't like, so he choppered us out back into a hot LZ. Some of us had faulty weapons that were never replaced, like they were supposed to be when we were in. And there's about six people, at least, that got wounded. From that time on, it was rumored that the reason we never received our mail (it only came in sometimes once a week) or never got any hot food (supplied maybe once a month) was because our colonel was down on us because we didn't produce a body count and one time when we were being re-supplied, he flew in and started yelling at the CO and he said, "I don't want anymore of your ——— prisoners.

I want a body count." After that we were issued orders to . . . well, we were told we were in a free fire zone and anybody we saw that was over 12 years of age that we thought was a male, was to be considered the enemy and engaged as such. And I was told that the battalion commander before that had told the troops not to fire at anybody unless they were seen with weapons. To me this is a kind of a drastic change and it shows a difference in policies between the Field Grade officers as they come in. And it was rumored that this guy was with the 9th Division and he volunteered for an infantry unit to, as they put it, to make rank. And we were harassed, it seemed like from every day on, you know, for not having a body count, until we were finally sent on the last mission in which we were told it was a one-day assault. I, I got wounded on the third day and my own squad had only two meals of C-rations in three days between us, and we had to risk our necks to get water. And there's one case there where two people lived for eight hours and they wouldn't bring in MEDIVACs to take them out and they both died. And those were the two bodies this company was supposed to retrieve when they refused to go back out again. We were ordered to assault a line of bunker complexes by a major that was back in LZ Center, when most of us didn't have any food or water and the things that we did have were hogged by the TOC Center. Our commander was judged by most of us as being in a state of shock. He didn't know what he was doing. He just issued orders to do it. And everybody in our . . . in our company felt that since this guy had only three weeks in the country and was obviously in a state of shock, you know, his orders shouldn't be obeyed. But, yet, we were told we'd be court-martialed or, or even shot, if we didn't obey, obey his orders. But, I think what, what it really was, is that people saw the people that got killed in those three days (which were at least nine that I saw and I was one of those that got wounded) and were totally senseless. And there was no reason for it other than being pushed by superiors up above to do things, you know, at a faster speed than we . . . we thought could be accomplished. And by poor leadership. We didn't feel that just going out and indiscriminately killing people helped matters any. And the way I felt, and the way most people felt, was that we were just picked out discriminately and set down in . . . over in Vietnam; shafted by our own country—to fight in a war which most of us didn't understand and nobody knew—even when we were over there we didn't know where we were at because we were just choppered around and set down so much.

I was there about a month and I had . . . there was only one person that had more time than I had and he had a couple of days more, almost a month. And the people that I did know that supported the war there, didn't even know simple facts about it. It was, it was almost unbelievable. They just supported it because they said that they were supported to be there. I just don't think its right to draft somebody and send him to an undeclared war that has moral connotations that are awfully bad. Subject them to the . . . just the mental treatment that some of these guys go through. And I think a lot of them feel that it's more the fault of their country than the people they're fighting against. That's all I'd like to say for right now.

WRIGHT. My name is Doug Wright. I was also with Americal. I went over with the 198 Infantry Brigade, the 1/6 Infantry. I served with the Infantry and also with Operations, Tactical Operations of Brigade Headquarters. For the past two days, or three days, rather . . . I mean you've heard all sorts of terrible things so that if many of us . . . many of us seem callous, it's only because of the indoctrination that we were subjected to, you know, before we went to Vietnam. That—coupled with personal vengeance. If you see your brother, you know, shot, shot in the face, you're going to be mad and you want to get back. I could relate horrendous occurrences, you know, that should have made most of you vomit by now. But I'd just like to say one thing. I'd like to re-emphasize our purpose here . . . the purpose of the Winter Soldier Investigation. We're here to make people aware, or we're here to make you people aware. If you want a true awareness, you could go. But you've heard a first-hand experience. Nobody else besides the vet, besides the leg in the field, knows what's happening. He doesn't really know what's happening because when you go to the boonies they tell you where you're going and what you're going to do. But you really don't know what's happening. Because they keep you isolated, just as much as they keep you people isolated. We came to make you people aware. Now it's up to all of us. When you go from here, you need to make as many people aware as possible. To your homes, to where you work, to where you go to church; any type of organization. Tell what you've heard here. Make people aware. That our brothers in Vietnam are very unhappy.

MODERATOR. This whole panel, or this whole thing, was brought together to bring up war atrocities and the reasons behind it. It's really been an emotional thing for an individual to get up here and have to relate experiences that he's tried to forget. And I'd like to ask some of the people here on the panel why you came. We'll start our way here and just work our way down.

BEZANSON. The reason why I, myself, came is because I was tired of living with the nightmares that I lived with. The people that I, myself, messed up. The people I've seen my buddies mess up and then the next day they're killed; where they went from there we don't know, you know. But, like ever since I've come back to the United States, I've watched it turn from a country of democracy to one of hypocrisy. A person will teach their children, "Love thy neighbor" until they get 18 years old and then you hate. Then they're taught to hate. Just hate. How can a person . . . I can't understand how a person can approve of the war and sleep at night knowing that he's sent his brothers or his sons over to Vietnam to be killed for, for something that makes no sense. It has never, to me, been explained why Vietnam exists. I came to this Winter Soldier Investigation to give my testimony and to find out how many of my brothers felt the same way I did, and I'm really glad to see that there's quite a number of people that are against the war and would like to see the $800.00 a second that we're spending on the war put into an automobile to make it safe to drive. They're spending it to kill the dude's brother and the same dude's dying in the automobile. But I just got tired of living with my nightmares and I think by relating I can share them with you, you know, and, and, it takes kind of the guilt off me, in a way. And maybe it'll stop, like my younger brother or, or some of your younger brothers or sisters, or your children, from going over there and then having to come home and live with these same nightmares.

PALOSAARI. My primary reason for getting involved in this testimony was because of Jim Weber. He called me up last Thursday night. He said he was coming up to Detroit to testify. He gave me a rundown on what he planned on telling the people. And everything he said was true and, you know, I had to support him. I told him I would. I'd corrobate his story. I just felt that now was the time for me to do my part, to let people know how I feel, or how Jim feels, and how many, many of us feel. That was about it.

WEBER. I'm the Jim that he's talking about. This had bothered me for a long time. Prior to going into service, I was a manager of a shoe store—it's a chain across the country. I had a relatively easy job, well paying job. And so I imagined I would be a flag waver because I had a little bit of money and I wouldn't care about, you know, I had a racist attitude. Of course, we all still have racist attitudes. I, I didn't care about anyone else. You know, I cared about myself and I, I got drafted into the army and it, it made quite a big change because I was waving flags all the time that I was on my train, you know, down to South Carolina where I got my murder training. And I . . . okay, I went in there, and my complete moral worth was completely destroyed. I mean I was a worthless human being. The worst thing that you can be in the military is to be called a civilian. And so they had to completely re-socialize us, which they were very effective at doing. I didn't agree with everything, but I went along with it. Then I was sent on to advanced genocide training down at Ft. Polk, Louisiana. And this, this is where I got, you know, this is where I started to hate, hate anything that wasn't exactly like me. Anything that wasn't a fighting machine. Gooks. You've heard that mentioned here for three days, but I don't think you really know what it means unless you know how much hate is instilled in one person, how much, how much really guilt, I mean . . . like if you're not white and 21, you know, forget it. And this is what they do. This is what they do. They turn you into a fighting machine and it's, it's so, it's so hideous some of the things. I mean we've gone into barracks and we've had like pictures of . . . well, they weren't pictures, they were like cartoons, with slant-eyes, you know.

Everything was a slant-eye and these little hats on the top, you know. And these were the people you were hating. They were positioned right above the gun racks, you know. No uniform or anything, just, just simply the profile of one, or maybe the face, full face of another. And this, this went on, you know for sixteen straight weeks. By the time I had left Ft. Polk, Louisiana, I wanted to kill my mother, you know. Or anyone, that, that wasn't you know, completely in agreement with me. I wanted to just kill everything, you know. It's really bad. I went over to Vietnam with the same attitude because I, I had been trained and I knew I was an effective fighting machine. That I was going to kill everything in my path and it started out and it . . . it lasted for about one day. When I got there and saw the . . . being beat out of a few children, you know. And from there on, it was all downhill and, man, like I was a great American, and I think I still am a great American, you know. Just because you don't completely agree with something you don't understand, there was no reason why, you know, you should be a Communist and write with your left hand. And it's really wild. Through Vietnam these things just kept going and going on and going on. I can relate to you . . . that went on. I mean, like, you've gone through this, right, you've gone through the whole thing. But even the people that were on our side, man, even the people that were fighting with us, were still lower class, second class citizens, you know. Since there weren't that many, they were a complete different race. We would call them niggers, you know, in this country. Over there we call them gooks, you know. It's the same thing. They're second class citizens. It's a complete racism thing, you know. Okay, so what happened? Like even the people that are supposed to be on our side, they're supposed to be fighting with us. Right? I have an example here. This isn't an atrocity. You know, it isn't blood and gore. We went into a village and we searched, we searched the people and not everyone understandably could be in the military because someone had to, you know, work the land. Someone had to provide the food. Okay, who was going to do this? It was people . . . it was people that, you know, had special permits, special passes, special ID cards. Now these are the people that are on our side.

We went into a village and we took the ID cards off of people and sent them back to the rear. I have one here that the press can verify after. (Bill Schmidt of the Detroit Free Press is supposed to be writing this down. I don't know how far he's got with it.) I'd like to know what happened to this man. Not this man, but all of our yellow brothers. It's just a big racism thing. You know, they're all complete second class citizens and it's really, really hideous, you know. There's a number of things. And then, when I come out of the service, and I come back. I would go into, you know, the bars, to where my friends used to loaf and, you know, I would hear these same things going on, that went on before I left. But now, things had changed for me, see. Because I had seen what was going on. I had first-hand, you know, witnessed these things and I wasn't getting it from the Pittsburgh Press or the Pittsburgh Post Gazette or anything like that, man. I had seen it. And my father, my parents, had sent me clippings of these massive massacres that we had committed. My unit, the 198th, which weren't true. You know, simply weren't true. And, the same thing that's been brought up all day long about the body count. Everything is a bunch of lies. And you get people sitting back here, you know, back here, and, and they believe this stuff and that's what we've got to get out. I really believe it. Like I've said before, you know, I think this is being a true American. I think it's, you know, sticking up for your country. Damn it, I love this country and I can't see it being run by fascist pigs, you know.

PANELIST. I came here for a lot of reasons that were just mentioned by the previous people talking. I have bad dreams. I have nightmares. I have guilt feelings. I would like to see true self-determination by the Vietnamese people. But most of all, I think, primary and utmost, I'd like to see the war ended because I think that's the first thing we can do in order to get our country together.

MODERATOR. Pardon me, we have to cut this short. So we're just going to make one statement. We all belong to the unit that Lieutenant Calley belonged to. What's been brought out during this whole testimony is that it's a general policy and not an isolated incident. We're trained from basic training, AIT and OCS, to kill and that's what we're out there to do. It is not the fault of Lieutenant Calley. It is not the fault of the infantryman in his platoon, but the fault of the US government and the US military establishment. The whole system is nothing. It is set up to dehumanize us and to make everybody we see a non-human so that we can kill them. It would be impossible with our background to go into a village and kill a woman and child unless we looked at those people as non-humans. And because of the service and because of the military establishment, that's how we look at the Vietnamese. If there are any questions, ask now, for we have a very short amount of time. Go ahead, ma'am.

AUDIENCE QUESTION. Nobody really likes war. I don't like it either. If you go into a war, it's kill or be killed. Now, if you see a Vietnamese person there with a hand grenade sitting in the rice paddies, you better kill them or they'll kill you.

PANELIST. You've never seen that, lady.

ANOTHER PANELIST. Ma'am, we're not talking about a Viet Cong with a weapon. We're talking about a civilian. A person with a hoe in his hand. We're talking about a woman and a child in a bunker. We're talking about My Lai, which happens every day. Every day, ma'am. And it happens in the United States, too.

MEDICAL PANEL

Moderator

Dr. Jon Bjornson, 37, Major, Psychiatrist, Flight Surgeon, Deputy Surgeon, USASC, 8th Field Hospital Nha Trang (from May 1964 to April 1965).

Panelists

Michael Erard, 29, SP/5, 3/503, 173 Airborne Brigade (from April 1969 to March 1970).

Dr. Joseph Grosso, 31, Captain, General Medical Officer, 173rd Airborne Brigade, Field Hospital in Nha Trang (from April 1967 to December 1967)

Dr. David Galicia, Major, Psychiatrist, 3rd Field Hospital, Saigon (from July 1969 to June 1970)

Jeff Dubrow, 22, HM3, 1st Med. Bn., U.S.S. Sanctuary, (from June 1969 to June 1970)

David F. Fortin, 20, E–4, H & S 3rd Medical Bn., 3rd Marine Division

Gary Steiger, Sgt., 366th United States Air Force Dispensary, Da Nang

MODERATOR. This panel is concerned with medical aspects, medical affirmation of problems in Vietnam. My name is Jon Bjornson. I was formerly a Major, US Army Medical Corps. I have my DD–214 right here, which is an honorable discharge form. I was a psychiatry-neurology consultant in Vietnam through 1964–1965. I also functioned for five months as a Flight Surgeon in the Mekong Delta and was Deputy Surgeon, United States Support Command at the time. I must admit that I wasn't happy with our policy in Vietnam before I went there, even in 1964, just after the overthrow of Diem. When I came back I was extremely disgusted and I resigned my commission. I'd like each of the panel members to introduce themselves, if they would. Why don't we start with you Mike?

ERARD. My name is Michael Erard. I served as a Medic with the 173rd, 3rd/503rd.

GROSSO. My name is Joseph Grosso. I was a General Medical Officer for the 173rd Airborne Brigade in Vietnam.

GALICIA. My name is David Galicia. I served as a psychiatrist, 3rd Field Hospital, Saigon, Republic of Vietnam.

DUBROW. My name is Jeff Dubrow. I was a Hospital Corpsman on the USS Sanctuary in Da Nang.

FORTIN. My name is Dave Fortin and I served as the driver for the 3rd Medical Battalion, 3rd Marine Division in Quang Tri.

STEIGER. My name is Gary Steiger and I served as a Medic in the 366th USAF Dispensary at Da Nang.

MODERATOR. Thank you. The first thing we will try to demonstrate is the variance of treatment, which was not medically sound, in terms of preference for patients. That is, Americans got the best treatment. If an ARVN had the same type of problem, wound, what have you, he got the second best. Prisoners got the worse by far. And we're going to take it by subjects. Mike, why don't you start off with something about how prisoners were treated by our medical people?

ERARD. We had a policy whereby prisoners were given just the basic treatment. In other words, maybe just a bandage or field dressing was put on a wound. We were instructed—and this was battalion SOP—that we were to expend no medical supplies on them. In other words, specifically we carried a small bottle of serum albumin, 500ccs, to be used for people who were in shock or had serious wounds. When we went out in the field we were told this costs $25. It's never to be used on a gook, meaning both Vietnamese and prisoners.

MODERATOR. Anybody else want to comment on it? Dave, what about you? What have you seen happen with prisoners?

FORTIN. Basically, in regard to this, a lot of various instances. But I can relate one specifically to you. A prisoner would be brought into triage, which is where they get their basic medical treatment before they

go on to their specific needs like operations which had to be performed directly by a doctor. Well, in triage, a prisoner would be interrogated. They'd come down with ITT, which is Intelligence Translations People, and they'd try to get information from the prisoners. If the prisoner wouldn't give information out to the questions they asked, they'd use various ways of torture. They'd poke at his wounds. I've seen them stand a prisoner up who had a stomach wound; his shoulder was torn up. They generally harassed the prisoner until they could get information out of him. I don't even think he could speak. He was in pretty bad shape. They took him to an operating room and in the operating room he wasn't treated by a doctor, such as Americans were. I know sterile conditions were less than normal in this case. Rather than having a doctor who would work on an American, they'd have Corpsmen who were practicing or getting experience from working on the prisoners, treat them. He was in pretty bad shape. They had very little regard, whatsoever, for the concern of him once they got him out of the operating room. Their attitude was like, okay, we got to do it so we're going to do it, you know. But, like, who cares whether he lives or dies. It's just something that has to be done. There was one doctor present. Other than that, the corpsmen did all the major work. They set bones, very sloppily. If you set a bone sloppily, it's going to come out crooked. They don't care. You've heard all this through the testimony. You're dehumanized and yellow people are not even human. You have no regard for them, so you don't care what happens to them. And the prisoners more so than anyone else. Instances like this go on all the time. This is just one I could bring up. I don't know what happened to him once he left that operating room.

MODERATOR. David, you said there an American doctor present when they tortured this guy?

FORTIN. When the interrogation people came in, he was still in triage. He was laying on a stretcher. He was in really bad shape. ITT is intelligence. It's translations; it's getting information from prisoners and working a litle bit with civilians. But, they came in. There's a doctor present. The doctor's not concerned with intelligence. They had a Captain in this case, who is a Marine officer, and two ARVN, South Vietnamese intelligence people. One of which was an officer, one of which was a staff officer, or staff sergeant. And they're the ones who interrogated him. The officer was present. He ignored the interrogation. As a matter of fact he almost went along with it. He didn't actually touch the prisoner, but he didn't say anything to stop the torture, or whatever you want to call it. that was going on.

MODERATOR. Jeff, what about treatment of ARVN or civilians?

DUBBOW. I worked in the surgical unit on board the Sanctuary. And most of the minor surgical procedures that were done on the Sanctuary were done in the recovery room. Such as debridgment of wounds around minor suturing cases, things like that. An ARVN soldier came in one day. I set him up for his procedure. It was a debridgment of a wound and it's done under a local anesthesia, like xylocaine or novocaine. I set the tray out and I drew up 10cc's of xylocaine. The ARVN was pretty apprehensive about what was going to be happening to him. So we had the interpreter tell him what was going on and he calmed down. About five, ten minutes later he was screaming like crazy, you know. I ran over to see what was the matter and I noticed that the syringe hadn't been touched. And the doctor was performing this procedure without anesthesia. He had done this about ten times. I've seen him do it. And he was a Lieutenant Commander, by the way, which is like a Major, so he knew better. Also the same doctor claimed in some cases he was rushed, like from one case to another. Like in suturing cases, I've seen him perform suturing cases without the use of sterile technique. In other words, no gloves. And it only takes 15 seconds to put a glove on, you know. So there was no excuse for that. This is, like I said, done only on ARVN soldiers, not American soldiers. Another doctor, who was a Lieutenant Commander also, performed 27 out of 30 negative laparotomy cases. A laparotomy is cutting into the abdomen and exposing the intestines and repairing any tear or wound that would be in the intestines. The x-rays would come in with the patient from triage, or from x-ray, or wherever, and I put the x-rays up on the screen. So I saw every x-ray that came in on these patients. And you could see a metal fragment in the intestines. It stands out like a sore thumb. It's just like a big, you know, lump in the middle of nothing. You can really see it. If, let's say, an ARVN or Vietnamese civilian would come in with a fragment wound of the arm or leg, or something like that, he would automatically order a laparotomy to be set up on him. We can't question him because I'm only an E-4 and he was a Lieutenant Commander. So I had to do what I was told. So, he would do these cases that didn't have to be done and a laparotomy can be an easy case. If there's a frag there, he could take the frag out, repair the wound and that's it. Sometimes it can be a very bad case. There would be a lot of bleeding. I've seen fellows from a simple fragment of the stomach, die in surgery. And he would do these cases and they wouldn't have to be done. And like I say, there was 27 out of 30 negative cases. That's about all I have to say.

MODERATOR. At an American hospital he would be kicked off any staff. Tell me Jeff, you're pretty knowledgeable about medicine. How much training did you have?

DUBROW. I went to basic Hospital Corps School and Orthopedic Technician School in Philadelphia, and OJT OR technician in Vietnam.

MODERATOR. And what are you doing now?

DUBROW. Nothing.

MODERATOR. Why?

DUBROW. Civilian hospitals, somehow think that Navy Corpsmen, Army Medics, or whatever, the only thing they're good for, would be making beds and passing out bed pans. They think the training we have insufficient. And they won't give any ex-Medics a chance to prove themselves. So Medics won't work in a lot of civilian hospitals because after what they've done in Vietnam, or in the service, even if they haven't gone over there, they don't want to push bedpans around all day. They want to get down to the nitty-gritty and really get into some work. But they can't do this.

MODERATOR. You probably do most things a nurse can do, right?

DUBROW. Most things nurses can do. I can do probably more than a nurse can do. Nurses cannot suturize. I've sutured. I've debrided wounds where nurses can't.

MODERATOR. What about the triage? Gary you want to explain what triage is? And how it worked in terms of Vietnamese Americans.

STEIGER. We worked six days a week in Vietnam in our dispensery. And you can get pretty bored on your days off because there really wasn't a heck of a lot to do. And there were, I think, six hospitals in the area including the ship that Jeff was on. Oftentimes the Air Force Medics would go to the Navy or Marine Hospital. I worked quite a bit in those places and triage is a system whereby the patients are divided into three main categories for treatment.

If you have a person coming in who is really badly wounded, he may have a limb or two missing, of multiple shrapnel wounds or whatever, and they expect him to die, he's placed in a category "expectant." Right after those people, come the guys that if they weren't treated immediately would possibly die. In the "expectant" category, the chances are they wouldn't make it even with surgery. And the third category is a delay in which the guys come in, maybe have minor wounds, or things like this. When patients came in, not only to the Navy hospitals and others, but when they came in to our casualty staging flight where I worked, these patients would usually be the ones that were treated last. You could have an American come in in an expectant category and there was no way that he was going to make it. And the doctors would oftentimes treat him before they would treat an ARVN soldier or NLF soldier, or whatever, in a lower category who had a really good chance of making it if he was taken care of. Most of the time the corpsmen would give him basic first aid and that was it. You weren't supposed to use anymore of your supplies on them than was absolutely necessary to get them out of your facility and into a Vietnamese hospital. Now the prisoners that I saw that we handled were taken into our hospitals where they didn't receive treatment. I mean, it's, it's no way to . . . I lose the words. I mean they were lower than worms as far as these people were concerned. I mean you don't treat worms and you don't treat ARVN. It was about the same thing. We'd bring them in on a MEDIVAC. The Air Force flies cargo planes. They're hooked up for carrying litters and they carry wounded personnel and so forth on them. A C–130 would come in which could maybe carry 60 American wounded, and it would have over 100 Vietnamese on it. *Well* over a 100. Stacked on top of each other and everything else. These people'd get off. They'd be taken off the plane. You'd have a man who's say in a body cast—you know, cast from his neck to his knees—and he'd be walking down the ramp and somebody would trip. This guy would fall three feet. He'd maybe had half the bones in his body broken and the doctor'd spent hours in or working on him, and they'd drop him from three feet. They'd put them into buses, and they were tossed into the buses more than put. They would take them down to the ARVN hospitals instead of taking them to a place where they could be treated. They'd be taken there and even if the ARVN didn't have the facilities—which they don't have—to treat these patients, we'd leave them anyway. The prisoners were transferred. There's several hospitals where they take care of these. One was where John was at, one at Vung Tau, and there's one at Chue Lai. And it was common knowledge amongst the people that were working on the flight line transferring these prisoners that they were turned over to the Koreans. It was a standing joke that in the Korean hospital if you had a patient who was really bad off, and you were sending someone down there who wasn't quite so bad off, and they didn't have the beds, the one in the bed that was going to die anyway would either be shot, or something else done to them, so they'd have room. And this happened all the time. The patients that we got in our casualty staging flight would set up in the end of the ward; if you were lucky, you could give them some water. It wasn't worth your time to treat them. That's the way I saw it. Unless we can realize that those people are human beings, that we're killing human beings over there, that they are the same flesh and blood of which we are . . . I don't know. We're just not human beings ourselves.

MODERATOR. I'm going to kind of throw this open to you, as I'm sure you've all had experience with it. There's a program in Vietnam which probably was the first major attempt at "pacification" called the Medical Civil Action Project. This was begun about six months before I got there under MACV and then later all the medical units were, to some extent, rewarded, reinforced, encouraged to become involved in Medical Civil

Action, which the press built up. Joe, why don't you start off on Med CAP. What's it all about?

GROSSO. Well, in general, it was an attempt to use the practice of medicine as a propaganda device. Essentially it consisted of bring into a village personnel and equipment to give the impression that some kind of a treatment facility was being provided for people. That, itself, was well-meaning, but the program involves the sporadic and often the inadvertent distribution of antibiotics of all kinds; both oral antibiotics and injectable antibiotics. This in itself is a very dangerous procedure and one which can ultimately disturb the normal bacterial flow which these people have carried for so many thousands of years. Now, while I was in Vietnam, of course, the Surgeon General's office issued a proclamation stating that no tuberculous disease would be treated. However, it was obvious at the time that the Medical Civic Action Program Personnel had been attempting to treat tuberculosis in the villages with inadequate doses of antibiotic and this certainly is a practice which is detrimental, both to the people who have tuberculosis and to the other people in the village. Most of the other practices that were common in the Med CAP program I believe to be contrary to what I had been taught in medical school. I believe most of us, even the lay public, is aware that to treat someone inadequately with antibiotics is a dangerous process. However, this is something that went on all the time in the villages. And it wasn't the fault of any of the medics who distributed the antibiotics because they certainly couldn't be responsible for a command policy which allowed a jeep with medical supplies to go into a village. Often times the jeep would go into the village and the villagers themselves would procure the medicine from the jeep; would just take the medication right from the jeep. The medical personnel there were not able to control two or three hundred villagers picking at a medical chest filled with outdated, surplus medicinals. And I should add that more often than not, the medications that we used in the medical program were out of date, were surplus, were things that we had no use for in our own medical operations for the military.

MODERATOR. Any more comments about MEDCAP?

STEIGER. Well, the Air Force also had a MEDCAP program and I participated a half dozen times in this program. It wasn't an officially sanctioned thing, but it was something that the people in our dispensary got together. I could back the doctor up on the fact that the only supplies we were ever allowed to use were the medicines that were outdated and the supplies for which we had no use. Things which had been sitting in Conexes, which are large steel storage boxes, since World War II. And there was no way that you could guarantee there was any kind of sterility, that any time these drugs would serve any purpose at all. We had no means, the majority of the time, to check out whether the people that we were treating were allergic to any of these drugs, and yet they were still given. They were given on a one-time basis. You know you can't treat some of these diseases on a one time basis. You know you give people pills for two or three days and it's not effective at all. There were only one or two Vietnamese doctors in the province that would work with us. The rest of them refused.

MODERATOR. Where was that?

STEIGER. Da Nang.

MODERATOR. That's one of the largest Vietnamese hospitals in the country.

STEIGER. Sometimes, the patients would come through, get their pills and they'd go back into the lines. And the Vietnamese interpreter, which we had, was supposed to go through and make sure that these people didn't come back for additional dosages of their medicine. And, on occasion, people would be removed from the MEDCAP line because the interpreter said they were either VC sympathizers or they didn't need treatment or something like this. We had no way to verify whether they needed treatment or not because none of us spoke Vietnamese and the whole thing was really phony. It didn't serve any purpose at all except for propaganda.

MODERATOR. When I was in Vietnam they had both a polio epidemic at one point, and a cholera epidemic, very severe. Were there any immunization programs? Any of you in MEDCAP immunization programs?

GROSSO. There were no immunization programs. There was no organized preventive mental health program that had any central authority. Everything was on a village basis. It was an attempt to put a jeep with some kind of personnel into the village. There was no preventive medicine or vaccination programs, to my knowledge.

PANELIST. The way our MEDCAP program worked is we never hit the same village twice, so I don't think there could have been.

GROSSO. That was my experience, too. As a matter of fact the program was to hit as many different villages as possible. And not to hit the same village again and again. Evidently the propaganda impact could be best utilized by hitting a village once and then moving on to another village.

MODERATOR. Why did they do that? I don't understand.

GROSSO. I don't understand it either.

MODERATOR. Didn't you just say that you had to give in a list or something?

GROSSO. No, the only list was the list kept by the interpreter. The interpreter would make a list of names in a large book. A ledger, that would be submitted to the command when we returned from the village. And I was led to believe that at the end of the month the names registered in this book would be submitted to a higher command as some indication of our pacification work in that area. Whether the villager was treated or not, the mere fact that he had come up to the jeep and sought treatment allowed us to enter his name in the ledger. He then became recipient to American military medicine.

PANELIST. Well, all we did, we just kept the numbers—we didn't even keep a book—and the numbers we brought back to the dispensery were given to the hospital commander.

MODERATOR. What would you say, Joe, is the over-all effect of MEDCAP as far as pacification or meeting the needs of the people?

GROSSO. The conversations that I was able to have with Vietnamese nurses who provided interpretation for us, was that the program had very little effect on community health. Actually, it's my belief that the program had a detrimental effect, because it usually would preclude the possibility of the village people going to the Province hospital or some central diagnostic facility where a clear-cut indication for treatment could be obtained. Once the military physician had seen them and done anything, even if it involved the saying of a few words or the giving of an aspirin, the primitive Vietnamese would think that he had received treatment, that he had received the best the earth could offer and after that he wouldn't avail himself of any further help. So I would say that overall the program was detrimental to the community health—to the village health.

PANELIST. Joe, another reason here. I just thought of this, was the use of Vietnamese interpreters to help you make a diagnosis. Often a Vietnamese could come up and say something to the interpreter and point to his stomach and you would get back, from the interpreter, stomach ache. And that would be your only basis for making a decision on what kind of medication or anything. I mean there's a million things that can be wrong with the stomach and, you had to go on that judgment. You couldn't say to the Vietnamese, "You'll be alright." You had to give them something. Even, even if it was just an aspirin or something because they expected this from the Americans. And I got to a point if I couldn't make a positive diagnosis on something I'd give a shot of worm medicine so I figured I wasn't doing any harm and I might be doing a little good because most of them, especially the children, had worms. So they wouldn't feel slighted anyway. But, many times I couldn't, in conscience, give them something, especially an antibiotic, that might harm them—so I gave them worm medicine.

GALICIA. Insofar as medical coverage for Vietnamese in Saigon, Third Field Hospital, this was the only hospital in the Republic where the nurses wore whites. We had our hospital set up in what was an ex-school.

MODERATOR. Madame Nhu's School as I recall.

GALACIA. Yeah, that's right. It was altered many times over to affect a hospital. The hospital, itself, was good. It was a very sterile place and the type of treatment that was dished out there was of top-notch variety. I cannot fault the hospital, in that regard. We used to get ARVNs, VCs, sometimes VC prisoners, our own people and civilians. After all, Saigon is a city of three million people now because of the war. It's mushroomed from its 750,000 it was a few years ago because that's where they're coming, from the rural sections. Now these people knew it was a hospital and when they came in, they were actually refused treatment in the emergency room. They might get a cursory going over if they were brought in by our ambulance to the triage areas. The standing order was that if he was in such rough shape that he might die any moment, you just stuck a bottle of V5W, glucose water, in his arm. You use a plasmic spander or something so that then they can be taken to the ARVN hospitals. The standard word for the civilians was that they go to Choi Rhe hospital. I was in Choi Rhe hospital and I know why they didn't want to go there. There were two and three people to the beds.

MODERATOR. We have a picture. Can you show the slide?

GALICIA. The beds were full of cockroaches.

MODERATOR. This is a typical Vietnamese hospital.

GALICIA. Whatever care these people got in Choi Rhe was mostly what their family gave them because they would have the family stay with them. They were very short-handed. After all, this is a backward country. We all know that. And the number of trained people there, the number of trained personnel is limited. And even when the facilities were available within our hospital that was the standing order. And I know this because I lived there daily.

MODERATOR. (First slide) Here's a hospital in Ban Me Thout but almost every province hospital looks this way and some are worse and more crowded.

PANELIST. The one at Da Nang was a lot worse.

GALICIA. The one at Cho Rhe was a lot worse also. In contrast to this I'd like to go on to say that, however, where it concerned Vietnamese officials, we took care of the Prime Minister, his family and anybody who had any position or any authority within the Vietnamese government, this kind of thing. You'd know they were there because there were a dozen cars, there was all kinds of personnel to protect these people, and we actively treated these people. This was a time when you would finally see my commanding officer, whom I would prefer to leave nameless. This man was an internist. He was a fully qualified internist, but he never practiced a day of medicine when I

was there. His rounds consisted of glad-handing all the VIPs that happened to be in the hospital at any one particular time.

Within the family of the hospital, itself, I remember one occasion in which I overheard one of my techs talking to a girl who worked within the hospital, hospital cleaning, and I heard him say something about me. And he said, "Well, why don't you talk to the Doc, he's a pretty straight guy, maybe he'll do something for you?" I learned that this girl's brother was ill. She lived out in the alley and after all she did work for us; this kind of made her part of the family. You would have thought that at least maybe these people would be treated. I went with this girl later on to her family's home, and I determined that this was a five year old boy who had pneumonia. I went back and I asked if he could be brought in. I was flat out told no. I then asked if I could have the medication to go out and treat him and I was again told no. So I stole the penicillin and went and treated him anyway.

MODERATOR. Two days ago there was a Weapons Panel here and there was an expert from the American Friends Service Committee who discussed what he called the automatic or computer-run battlefield. He showed a number of very sophisticated, what we call anti-personnel weapons, which are to be used in this automated battlefield—which is, incidentally, one of the reasons why we can cut down our troop numbers in Vietnam. Some of these weapons can kill everything within a 60 yard radius, everything. It was a surprise to me that they are actually in use there now. Mike, you had a little personal experience with one.

ERARD. We were hit by our own artillery fire with three of the rounds. We were on a hill and we had ambush sites out around the hill. And somehow, either through our own error, or through a computer error, we were fired on. We received three 105 rounds right over us. Then the next three was this anti-personnel type round 105. When it hits it explodes. Inside the canister are small pellets—they look something like a hard ball, only a bit smaller.

These things explode and I believe there are about six or eight of these in a 105 round. They explode out and they can be set for different times. The ones that hit us exploded about a minute after it landed. We didn't know that this round was being used either, until we took sharpenel from it. Everybody up on the hill took shrapnel in this. These can be set from a minute, but I understand they can be set up to hours and days as to when they actually go off. That was my personal experience. I never treated a Vietnamese with that type of wound though. It's a regular type shrapnel type wound.

MODERATOR. Joe, you've seen what they do. What do they do?

GROSSO. Well, I didn't exactly see the weapon, but I had to police the remains of a command post that was hit with an anti-personnel bomb. It was our command post, unfortunately, which received an 800-pound anti-personnel bomb one evening. And thirty members of the command post were killed. The parts and remains of the bodies had to be policed and the damage done is considerable. There were no survivors. Bodies were devastated and destroyed, some beyond recognition.

DUBROW. I don't remember exactly what the dates were, but in 1969, whether through sabotage or error or what, the bomb dump at Da Nang Air Base blew up. It was a Marine bomb dump. There was a village that was right adjacent to the bomb dump and I was assigned as a medic to the demolition team that was there, defusing the bombs, and things like that. There were literally thousands of these things that Mike was describing—guava bombs which had a concrete outer shell filled with high explosives inside, timed ones, and things like this. As I understand it from talking to friends of mine who were working at the First Medical Battalion, which was near Freedom Hill at Da Nang, they treated many of the people in the village for shrapnel wounds which were received from these types of bombs. They flew out of the bomb dump and landed in the village.

MODERATOR. I guess all of you have seen what happens with napalm. Anybody want to describe that happens or what you've experienced with our use of napalm to kill VC? What does napalm do and what have you seen?

PANELIST. In Dong Ha, located about 18 miles south of the demilitarized zone, they have a children's hospital. It's all Vietnamese children. Mainly they're all civilians. They had a lot of children in there for treatment of diseases. There was one specific child I saw. I asked the child what had happened to him, and he said he'd been hit by napalm. His face, from his right eye around the back of his head (and had no ear), on down to the middle of his chest, was like one big mass of scar that'd just grown together. He'd been treated, but there's not a whole lot they can do for him. There's several of these cases, you know. I'm sure these people could tell you.

MODERATOR. Who else saw it? Anybody else see napalm?

GALICIA. I saw the effects a couple of times. One I distinctly remember was a lady I used to see out in the yard in between two of the wards. This lady'd been burned beyond recognition, facial-wise. She had no face. Her eyes were left and they had somehow or another grafted some skin over the front of her head. She had some sort of an orifice left that she could take food through, but that's about it. She'd been the victim of napalm.

PANELIST. On our trips to the Da Nang provincial hospital and to the other hospitals in the city, when we took our Vietnamese patients down there. I recall seeing several dozen over the period of a year—men, women and children—who'd been hit by napalm and were in essentially the same condition as has been described. They were scar tissues. These people were like kids with arms that were grafted to their sides because they had no skin left on the inner part of their arm. Kids that were, like, two, three, and four years old. They would never be able to lead a normal life because the scar tissue had been allowed to build up. There was no physical therapy program. I believe the only one in Vietnam is run by the American Friends Committee in Quang Ngai and they have the facilities to treat only a very small percentage of these people. There were a fairly large number, several dozen, that I saw at Da Nang burned by napalm.

MODERATOR. I have a sort of anecdote about napalm. I had a date with a representative of Dow Chemical Co. who told me that most of these burn injuries were due to the fact that the Vietnamese were using gas stoves and they were blowing up. Vietnamese use charcoal. How about white phosphorous? White phosphorous, I might add, is generally used for marking positions. It's absolutely against the Geneva Accords to use white phosphorous for military purposes. Did we?

GALICIA. Before we have any testimony concerning that, I think it's worth adding that white phosphorous is not something that if it hits you, you can put out. You have to carve it out, because it'll burn it's way straight through anything, especially, if you're speaking in terms of humans. It burns through anything: flesh, bones, till it gets to the other side and falls out.

PANELIST. There's only one way you can even temporarily stop it and that's to smother it. You can't keep something smothered for an extended amount of time.

GALICIA. Why? Because it re-ignites?

PANELIST. It just continues to burn, unless it is kept away from air.

GALICIA. Right. It ignites with air.

MODERATOR. Have you seen any white phosphorous injuries?

DUBROW. I saw several patients who supposedly had been burned, (I saw them in the Naval Hospital) by something we were told was white phosphorous or Willy Peter. I can't say for certain. It chars its way through. As I understand it, the Marines in our area would use what is called a pop-up flare, which is a hand-held flare that you shoot up into the air and fire at Vietnamese. I do know that these patients did come in and were treated for this after they had been burned.

PANELIST. In our battalion, when we were in Bau Loc, which is in Lam Dong province, the mortar platoon used white phosphorous with their HE rounds. The officers and platoon leaders were issued white phosphorous grenades. They were used, not as markes, but during firefights or in a village to either scare out people or burn it down.

MODERATOR. Next thing is gas. This is also against the rules set down in the Hague and Geneva Conventions. We used a combination of gases there called CS, CN and I think DM. These are a nauseant, a mucous irritant, and a tearing gas, a lacimating agent. I knew we used these because I saw them used. On Christmas day in 1964, we were attempting to recapture eight Americans somewhere in the area of Tay Ninh. We were attempting to recapture Americans who had been captured by the Vietnamese. They were going to blanket a large area near the Black Virgin Mountain where they thought these prisoners were. They mixed this gas on a soccer field which was adjacent to an airfield on one side and the hospital for Tay Ninh on the other side. They had large drums, they would mix them, and they would put them in a rocket pod of an armed helicopter.

While they were mixing them, a helicopter landed improperly behind the area where they were mixing and a large cloud of gas settled over the entire city of Tay Ninh including us. That included the hospital. Now these gases are said not to be lethal. Unfortunately they are lethal if you have pulmonary disease. If you happen to get nauseated and vomit when you've had abdominal surgery, it can be pretty serious. And if you happen to have an open wound with a nerve exposed, it will cause direct nerve damage. This whole hospital was covered with this gas which poured down over the area. Anybody else seen the effects of this non-lethal gas?

GROSSO. My only recollection doesn't include observation of the use of gas, but I recall four or five prisoners of war who were dying in the Tuy Hoa general hospital, one of our general hospitals, of pulmonary edema. The nurses there informed members of our brigade that these prisoners had been in tunnels and gassed. They did have pulmonary edema from my observations, at least, and according to the physicians who were attending them.

PANELIST. Something I can relate concerns a chemical. I don't even know exactly what chemical is used. I just saw what happened to children in the Dong Ha children's hospital from various use of chemicals and a lot of the other things you people have been seeing the last few days. Gas possibly could have been the cause of these things. I'm not really sure. There was a whole ward of about 12 little kids who had been born deformed because of gas, chemicals, whatever agents were used in the country by the United States. But these kids were deformed. One kid's feet were turned around and he was walking on the joints of his ankles. His elbows were also inverted. His hands were backwards.

MODERATOR. My guess is that you're talking about defoliating agents. There are three versions—White, Blue and Orange.

PANELIST. I couldn't exactly say what chemical or what defoliants caused it.

MODERATOR. Was this in an area where they were defoliating?

PANELIST. They defoliated portions of the whole country, so you can't designate a specific area. At least in this place I couldn't.

MODERATOR. Agent Orange, which is sometimes called 245T, is known to be terogenic or cause birth defects in a number of experimental animals. Supposedly now it's outlawed by the US Department of Agriculture and supposedly we have stopped using it in Vietnam. However, the Vietnamese are reportedly still using it. We have dropped 40 million pounds of this agent on Vietnam.

PANELIST. My understanding is that a mother would come in contact with it through their drinking water most of which is rain water. They have a barrel outside of their house, a catch basin on top of the house, and the water runs down into the barrel. Everyone drinks out of this water and a woman, if she drinks about a quart of this water, can cause damage to a child while she's in pregnancy.

MODERATOR. Dave, why don't you tell us about some of your experiences with US military personnel problems of drug addiction or drug abuse?

GALACIA. We went into this subject somewhat extensively on Sunday when we were talking about what we do to ourselves but I think it's worth repeating. I went there as a fully trained psychiatrist and that makes me have enough brains in my head, supposedly, to come up with a standing diagnosis for any one individual. Our policy, and the regulations which I worked under, precluded my being able to send people out of country for further treatment. I could make a positive diagnosis of severe physical addiction to a drug such as heroin or opium. In this country we consider this a big enough disorder to hospitalize people and we take them away from the source of the drug. There was no way to take people away from the source of the drug in Vietnam. That doesn't come as any new bit of information to any of the vets here. You get drugs anywhere. There is no problem where that is concerned. I dislike to use the word, but I can't really think of another one. I was monitored where this was concerned.

It took two days for the medivacee to get on a plane and get the ——— out of country. He went to Tan Son Nhut on the next day, he rested there for a day, and then he got on the plane and went the following day. So this left plenty of time for my write-ups to go up to Long Binh to the office of the Psychiatric Consultant from the Surgeon General's office for Vietnam. If I tried to push something through like this, I would get a phone call, be told that this simply was not policy and that what the ——— was I doing trying to Medivac this person out of country. The one person that stands out largest in my memory was a black kid who came in on six different occasions. He had shot up to 30 cc's of heroin or opium a day, 4 cc's at a crack—seven or eight times a day. And if this is not addiction I don't know what is. He would be taken by the MPs back to some MP unit, then be released to his Company Commander again because there is such a rampant problem they didn't have space for these people. They didn't know what the ——— to do with them, so they ended up giving them back to the Company Commander.

The Company Commander may or may not have been an understanding guy; he'd try to put the man back to work, and, of course, this man would be back in the hospital again. I harbored a few of these people for a while. Most of my patients were on Ward 8. I would sneak these people up to Ward 9, which was a convalescent ward, and again I constantly got bombarded from the hospital, itself, because regulations there said I couldn't keep anybody for more than 30 days—I got called down front many times, accused of harboring individuals, and I confessed to it, but these were the people who had been in so many times that, you know, it was like clockwork—three days or four days from the time I let them out, they'd be back. I kept trying to tell people this and I kept getting turned off. Nobody ever offered me an explanation as to what I should have done with these folks except wean them off the drug at that particular time. Don't worry about their addiction.

Their ETS or their Deros day (their day for leaving) would rotate around some time and I'd be rid of that problem. I'd just have another one to handle. And this is about the way it went for me, all year long.

MODERATOR. You didn't have any methadone?

GALICIA. I was denied methadone. I don't know why the ——— I was denied methadone. I broke people on thorazine. I might say that it served the purpose and most people adequately came down. But that doesn't take away from the addiction and it's not the drug of choice. Anybody who has any medical school training knows that. It's a simple proposition and I think that one of the things that was put forth was that it was too expensive and, you know, that's a crock of ———. It's a cent and a half a tablet.

MODERATOR. In terms of hard drug use, that's heavy use of barbiturates, heroin, speed, how many of these guys started over there? Have you any idea?

GALICIA. Well, I don't have figures because I never kept figures. It would have made a tremendous study, I suppose, for somebody's article. But, I felt so sick inside most of the time, I wasn't really concerned with articles. I'd say that probably one out of two or three out of five of the people who came in would outrightly confess to me that they had taken nothing (in the United States). Maybe they'd smoked some pot while they were in this country, but that was about the extent of it. And, I don't know what their purpose would have been in lying. I really don't know.

PANELIST. Just about any kind of drug that you can think of from heroin on down, if you couldn't get it from one of the guys in the hospital, it could be bought downtown.

GALICIA. It was no problem to get drugs up on the ward, even. While I'm at it, there's another thing I'd like to get my licks in on. I'd forgotten about it till right now. When I came into country I was shown my office. The office was in the back of an area which had been the dayroom. And that would have been okay. The dayroom had some things we could have used almost for therapy. At that time it had pool tables, ping-pong tables, card tables. This place had been turned into a Special Services Library and had been carpeted much the same as the carpeting on this floor. Rows and rows of books had been put up. Most of the time the ——— thing just went to no avail.

It was a good show piece for people who came in to see Third Field and nurses in white, etc. But the psychiatric office (it had a real fancy name—Chief of Department of Psychiatry and Neurology) was fine, except there were no other psychiatrists and there was no neurologist. So I was it. I had a social worker and two techs. And then I had to fight like ——— when they went home to get some more techs to replace them. The area, the type of degradation I felt this particular service of medicine was held in was incredible. Here I sat with my office in the back of a Special Services Library. This wasn't bad enough. We continued under this. But my in-patient service was on an open medical ward and I'd just like to describe the ward very briefly to you. This was a huge ward that was subdivided much the same way as these pillars subdivide. On that side, and back away from the nursing station, and on the other side, back away from the nursing station, were medical patients. You know, they had pneumonia, this kind of thing.

Down the sides from the nursing station, because it seemed like the best thing to do, the psychiatric patients were housed. This would include anyone from a psychopath to a neurotic to a psychotic. And the kicker to this is that in the middle was the intensive care unit for cardiac patients who were on monitors. What I'm telling you is the truth. This could be confirmed. Off to the left, by the way, was the renal unit, which was the only renal unit in Vietnam and, briefly, if you're in the renal unit, you're in there because you just can't make pee. And that's because you've got so many other injuries that your kidneys shut down so they put you on a machine that drains all your blood out, filters it and cleans it out for you, and then puts it back in. I had a paranoid patient walking around in there one night, I was told, after I left the ward, talking about how people were drawing knives on him, etc., etc. You know, if you're in a state of paranoia, and you're walking around seeing people that are having all their blood taken out of them, and you go for a further walk and you see people on cardiac monitors, it's pretty bad.

MODERATOR. The next subject is: what have we done to the Vietnamese people with venereal disease?

GROSSO. It's a strange subject to talk about. My contribution would be the observations about our brigade's activities in the Dak To area when we used military personnel, military equipment, and military time to construct a large wooden-framed restaurant which was staffed by Vietnamese girls. I believe there were at any time from 12 to 14, who provided services for an entire brigade of about 4,500 men on a volunteer basis, alphabetically. The charge was approximately $2.50. It required a great deal of time, materiel, and manpower for the medical company to examine these women several times a week. So it was more or less command policy that prostitution be part of the military operation.

GALICIA. I can add to that. In the travels I had to the south, each and every one of the battalion areas of the 3rd Brigade of the 9th Infantry Division, located 40 miles south of Saigon, had, under the army sign for the PX (Post Exchange) buildings that were erected for the purpose, supposedly, of a steambath and massage. Each one of these things had a medic and I talked to these medics. Some of these medics had a full time chore—to examine the GIs who wanted to partake of this particular service. I'm not so much against the service, myself, as I am the fact that these were Vietnamese people and they were being used in this fashion. If you want to be a prostitute, I guess that's your own business, but, I'm not so sure that that was the case. I just don't know.

We were developing strains of gonococcol organisms that were so virulent we were having a very difficult time eradicating them from people. We didn't see much syphillis. That's not worth talking about. I don't know what the treatment for an average strain of gonorrhea or gonococcus would be. I suspect it's in the realm of a million and two tenths penicillin. But the standing order over there was a combination of 4.8 million units of penicillin IM, and something like 16 tablets of 250 mg. tetracycline per day for three or four days running and then a continued dosage after that. A lot of the times this really didn't do the trick either. There were still people who were having difficulty and I think the long-range thing, when we're talking about what we do to the Vietnamese, is that when we leave, it stays.

MODERATOR. How about treatment on the Vietnamese? You know, can he get all these drugs to kill that organism?

GALICIA. No. It's not really available to them. Earlier in this panel I indicated to you that I stole the penicillin to treat a pneumonia.

PANELIST. At Da Nang the same situation existed everywhere. Outside of the military installations, you had houses of prostitution that were either built by the military or at least maintained by the 95th Evacuation Army Hospital at Da Nang. On the road leading to it were four houses, and the women, the prostitutes, who worked there, received their treatment from sympathetic doctors and corpsmen who worked at the hospital—the Evacuation Hospital there. We had a very large number of Air Force personnel at our base. We had an immunization clinic for the GIs and the longest lines for any of the immunizations were the penicillin lines for VD. If one of the Vietnamese women came in, whether she worked on the base or wherever she worked, claiming that she had caught VD or gonorrhea or whatever from a GI, she was always refused treatment on the grounds that if you treat one, you have to treat them all.

MODERATOR. Are there any last comments?

STEIGER. I have one that I would like to make. Jeff can back me up on this because he was there and he saw the same thing. From the 95th Evacuation Hospital and from other hospitals in the area, when we received patients, they all funneled their patients into the 22nd Casualty Staging Flight, where I worked to be Medivaced to another base in Vietnam, which is usually Cam Ranh Bay or out of the country to Japan or the Philippines or to the States. We would receive Korean, American, Australian, or whatever. We'd get men who had been wounded and had not had their dressings changed for days. We would receive patients who had had amputations of the legs or arms, and when we tried to change the dressings on these patients, we would find that they were hard. I mean, it was an Ace-wrapped elastic bandage, like you used in athletics. They were solid, and the only thing that had been done for them was to pour Batadon which is an antiseptic, over these wounds. After you soaked them and got them down, there were maggots inside, and these were our own men. This is the medical treatment they received. And this isn't like a thing that happened just once. It happened all the time.

MODERATOR. This was one hospital?

STEIGER. This was specifically from the 95th Evacuation Hospital. And those kinds of things go on over there all the time.

PANELIST. We had one GI who came in who had a big gaping wound on the lower part of his leg. The dressings hadn't been changed in about three weeks. I think it was the original battlefield dressing he had on. Why, I don't know, but it happens.

STEIGER. This is the superior medical care we had.

GALICIA. I was the recipient of some information today that made me think back. I went home to get this, because I think that this man (who for all good reasons remains nameless) was shipped to us from the 91st Evacuation Hospital in Chu Lai. I think that this man, as the story was given to us, was a recipient of some of our own misdirected fire. Whether he was or whether he wasn't, I don't believe really serves any purpose. This man had so many diagnoses, and this is a photocopy, or a transcript of the admission note when he came in, that they ran out of space on this paper and put the rest on a second one.

I sort of keep it as mere testimony of not only what these kind of weapons can do but what I was part of. I've many times thought about throwing it away, but I never did and I really don't know the reason for that. I suspect I do somehere. This man had a penetrating wound of all his extremities—face, chest, abdomen and genitals. He had a perforation of the small bowel, contusion of the transverse colon, laceration of the liver, a transection of his distal ureter on the right, a ruptured bladder, a wound open—penetrating of the rectum, fracture of the pelvis, rupture of the right spermatic cord, rupture of his ———, fracture of some of the bones in his leg, contusions of his lower left lung lobe, a hemathorax, which is blood of the thorax, acute renal failure and peritonitis. And the thing about it that really struck home with me, was that he was admitted to our hospital on 22 June, 1970. He was to go home on 16 July, 1970.

MODERATOR. Thank you. I would just like to share with you one last comment. During my last three days here, I think all of us have been extremely frustrated by the lack of national press coverage. We came from many parts of the country, often at our own expense, and this isn't the only country where there is a blackout on news. We're not sure why. We feel that what we had to say here as significant. And we all can prove we were in Vietnam. Here is a Saigon newspaper which I have saved—an English language newspaper. It's quite obvious that they did not want us to get certain kinds of information, and in terms of the hearings that you have heard in the past three days, it is obvious that somebody does not want the American people to hear what we had to say here. Thank you.

CLOSING STATEMENT

(By Don Duncan)

Before we bring these three days to a close, I would like to pass on some thoughts relative to the testimony to which we have been listening for the last three days. As most of you know, the purpose of this investigation, of course, was to bring some sort of reality as to what the war in Vietnam really means to people that must fight it, to the people that must suffer in it, to the Vietnamese, to the Americans, to all the mothers, fathers, sisters, wives, brothers. To let them know, in fact, what, people do in Vietnam, and what it is doing to their sons, as well as to the Vietnamese. It's tremendously important that this testimony be brought out, and that it be as widely disseminated as possible, to remove once and for all the blinders and the blinds from in front of America's eyes. No president could have sent us, soldiers and others, to Vietnam, had there not been some sort of cooperation or concurrence, passive or active, on the part of a large segment of this country. How that consent was come by is rather irrelevant. The fact is they had it. Whether it was because we were bent by the media, bent by propaganda, or whatever, the point is now the blinders must be removed. This meeting here today has been tremendously important. If it ended here today, it would be important. I hope it doesn't because there is still a lot of important work to be done, namely, to get this information out to the rest of the country. It seems that we're not going to be able to count on the mass media to do that, so it is incumbent on those who were present here over these past three days, to do it. It has been important for another reason. We have had an unprecedented number of veterans from the Vietnam War come in contact with each other for the first time. And many of the revelations to which we have been witness for the past three days have come from these contacts. Men who otherwise never would have stepped forward, knowing that they had company, did step forward. It wasn't an easy thing. I can assure you for most of these people, it was probably as difficult as anything they have ever done in Vietnam—I would say more difficult than anything they ever did in Vietnam.

In the introduction to these hearings, you were told that we were going to prove that, in fact, war crimes in Vietnam are not the result of individual, personal aberrations, but are, in fact, policy of this country. We have presented testimony for three days covering a wide range of war crimes. We have covered a period by actual first hand testimony from 1963 to 1970—seven years. We find; that in 1963, we were displacing population, we were murdering prisoners, we were turning prisoners over to somebody else to be tortured. We were committing murder then, and in 1970 we find nothing has changed. Every law of Land Warfare has been violated and been testified to here in the past three days. It has been done systematically, deliberately, and continuously. It has been done with the full knowledge of those who, in fact, make policy for this country. No active step has ever been taken to curtain those acts in Vietnam. The argument could be made that we have not shown policy, all we have shown is pattern and practice.

I think the argument to that is best displayed not by the testimony of the man who holds the rifle on the ground, but think of the bombings, think of the decisions that are behind the man that is carrying that rifle. We built forts in Vietnam to protect villages, or so we told the Vietnamese. And at the first shot fired at Tet in 1968 we destroyed the villages to protect the fort. District Eight in Saigon was leveled brick by brick, to the ground, to secure an area where Vietnamese, North Vietnamese, and Catholics, had come to the South because that was something the Church had told them in 1954. We leveled that area to protect a bridge. We have listened to some terrible stories here. We have found there are some wondrous ways indeed to inflict pain upon each other. We will call them atrocities, and we will call them war crimes. And to talk about those acts, I'm sure, has been almost as painful for those who have had to listen as for those who have talked about them.

I would, personally, at this point, like to thank those who have been setting here for the last three days. I would like to thank you for the respect that you have shown the material that has been presented here. I think the way that you received it is admirable. I only hope you will do something with that knowledge now. In Vietnam, we have a situation where never has there been such a disparity of power since the days when Mussolini and Count Ciano went in to Abyssinia to slaughter the spear-carrying troops of Haile Selassie. We have brought wondrous tons of ordnance, hundreds of thousands of men, Dr. Strangelove weaponry. We have used an air force against a country that has none. We have used a navy against a country that has none. And it still wasn't enough, and still the war goes on, and still the Vietnamese fight. It has been called a war of attrition. All wars are wars of attrition. A war of attrition in an industrial society means, in fact, destroying the means of waging war, the factories, communication lines, the roadways, bridges, the iron factories, and so on.

In a non-industrial society—in an agrarian society—such as Vietnam, when you talk of a war of attrition, you're talking only of one thing. You're talking about destroying the means to resist—that is killing people. Our country has set out very systematically to kill whatever number of people are necessary in Vietnam to stop them from resisting whatever it is we are trying to impose on that country. This, I think, is policy. I think we have established that policy here at these hearings; for those of you who have never been in service and have listened to this testimony, you might well be amazed at how our people, our men, our boys, our sons, could do some of these things that they described in this room. Otherwise normal individuals, creating terror, torture, destruction, wanton. How could they have done this? How could they have been changed that dramatically in eight short weeks of basic training? I think the fact that so much can

be done to so many men by so few people is the greatest testament to the fact that our colleges, our high schools, our everyday life is nothing but pre-basic training. We are well prepared.

Whatever it was that was in these men, that allowed them to do the things they did, is in all of us. We start taking it in, if by no other process, at least by osmosis, from the day we are born in this country. The men did not become racists when they entered the service. They grew up with it. It was taught to them and it was taught to them in our schools. The idea; that the United States has a God-given right to go into any country and take out its raw materials at an advantage to ourselves is not something that they learned in Vietnam. They learned it in our schools. They learned it from their mothers, fathers, their sisters and their brothers, their uncles. They learned it from all of us. We did a terrible thing to a lot of men in Vietnam and we're still doing it. I don't know who the ultimate victim in Vietnam will be. Will it be those who went from the United States to fight in it, or the Vietnamese that tried to resist? I do know this, having met and talked with many Vietnamese who have gone through worse hardships than anyone in this room who has been here these three days, that they, at least, do not seem to have lost their humanity in the process. But I fear that many of us, if we don't shorten up and get the message out, we will have lost our humanity beyond redemption.

If I can give you a specific example of the insanity of this policy, I think it might explain something. In 1967 (and this deals with this business about what was in these men that might have horrified you and what is in all of us) Dean Rusk went before the Senate of the United States trying to explain why we were in Vietnam and what we were doing there, and he made the statement that the reason that we were killing Vietnamese and engaged in a war of attrition against the Vietnamese was because Red China was a threat to the security of the world—meaning us. And one hundred eighty some odd million Americans sat in front of the TV tubes and nodded their heads. At last we had the reason why we were in Vietnam. We were in Vietnam to kill Vietnamese because China was a threat to us. He also went on to say that he was not going to allow wars of liberation to succeed, anywhere in the Third World. It's an interesting statement—that it could have been accepted by this country.

In fact, I heard very few voices raised against that statement. One of the few that heard was, of all people, Curtis LeMay. Curtis LeMay said we should go and bomb China. Everybody said Curtis LeMay was a madman. But who was the madman? He, having accepted that China was the enemy, thought at least it made sense to go and bomb the enemy. Dean Rusk wanted to bomb the Vietnamese. What a shock this must have been for a lot of soldiers who thought about that statement. Having been told they were going to Vietnam to fight for peace and freedom, they were suddenly told they were going to have to keep fighting Vietnamese until the Bolivians and the Peruvians learned their lesson. And Curtis LeMay was mad. The terrible thing we did to so many men in this country—and ultimately to the Vietnamese because of it—we sent them to fight a war without a reason to fight it. I don't know how many of you have experienced standing up in front of bullets, exposing your flesh to shrapnel, to hand grenades, and so on. It's a ——— of a thing to do, to send out somebody and tell them to make their body a target, and never give them a ——— reason to do it.

From 1963 through 1965, the war was fought by professionals, which is to say it wasn't fought at all. Things were going to ——— in a bucket. And so they started sending over the draftees, and large units, the people who had to enlist in the military reasons, or for whatever reason. And they threw them in. For them, taking orders wasn't enough. They wanted a reason. They wanted to believe the reasons they were given. And they accepted those reasons. In fact they urged and begged for a reason. And so they accepted the reasons of freedom and democracy. The reality of Vietnam, I believe, was a little too much. Anybody in Vietnam for three months, especially in a combat zone, who still believes he's fighting for freedom and democracy, should become a professional. The progress was given. Progress seemed to be enough. Large numbers of troops were sent to various areas of Vietnam, and after three days of battle and God knows how many killed, they would be in possession of that ground. And it was called a victory. The operation was called search and destroy. Quite appropriately. A series of these so-called victories, because we were in possession of the ground, albeit we left it the following day, was called progress. And progress for most, but many, was enough. And then came Tet of 1968. And in one night, the illusion of progress was gone. Tet could not have taken place without the active or passive cooperation of even the friendly Vietnamese. And who was the enemy? The slopes, the dinks, the zips—the Vietnamese. And all Vietnamese were gooks, sloops, slopes, dinks, and whatever. And yet they still had to go out and fight. There was nothing left, not even an illusion of progress. The light at the end of the tunnel turned out to be just what that implies—tunnel vision. And; then, we had to keep fighting. For what? We were told "so we won't be slaves". This isn't the road out of slavery—when you go to fight and kill for absolutely no cause, real or imagined. But in the end, the men keep getting killed. And every day the rage builds up, and the hate grows a little harder. And that rage must vent itself. And who do we blame this rage upon? The Captain that gave the order to attack? The people that sent them over there so the Captain could give them that order? Or the people who are shooting at you? The Vietnamese are shooting at you, and ——— it, you'll kill Vietnamese, and that's what you're in Vietnam for. So that terrible hatred spills out. And the whole thing not only destroys Vietnamese. It destroys the people who are destroying the Vietnamese. And I feel that it is probably destroying us at a greater and faster rate than it is destroying the Vietnamese. This country needs scapegoats. It needs a Lieutenant Calley. How can we admit it's policy? We need Negroes in this country. Who else are we going to kick? Chicanos? Our whole system is built on a principle of racism. To believe that you have the right to go into another country, and take from that country, at an advantage to you and a disadvantage to them you first of all have to believe that those people are something less than you are. Otherwise you'd be guilty of something.

And, of course, we're not guilty of anything. Because they are lesser people. When we got tired of the Indians, and there weren't too many of them left to exploit, we went and did it to somebody else. The move westward in this country has moved into Asia. And we're doing it to the Vietnamese, what we did to the Indians. It's oversimplified, but I think it's accurate. We are born with it; we live with it. We have heard testimony relating to another terrible thing. We heard testimony relating to electronic battlefields. Now we're going to kill Vietnamese without using people. And so that the only people who die in this war will be Vietnamese. We're in Vietnam for a very simple reason. We're in Vietnam, as Dean Rusk says, to prevent wars of liberation from happening in the Third World, anywhere. And why do we have to have that? It is not because the United States is against taking over a country by force.

We have proved, time and time again, that we have no objection to anybody of any political hue taking over another country; by force. Just so long as the power that comes into power is cooperative with us on trade relations, etc. to supply the sinews of American industry, to supply the people of this country with all the things they never needed. To eliminate a nation, to engage in a war of attrition against a people, any people, for such ends as this can only be described adequately with one word; and it's a word that I think falls very harshly on American ears, because we relate it to another incident, and the word, of course, is genocide. Any time you engage in the systematic destruction of a people, that is genocide.

The London Agreement and Charter describes war crimes (this is the basis for the Nuremberg Tribunal) as crimes against peace, namely, planning, preparation, initiation or waging of war, a war of aggression or a war in violation of an international treaty, agreements, or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing. War crimes, namely, are a violation of laws or customs of wars. Such violations shall include, but not be limited to, murder, ill treatment or deportation of slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity. And under the definition of the Charter, we tried the leaders of another nation for war crimes at Nuremberg.

We have heard much testimony to all of those things, here in the last three days. Again, there is much to be done. And we have to get this information out. I don't want anybody here to carry away a feeling of guilt with them. I want them to carry away the realization of what you have done, and I have done, and why we did it. And I want us all to do something with that. It may look like a hopeless struggle. I remember in 1966, February, I testified to many of the things that have been testified to the last three days. I was very lonely. Thank God, I'm not lonely anymore. But still it's a terrible way to gain company—to have men do these things. We have to get it out.

Our country has given us very definite proof within the last couple of days while we have been sitting in this room that our policies in Vietnam have not changed; that nothing is acceptable to the United States except victory. The Vietnamese have made it quite plain, for almost 2000 years now, that they won't accept victory from an outside power. The policy has not changed. We must change the policy for them. We must get out and talk to these people. To the veterans who came out here today, from myself personally, and I hope from all the rest of you, a ——— of a big thank you, and a sincere thank you. But again, this for many of you, is a first step. There are many things that you, as veterans, with this experience, can do. You must not forget that, in fact, there are still 3,000,000 men in uniform. A ——— of a lot of them still in Vietnam and a ——— of a lot of them to end up in Vietnam, Laos, and Cambodia. Start working with them. Start working with those who have not yet been drafted, and talk to them, and make the reality of the war known to them. And talk to your families. Over 40% of all the adult males in this country are veterans. That's something we have to turn around. We have to stop producing veterans. And for many of you who have spoken out for the first time and become involved in something for the first time, stay with it. For those of you who are veterans and are working and have been working for some time, keep working. And some day, you will be ex-veterans and we'll just be people again. Thank you.

THE PROPOSED UNIFORM MORTGAGE FORM FOR THE NEW SECONDARY MARKETS FOR CONVENTIONAL LOANS

HON. LEONOR K. SULLIVAN
OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mrs. SULLIVAN. Mr. Speaker, the Emergency Home Finance Act of 1970, Public Law 91–351, enacted July 24, 1970, a measure initiated by the Committee on Banking and Currency to meet what was then a crisis in home mortgage funds for middle-income families, included two new avenues for supplying additional funds to mortgage lenders: First, by expanding the purchase authority of the Federal National Mortgage Association to include conventional mortgages as well as the FHA-insured and VA-guaranteed mortgages it had previously been limited to acquiring; and second, by establishing a new secondary mortgage market system within the Federal Home Loan Bank System, known as the Federal Home Loan Mortgage Corporation, to purchase residential mortgages from home loan banks, the Federal Savings and Loan Insurance Corporation, member savings and loan associations and insured mutual savings or commercial banks.

In preparation for initiating the new secondary market operations in conventional loans, both the FNMA and the Federal Home Loan Mortgage Corporation have been working on a proposed uniform mortgage form which would be required to be utilized for new mortgages which lending institutions or other eligible agencies might eventually wish to offer to the secondary markets.

Mr. Ralph Nader and his associate, Mr. John A. Spanogle of the Public Interest Research Group, a professor of law on leave from the University of Maine, have severely criticized many of the provisions of the working drafts made public so far of the proposed uniform mortgage form. Other consumer groups have also expressed strong opposition to some provisions, as has the St. Louis Post-Dispatch and other newspapers.

HEARINGS CONDUCTED BY FORMER CONGRESSMAN RAINS

Today and tomorrow, a public hearing on the proposed mortgage form is being held by FNMA and FHLMC in the Statler Hilton Hotel, conducted by former Congressman Albert M. Rains of Alabama, who was for many years the Chairman of the Subcommittee on Housing of the House Committee on Banking and Currency, and is recognized as an outstanding and fairminded expert in the housing field. I am hoping that out of these sessions will come general agreement on a mortgage form which would be equally as fair to home buyers as to the lending industry. There are, as I indicated, many points in controversy on this issue.

Among the points in dispute are provisions in the proposed mortgage form prohibiting the payment of interest to mortgagors on their escrow accounts held for payment of taxes and insurance, providing for a substantial prepayment penalty for pay off of the mortgage prior to term, giving the lending institution sole determination of the use to which insurance claim payments are to be used following a casualty loss, and permitting demand for full payment of the mortgage if monthly payments fall in arrears after 30 days. There are, of course, other issues in controversy.

LETTER TO HON. ALBERT RAINS

Mr. Speaker, I am not an expert on the fine print in mortgage forms, but I am very much concerned over the rights of a home buyer in entering into a mortgage transaction, the biggest loan he probably has ever made, and particularly when it is one in which the Federal Government has a direct interest under legislation passed by Congress intended to make home financing available to more families.

Hence, without attempting to argue all of the technical points involved, but in order to place before a fairminded gentleman who, prior to his voluntary retirement from Congress, served for several terms as ranking majority member of my Subcommittee on Consumer Affairs, some of the factors I think should be borne in mind in the resolution of this issue, I have addressed today the following letter to former Congressman Rains for his consideration and for the public record in the hearings he is conducting for FNMA and the FHLMC:

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., April 5, 1971.

HON. ALBERT M. RAINS,
Statler Hilton Hotel,
Washington, D.C.

DEAR FRIEND: Since it is not possible for me to attend the public meetings you are conducting for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation today and tomorrow on the proposed uniform mortage instrument for the new secondary markets on conventional loans, I would like to share a few of my thoughts on this issue with you, and would appreciate having this letter made a part of the record of the hearing.

As you know, I am not a lawyer and do not pretend to understand all of the fine print in a mortgage. To most consumers, it is a mysterious document which binds the home buyer to do all manner of things under the constant threat of losing his home. It has been my observation that nearly every mortgage form is—like most credit contracts—a one-sided document which gives to the creditor every conceivable right in protecting his right to recovery of the loan while giving to the debtor few if any rights in any subsequent dispute between the two parties, or between the debtor and the seller of the mortgaged house.

Even in Federal Housing Administration insured loans, and Veterans Administration guaranteed loans, we discovered—as you remember from your outstanding work as Chairman of the Subcommittee on Housing of the House Committee on Banking and Currency—that real hardship was often visited on the home buyer because he was obligated to pay for a home which might be falling apart because of fraud or negligence by the builder (perhaps with collusion of Federal inspectors). As a result, Congress had to enact legislation to provide relief to the home buyers in such instances. The possibility of this problem arising on conventional loans is even greater, since no Federal inspection is involved.

The secondary markets authorized by Congress in 1970 for conventional home mortgages were intended to increase the availability of mortgage funds for homes at a time of extremely tight money and record breaking interest rates. The situation in home financing today is somewhat different from that which prevailed when this legislation was enacted. Hence, I think the agencies which will administer the new secondary markets for conventional loans have an opportunity—and are obligated—to proceed with great caution in adopting a uniform mortgage instrument which would automatically become the standard for the entire home financing industry—applying just as much to the good risk as to the marginal purchaser and being utilized in all cases whether or not a particular mortgage is ever sold to the secondary market. No financing institution will consider offering residential mortgages which could not be transferred quickly to the secondary market whenever it is to the lender's advantage to do so. So, to all intents and purposes, the proposed uniform instrument will become universal.

I do not for one moment believe that lenders should be required or coerced into extending mortgage loans without adequate security. Most lenders will undoubtedly continue to exercise care in extending loans, even if the loan can be sold and even if it is privately insured. My fear is that lending institutions which in the past have offered terms on escrow accounts, or insurance, or rates, or pre-payment penalties which were more favorable to the borrower than the terms competitors have offered, will now be in the position of saying the Government has "forced us to change these policies."

Should not the purpose of the uniform mortgage form be to protect the secondary market's investment by reasonable requirements but not make the "least common denominator" of finance industry practices the government-imposed norm for all residential mortgage transactions ever after?

I have the highest confidence in your ability to sift through the technical arguments on both sides of this issue, and I am just delighted that FNMA and the FHLMC have selected you as moderator of the public meetings. Thus, I have no hesitancy in calling your attention to the fact that, on escrow accounts, for instance, neither FHA nor VA nor the Home Loan Bank Board has been able to give me any basic data on the degree to which income from the use of moneys deposited in escrow accounts for taxes and insurance is essential to the economic health of the lending institution holding or servicing the mortgage. I have asked for such facts, and they do not seem to be available.

Some lenders have applied the tax and insurance deposits each month against the mortgage principal until such time as the taxes and insurance are due, thus, in effect, giving the mortgagor some benefit from these sizable deposits. Since the mortgagee is fully protected by his first lien on the property, the question about the application of these escrow accounts becomes one of which party is more entitled to receive some benefits from these funds—the home buyer or the lender?

I urge that this aspect be fully considered on the basis of the record which is compiled at these public meetings.

The pre-payment penalty to be incorporated in the standard form is another issue which involves equity to both sides. Also, the use of insurance proceeds from casualty claims.

Knowing your fairness, I am sure you will want to make recommendations, based on the record of the public meetings, to give the consumer not just "more of the same" on mortgage forms, but fair treatment. To the extent that a uniform mortgage form reduces competition among lenders in the terms they offer to borrowers, it is more essential than ever that the borrower's rights

are fully protected in the structure of such a form.

Sincerely yours,

Mrs. LEONOR K. SULLIVAN,
Member of Congress.

CAPITAL ATTACK SET BY RADICALS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. CRANE. Mr. Speaker, this morning's Chicago Tribune carried a startling article by the very able reporter Willard Edwards.

Mr. Edwards outlined the plans of various groups of radicals, extremists, and other kooks to disrupt the business of the Nation's Capital City later this month.

I am taking this opportunity to insert Mr. Edwards' column in the RECORD, with the hope that it will come to the attention of all of the law enforcement officials here in Washington, so that there can be no claim that "we weren't warned" about these activities.

In dealing with these people, I would hope that the legal authorities will be firm as well as fair.

We cannot tolerate civil insurrection in the United States, and I commend Mr. Edwards for calling these plans to the attention of the Nation so that we might be better prepared to deal with them effectively.

The article follows.

CAPITAL ATTACK SET BY RADICALS

(By Willard Edwards)

WASHINGTON, April 5.—"I hope," said Rennie Davis, "that the government will not make the great error Mayor Daley of Chicago made in 1968."

This grim reminder of the violence that flared in Grant Park during the Democratic Convention was voiced by Davis last week after federal officials refused him permission for a "peace city" encampment of possibly 75,000 antiwar demonstrators in Rock Creek Park in this city.

Davis, convicted of antirioting law violations in the Chicago 7 trial, is coordinator of the Peoples Coalition for Peace and Justice, one of the dozens of militant organizations planning an assault on the nation's capital from April 24 to May 8.

He is one of the advance skirmishers for the approaching invasion who have been studying the field of battle since mid-March.

If their plans materialize, and many authorities fear the operation may be successful, the world may gape at the spectacle of the United States government's executive, legislative and judicial branches under siege by tens of thousands of militants. Some estimates put the expected attendance as high as 200,000.

The stated objective is "to shut down the government until its stops the war in Vietnam."

The major targets will be the White House, the Pentagon, Selective Service headquarters, the Senate Office Building and the Capitol, the Internal Revenue Service, Justice Department, Health, Education, and Welfare Department and all police stations and fire houses.

Police, military intelligence, secret service and the Federal Bureau of Investigation have received reports of a carefully planned and coordinated exercise. Beginning April 17, the "convergence" on Washington will be initiated in many sections of the country.

From April 19 to 23, an organization known as Viet Nam Veterans Against the War will stage marches, "vigils" on Capitol Hill, and "guerrilla theater" in which performers will be dressed in jungle fatigues and carry toy M–16 rifles.

On April 24, the National Peace Action Coalition, after a march from the White House to the Capitol, will stage a rally, addressed by members of Congress, in which 50,000 persons are expected to participate.

During the last week of April, the pace of the demonstrations will be stepped up in preparation for the climatic week of May 1–8 when a serious attempt will be made to bring all government to a standstill.

As disclosed by Davis, demonstrators will block traffic by abandoning old automobiles, purchased for the purpose, setting them afire if possible. Massed bands will provoke the police. Federal buildings and congressional offices will be occupied. Not even the Supreme Court will be immune.

Under cover of repeated claims that violent tactics are not contemplated, the potential for violence is freely recognized. At a secret meeting in Chicago March 19–20, attended by leaders of ten organizations, the use of explosives was discussed.

These leaders also reported that organized units of their followers had been trained in crashing police lines. The overall plan for the Washington operation bears the label "Mobile Civil Disobedience."

The comparatively small Capitol Hill police force is particularly apprehensive about its capacity to preserve order under massive attack.

AMVETS AWARD TO DANNY THOMAS

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 6, 1971

Mr. ARENDS. Mr. Speaker, at the 26th Annual National Convention of the AMVETS held in New York City last August, this outstanding veterans' organization conferred on Danny Thomas its Special Silver Helmet Award for Humanitarianism.

The life of Danny Thomas exemplifies our American way of life. I believe all should read the AMVETS citation in making its coveted award to him.

It follows:

SPECIAL SILVER HELMET AWARD FOR HUMANITARIANISM PRESENTED TO DANNY THOMAS

SHOWMAN UNEXCELLED—HUMANITARIAN UNSURPASSED

MARCH 27, 1971.

Talk to anyone about Amos Jacobs, born in Deerfield, Michigan, and raised in Toledo, Ohio. Chances are, they will say "Who?" But mention Danny Thomas and faces light up with smiles.

Amos was one of nine children. He never finished high school but he did go to work. First, selling newspapers then, for seven years, as a candy butcher in a burlesque. He saw all the great comedians perform. In time, he realized that he, too, could make people laugh—and he had a brother named Danny and another named Thomas.

Somewhere in the climb from a $2 a night saloon comic to probably the best stand-up comedian of our generation, the humanitarian developed.

In the beginning, times were hard. His young wife, Rosemarie, about to have her first child, begged him to get into some other line of work. Danny turned to prayer.

Kneeling before the statue of St. Jude, patron saint of the hopeless, he begged for a sign. He was even willing to negotiate. If Danny Thomas could succeed in show business, he would erect a shrine to St. Jude.

The outcome is legendary. We are among the millions to whom Danny Thomas brings pleasure. AMVETS who served in North Africa, Italy or the Philippines during World War II, remember especially how he entertained us with the USO troupes, when we were so far away from home.

When success came, Danny decided that only a hospital would be a fitting shrine to his patron saint. Thus, he established the non-profit St. Jude Hospital Foundation in Memphis, Tennessee. Again, his success has been phenomenal.

St. Jude's is the only one of its kind in the world—a children's research hospital dedicated to help grieviously ill children of all faiths and races.

Danny leads the list of contributors of time, energy and personal treasure to the foundation. He has also inspired thousands of others to help pay for construction and maintenance of St. Jude's, including the annual Teenagers March sponsored by the American Lebanese Syrian Associated Charities which raises most of the annual $2 million maintenance cost.

What motivates Danny Thomas? Here is his answer: "For years, when I was struggling to get somewhere, all my prayers were 'gimme' prayers. I always needed something. Things are different now. The only thing I ask for these days is a grateful heart."

AMVETS proudly presents the Special Silver Helmet Award for Humanitarianism to Mr. Danny Thomas, a truly fine person who makes the business of living worthwhile.

AMVETS AWARD TO FRANK BLAIR

Mr. Speaker, at the 26th Annual National Convention of AMVETS last August, the National Commander's Special Achievement Award for Public Relations was presented to Frank Blair.

He has proven himself to be an outstanding journalist, and I believe that the citation presented to him by AMVETS should be made a part of the RECORD. It follows:

THE NATIONAL COMMANDER'S SPECIAL ACHIEVEMENT AWARD FOR PUBLIC RELATIONS PRESENTED TO FRANK BLAIR

In recognition of your twenty years of service to our generation by the impact on our daily lives of your in-depth reporting of the news of the world on the NBC "Today" Show AMVETS Wish You a Continual Bright and Happy "Today."

Frank Blair's news, sports and weather reports are telecast on the full TODAY station line-up of over 200 stations. He presents the national and international news four times each morning, five days a week. In his twenty years as TODAY news reporter, Frank Blair has delivered more than 20,000 reports.

AMVETS AWARD TO POPE PAUL VI

Mr. Speaker, no man has worked more tirelessly and more relentlessly for the achievement of peace throughout the world than His Holiness Pope Paul VI. It is appropriate that he should be selected by AMVETS for its Peace Award.

I believe that the AMVETS citation presented to His Holiness should be made a part of the RECORD.

It follows:

PEACE AWARD PRESENTED TO HIS HOLINESS POPE PAUL VI

MARCH 27, 1971.

For personally pursuing a relentless quest for peace and courageously speaking on behalf of all people to the governments of the

world, calling upon them to honor the value of human life.

Eight times Pope Paul VI has journeyed to foreign nations to walk among the people—to talk and to reason about problems so often bypassed by others or disguised in a cloak of rhetoric. His footsteps are halted neither by praise nor by criticism.

Head of the largest religious population in the world, Pope Paul VI occupies a powerful place among the leaders of today—yet, his strength is unique. He leads not with the backing of mighty armies but with the majesty of God. And this good man, with unshakable faith, advocates that mortals must live together with tolerance for one another and respect for authority, if mankind is to continue on this earth.

Fifty years ago, Giovanni Batista Montini was ordained a priest. From his earliest youth, it was recognized that he had high intellectual capabilities and even then, he devoted his time to helping the sick and the poor and the fallen-away Catholics in his neighborhood. This was a strange pursuit for the son of a well-to-do Italian family.

He has held positions of increasing importance in the ensuing years but always, there remained his vital interest in others and his complete devotion to the dogma of the Church.

When the College of Cardinals selected Cardinal Montini to be head of the church, he chose the name of Paul, a name that has been carried in times of turbulence in the church in ages past.

AMVETS represent veterans of World War II, Korea and Viet Nam. We are proud that we fought for our country and through each war, our goal has always been world peace—but it has not been so. We realize that battles must cease and each man must learn to live with the other. This is the message of Pope Paul VI.

We proudly present the AMVETS Peace Award for 1970 to His Holiness Pope Paul VI, for we believe that the world will be a better place, because he walks among us.

HOUSE OF REPRESENTATIVES—*Wednesday, April 7, 1971*

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If any man would come after Me, let him deny himself and take up his cross and follow Me.—Mark 8: 34.

O God and Father of us all, without whom no one is good, no one is wise, amid all the concerns which drain our strength, drown our efforts, and divide us in our endeavors on behalf of our country, may we this week—

"Take time to be holy,
Speak oft with thy Lord:
Abide in Him always,
And feed on His word:
Make friends of God's children,
Help those who are weak,
Forgetting in nothing
His blessing to seek."

Keeping ourselves hospitable to the highest and best in life, may we be prepared for the work of this day and for the Easter recess which soon will be ours.

Bless our Nation with Thy favor and make us channels through which peace and good will can flow into our world.

In the spirit of our risen Lord, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
April 6, 1971.

HON. CARL ALBERT,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: Please be advised that the Clerk of the House has received a certified copy of the certification executed by the Board of Elections certifying the election of Walter E. Fauntroy as Delegate to the House of Representatives from the District of Columbia.

The above certification of election is on file in the Clerk's Office.

With kind regards, I am,

Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

COMMUNICATION FROM CAPT. AUBREY M. DANIEL III TO THE PRESIDENT

(Mr. CORMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CORMAN. Mr. Speaker, I suppose that each of us has had a different reaction to the verdict rendered by the court-martial in the Calley matter. My own was renewed confidence in our capacity to administer justice in our Military Establishment.

Early public reaction evidencing some disfavor with the result of the court-martial was not surprising, since we have for the past several years witnessed strange, spontaneous public reactions in the whole field of the administration of justice.

What became terribly distressing to me was to watch the reaction of my President and some of my colleagues who, either through sincerity or political expediency, joined in the clamor—a clamor that seemed to me as reasonable and logical as a lynch mob.

I have not found it within my capability to put into words my total feelings. It has been done for me by a young captain in the Judge Advocate General's Corps, Aubrey M. Daniel III. Captain Daniel has spoken for me. I believe he has spoken for most loyal Americans who have had any experience in military combat, and I hope he speaks for the vast majority of American people who live in a nation dedicated to freedom and justice under the rule of law.

Mr. Speaker, I intend to request a special order today at the conclusion of all business, and any other special orders heretofore entered into, to place in the RECORD the letter from Captain Daniel to the President of the United States.

ERA OF THE BELIEVABILITY GAP

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, since we passed the era of credibility gaps, perhaps we should prepare for the era of believability gaps.

Consider as cases in point the following quotations:

The slaying of Vietnamese civilians at My Lai could under no circumstances be justified.

I'm going to do everything I possibly can to see that all the facts in this (My Lai) incident are brought to light and that those who are charged, if they are found guilty, are punished.

I will "see to it that what these men did—if they did it—does not smear the decent men that have gone to Vietnam in a very, in my opinion, important cause."

What appears was certainly a massacre, and under no circumstances was it justified.

All of these are quotes from the President at his televised press conference on December 8, 1969. So Mr. Speaker, to you and my colleagues, let me say in light of the President's recent actions—welcome to believability gap.

J. EDGAR HOOVER

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, J. Edgar Hoover has served our country with the utmost devotion and distinction from the very inception of the Federal Bureau of Investigation. He has made a major contribution to the survival of our democratic form of government and to the cause of individual liberty.

I fear what might have happened during the days of Nazi and Fascist subversion had it not been for Mr. Hoover and our superb FBI. At a time when Joe Stalin was pictured as a benign benefactor of humanity, J. Edgar Hoover knew of the designs of international communism and warned America in the nick of time. Today the Nation is faced with yet another threat, the threat from multistate conspiracies of anarchists and terror bombers. The FBI is today our first line of defense against these interstate terrorists.

Mr. Speaker, one of the greatest accomplishments of the FBI has been the