

EXTENSIONS OF REMARKS

THE 2.5 MILLION VETERANS WHO DID NOT COME

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Richard Wilson, editorial writer for the Evening Star has written in the Monday, April 26, edition an article which I feel should be read by every thinking American. I include this article in the RECORD and commend it to the Members of this body:

THE 2.5 MILLION VETERANS WHO DIDN'T COME
(By Richard Wilson)

At the end of 1970, according to official Defense Department figures, approximately 3 million Americans had served in Southeast Asia, 2.5 million in Vietnam alone. The thousand or so of them who demonstrated in Washington were a minute fraction of the total who have served in Vietnam. This certainly could not be considered an abnormal proportion of disillusioned and embittered veterans emerging from any war in any country.

In fact, the discontented and alienated veterans of war have in some countries and for different reasons represented a far more serious challenge to governments in power, Germany being the most dramatic illustration.

Yet there is an element of disappointed expectations in the attitudes being adopted by the veterans of Vietnam. Anyone who visited Vietnam in the early part of our heaviest involvement had difficulty stifling a sense of pride in American behavior and performance on this far-off and difficult battlefield.

The ranking officers, from Gen. Westmoreland on down, all felt it. Many of them, including Westmoreland, believed that the rotation of manpower on the basis of one-year service would continually send back to the United States men who in due course would create an important reservoir of support for American operations in Vietnam.

In the beginning this did seem to be the case. The Vietnam veterans in large number felt that they had been participating in an action which was both necessary and worthwhile. And it was on this basis that one observer, at least, departed from his usual detachment in writing for the news columns to assert that the Vietnam operation was worthwhile.

The expectation that the hundreds of thousands of returning veterans would create a solid base of support for continuing on the road toward American objectives has not materialized in any concrete way. Perhaps it exists and underlies the patience of the American people with the slow and painful process of disengagement.

But those who contend that this has been an ignoble war and unworthy of American standards and ideals have gotten the upper hand so far as public attention is concerned. They are making the most of the presence in Washington of crippled and wounded medal winners and scoffing at President Nixon for his forbearance in avoiding evicting them from the public grounds of a nation they have served.

Nothing that the veterans did here brought the end of the war one hour closer but their encampment did serve as a political backdrop for various Democratic presidential candi-

dates who are trying to make the way out of the war as hard as possible for Nixon on the pretext that his commitments can't be relied upon.

What the vast majority of 2.5 million men who have served in Vietnam may think of all this is unknown but they have endured it in silence and without the affront many of them evidently felt over the conviction of Lieut. Colby.

The ugly possibility presents itself that one of the legacies of the Vietnam war will not be men who returned strengthened or ennobled by service to their country but the fewer who are permanently estranged and distrustful of all higher authority.

If there was any point at all in the Vietnam veterans visitation it was to persuade Nixon of the expediency of declaring a fixed date for the completion of a total withdrawal from Vietnam.

This is not in the cards and it is hard to believe that it would actually become the program of any president elected as Nixon's successor whatever he might say or pledge during a presidential campaign.

Total and hurried withdrawal from Vietnam carries with it the imminent and real danger of terrible consequences for the people of South Vietnam to say nothing of American integrity.

Presidential candidates and aspirants who create the impression they would totally withdraw now, and exploit a veterans protest to reinforce that impression, are living and talking in a make-believe world. They do not know they could lead the American people that way if they got the chance.

The 2.5 million veterans of Vietnam who did not come to Washington may have something to say about that.

CONSUMERS UNION ARTICLE ON FAIR CREDIT REPORTING ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mrs. SULLIVAN. Mr. Speaker, an excellent summary of the Fair Credit Reporting Act, which went into effect yesterday, was contained in the April issue of Consumer Reports magazine, published by Consumers Union, and should be useful to Members of Congress in answering inquiries from constituents about this important new law and the rights it grants for the first time to consumers.

This article, as does an article by Mr. Ralph Nader in the Saturday Review, finds the new law deficient as regards protections against unwarranted invasions of privacy. However, on balance it describes the statute as extending significant rights to consumers, and I certainly agree with that. Articles such as this will enable consumers to learn about those new rights, and to exercise them when they are the victims of erroneous or misleading credit reports, either in connection with applications for consumer or mortgage credit, or for employment, or for insurance for personal, family or household purposes.

The Consumers Union article refers to possible loopholes in the act which all

of us who took part in writing the legislation will certainly want to keep under surveillance, if I can use that word in respect to this act.

The article referred to follows:

[From Consumer Reports Magazine, April, 1971]

ECONOMICS FOR CONSUMERS: WHAT TO DO IF YOUR CREDIT GOES BAD

A new Federal law this month gives consumers some rights against the use of erroneous data in the files of credit bureaus. But the Fair Credit Reporting Act is a mere popgun against invasion of privacy.

"It seems to me a very terrible society—and I mean terrible in the sense of frightening and terrifying—where information given to one man becomes information available to all. . . . So I think you need a law to protect people against that." Charles Reich.

On April 25 a new law called the Fair Credit Reporting Act goes into force. Although not quite what Charles Reich, Yale law professor and author of "The Greening of America," had in mind when he spoke the above words at a Congressional hearing five years ago, it does attempt to affirm the constitutional right of every American to the protection of law against those who might damage a most valuable piece of his property—namely, his reputation.

What Mr. Reich and many others were concerned with at the time was mainly invasion of privacy by government. A national data bank had been proposed. It would have provided a highly efficient computerized means for the Federal Government to call forth, instantaneously, a frighteningly complete dossier on each individual. The information for the data bank could have come from records compiled by the various Federal agencies in the course of census-taking, taxing, financially assisting, militarizing, demilitarizing, prosecuting, loyalty-checking, passport-investigating, medically insuring and otherwise processing people.

The defenders of privacy have thus far helped forestall any official national data bank. But, as one of them, Professor Arthur R. Miller of the University of Michigan Law School, told CU, government computerization of information about individuals may have proceeded to the point where such a data bank is already a reality.

At least the right-of-privacy hearings did remind Congress that data banks of a sort also exist in the business world. They consist of the files of some 2500 credit bureaus and local merchants' associations. In those files are dossiers on almost every American adult.

Credit bureaus freely exchange information from their dossiers and sell it to their clients for credit reports, hiring references, insurance applications, and even for mailing lists. Information flows two ways. Stores and financial institutions, for instance, not only buy credit reports but also send to credit bureaus the vital statistics and repayment records of consumers. To expedite the flow, the files of at least the large credit bureaus are gradually being computerized. Some heavy users of the information, such as banks and big stores, already have their own computer terminals hooked into the credit-information network.

A national computerized credit network hooking up the 2100 members of the Associated Credit Bureaus, Inc., was announced in 1968, but the plan fell through. Meanwhile, though, one fast-growing credit bureau with national aspirations, TWR Information Services, Inc., has put a fully computerized system in operation and predicts

that it can store data in its computer memory on every credit-using American by 1973.

THE SNOOPERS

Until now, credit-bureau dossiers have been used for purposes far beyond the exchange of routine business information. The Internal Revenue Service consulted credit-bureau reports in its investigation of some taxpayers. The Federal Bureau of Investigation bought credit reports on people it was checking out for various reasons, criminal or otherwise. In the files of some types of credit bureaus, such as the Retail Credit Co., O'Hanlon Reports, Inc. and Hooper-Holmes Bureau, Inc., are details about people's lives of a far more intimate nature than you might think. These firms do reports for insurance companies and employers, and they compile their information by interviewing the neighbors and associates of their subjects. The sort of information sought by their clients includes hearsay evidence bearing on sexual habits, marital relations, character traits and general reputation.

So-called investigative reports based on hearsay, often hastily dug up by overworked, underpaid field men, go not only to the clients requesting them but also into the credit-bureau files for future reference. In the Congressional hearing transcripts are the cases of people who have been rendered virtually unemployable in their regular occupations because of inaccurate and damaging hearsay evidence.

Most of the information merchandised by the typical credit bureau, though, comes from consumers themselves. It comes from the applications you fill out when applying for credit or insurance, and it goes both to the company being applied to and to one or more local credit bureaus.

Credit bureaus also scour court dockets, county clerks' files and other public records, looking for the names of people who appear to be in financial trouble. When such information is put in credit-bureau files, there is always the chance of mistaken identities. Worse still, credit bureaus admit that they do not usually follow a case to the end. The fact that a person has been sued for non-payment of a debt may reach their files—but not the later fact that the charge was dropped, proved wrong or settled out of court.

LOBBYISTS TAKE OVER

As the facts about the credit reporting industry unfolded in the hearing rooms of Congress, it became evident that a law would be passed to regulate the industry. At the same time, not even the severest critics wanted to abolish credit reporting. It is, after all, the best source of information open to lenders when they must decide who will or will not get credit. An accurate, up-to-date reporting system makes it easier for consumers to obtain credit. If most lenders relied on thorough credit checking, the economy would be better protected from the perils of a population badly overcommitted to installment debts. In a credit-based economy it would be far better to have lenders rely on accurate, up-to-date credit reports than to have them rely, as so many do now, on socially disruptive collection methods, such as repossessions, deficiency judgment (so they can go on collecting payments from debtors after repossession), wage garnishments, excessive interest charges, and security liens on the debtor's dwelling.

Seeing that a new law was inevitable, the Associated Credit Bureaus quit the opposition and came out in support of a rather weak bill. Although the law that passed was not quite so weak as the ACB would have had it, the trade group was able to tell its membership: "We . . . believe most of you will find that the law presents few operational changes from what you are already doing."

THE CONSUMER'S NEW RIGHTS

Nevertheless, consumers have won some new rights to protect their financial standing and perhaps even their personal reputation. Almost everyone has been through situations where these rights might have been of some avail. They should help, for instance, the next time you are being billed and threatened with damage to your credit rating for something you did not buy or have already paid for. They would have helped a West Virginia woman who wrote to us about a New York City Department Store that canceled her charge account when she refused to pay for \$13 worth of undelivered bed sheets. "What is a housewife to do to keep from getting her credit rating ruined?" she asked. They would have helped a North Carolina man who told us he had been turned down for a bank credit card because of unpaid bills from a record club he had never joined, from a mail-order house for nonexistent finance charges, and from a hospital for a bill long since paid. "There seems to be no way to get a bad record cleared other than to sneak off in the night and reappear with a new name," he said.

Here's how the Fair Credit Reporting Act works:

When you're rejected for credit. A company that turns down your credit application because of a bad credit-bureau report must give you the name and address of the bureau. The same holds true for an insurance company that rejects your application for a policy or an employer who refuses to hire you because of a bad credit report. And it holds true if you are charged extra for credit or insurance because of a bad credit rating.

After you have been told that a bureau report has hurt your credit, insurance or employment status, you have some rights at the credit bureau. It must disclose to you "the nature and substance of all information" in its file about you, except medical information. You have a right to be told the sources of almost all information, too. Here, though, the credit bureau lobbyists put a serious crimp in the new law. You do not have a right to know the source of hearsay evidence about your character, reputation and personal life unless you sue the credit bureau or users of its reports for violating your rights under the act. To make sure you don't see what they don't want you to see, the credit bureaus persuaded Congress not to give consumers the right actually to lay eyes on their files.

When a credit bureau tells you what's in your file, it must also tell you the names of any firms that received your credit record during the previous six months. It must tell you who received your record for employment purposes in the previous two years. (Pro-consumer members of Congress fought in vain for a five-year disclosure period.)

The law says credit bureaus must have trained personnel available to tell you what's in your file during regular business hours. Ordinarily, you must go to the credit bureau. But at your written request and after taking proper precautions about identifying you, the bureau is allowed to give you the information over the telephone.

Correcting false reports. What do you do if you discover that the credit bureau has false, incomplete or inaccurate information about you? The Fair Credit Reporting Act says the credit bureau must reinvestigate disputed information "within a reasonable period of time" unless "it has reasonable grounds to believe that the dispute by the consumer is frivolous or irrelevant." Unfortunately, weasel words like those quoted may sabotage enforcement. But unless it tries to weasel out, the credit bureau must promptly delete any data found to be inaccurate or unverifiable. Furthermore, at your request it must send notice of the deletion to any or all those who received your report in the previ-

ous six months (or two years for employment purposes).

The law anticipates some disputes between you and the credit bureau that investigation won't settle. You might have lost the receipt for a bill paid in cash, for instance, or you might be withholding payment for defective merchandise until the defect is corrected. In such cases, you have the right to put in the file a statement of 100 words giving your side of the argument. The credit bureau must include your statement in any future report. It must also, at your request, send copies to those who have already received the disputed information.

If you have gone to the credit bureau after learning that someone received a bad report about you, the bureau is not permitted to charge for disclosing what's in your file or for making the corrections, deletions, additions or notifications required by law. But to get those services performed free, you must go to the credit bureau within 30 days of receiving official word of the bad report.

Before you have been rejected. As a consumer, you have the right to find out what's in your file at any credit bureau even though no one notified you of receiving an unfavorable report. The bureau must still investigate items that you believe need correcting, delete inaccuracies and send out deletion notices. It must also insert in the file your statement about any disputed accounts and must send copies to recent recipients of your report. The bureau may charge you a "reasonable" amount this time, except for sending deletion notices.

But what if you suspect there's a false report being circulated? Which credit bureau should you visit? Should you go to more than one? The problem is real enough. The classified telephone books of large cities show long lists of credit reporting agencies—45 in the Manhattan directory alone. Moreover, as you move from city to city you may leave behind files in several local bureaus. As the law stands, some files won't come to your notice until they are used against you.

The industry succeeded in beating down a proposal by Representative Leonor K. Sullivan of Missouri to require credit bureaus to notify consumers as soon as they are made the subject of a dossier. If that idea had carried, everyone could have known of the existence of all credit-bureau files about him. In case he had reason to believe some erroneous information was being circulated, he would have known where to go to protect himself.

Snooper reports. You have the right to be told promptly when someone has asked for a report about your character, general reputation and way of living—a hearsay report—and you also have the right to demand complete disclosure of the nature and scope of the investigation. But you can't call off the snoopers. Furthermore, if someone is considering you for a job you haven't applied for, he can get a snooper report without telling you.

Reports to employers. The law gives job seekers some minimal protection against the use of incomplete reports from court dockets and other public records. Any credit bureau sending out an employment report containing adverse information based on such records must do one of two things. It must let you know immediately so that you can bring the record up to date for the prospective employer. Or it must make sure its own report is current as far as the public record is concerned. The trouble is that public records of many legal actions are never made complete because the parties have settled out of court and their attorneys have not notified the court clerk to close the case.

Obsolete or unverified information. The new law forbids credit bureaus to send out adverse information more than seven years old. But there are important exceptions. Bankruptcy information may be included in credit reports for 14 years. And no age limit

is placed on any information included in reports on those who apply for a loan or a life insurance policy of \$50,000 or more or on those who apply for a job with an annual salary of \$20,000 or more. Thus, adverse information may be kept in your file indefinitely and may plague you throughout your lifetime.

Lip service is paid in the law to the duty of credit bureaus to verify the identity of people seeking information about others and to "follow reasonable procedures to assure maximum possible accuracy of the information." But the law does not spell out how those duties are to be performed, nor does it permit them to be defined by regulation.

When you can sue. Until now, no credit bureau would give information to consumers about their files until they had signed a paper releasing the bureau and its informants from liability for the consequences of false and damaging information. In plain words, the bureaus wanted to make sure they couldn't be successfully sued for carelessly hurting someone's reputation. The credit bureaus fought in Congress against any law that would expose them to such suits. As a result, the Fair Credit Reporting Act limits a consumer's right to sue.

You can sue for an unlimited amount of damages on a charge that false information was furnished with malice and willful intent to injure you. That kind of charge is extremely difficult to prove.

You can sue on a charge that a credit bureau, its informant or a user of its report violated the Fair Credit Reporting Act. The violation doesn't have to be intentional, but it does have to have caused you demonstrable financial damage. In a successful action, you can claim your actual damages, your legal costs and an attorney's fee determined by the court. If you can prove that a credit bureau willfully violated the act, the bureau must additionally pay you whatever amount the court allows for punitive damages.

Because of the difficulty they might have in proving actual damages, some lawyers will be reluctant to take such cases. But some situations would invite suit. Suppose a member of your family were rejected for \$25,000 of life insurance on the strength of false information that should have been deleted from his credit file, and suppose that he died soon afterward. As an heir, you might be able to recover the \$25,000.

This threat of suit for simple liability may prove to be the only effective enforcement tool in the act. Without it, responsibility for enforcement would have fallen almost entirely on the shoulder of the Federal Trade Commission, and as Ralph Nader testified, "reliance on the FTC's legal sanctions is totally unjustified." Even the now-rejuvenated FTC must work with the glacially slow and largely ineffectual cease-and-desist order, which usually gives the violator a second and perhaps a third chance before he risks being fined. The new law provides for criminal penalties, too, but it is safe to predict that they will be reserved for only the most extreme violations.

The credit bureau lobbyists' greatest achievement was to hobble the FTC further by denying it the authority to write rules defining and interpreting the substance of the new law. Lack of rule-making power has been the downfall of earlier laws designed to help consumers and may doom this one. The law is full of vague words. What kinds of disputes about items in a credit-bureau file are to be considered "frivolous or irrelevant"? How long is a "reasonable" time? What are "reasonable procedures"? What sort of notice must a consumer get when a creditor turns him down because of a bad credit report? Written notice? A telephone call? The law doesn't say.

FTC attorneys told CU they would ask the

Commission to adopt guidelines covering as many of those questions as possible as a matter of necessary enforcement procedure. Almost inevitably the industry will ask the courts to stop the FTC from doing anything like that. A long legal hassle may very well lie ahead.

NO VICTORY FOR PRIVACY

Worst of all, the Fair Credit Reporting Act falls seriously short of buttressing the individual's last remnants of privacy. Credit bureaus suffer no significant inhibitions on their practice of sending out snoopers to dredge up hearsay information. Through a loophole in the law, agencies like the FBI may still find it possible to go on fishing expeditions into credit-bureau files without specifying the names of people under investigation. Government agencies are left free to buy the entire list of names in a credit-bureau file, including present and former addresses and places of employment. And credit bureau may sell reports about consumers in connection with any conceivable kind of legitimate business transaction.

Unless Congress does better than that, faceless accusers will continue to dog the footsteps of Americans, and Big Brother may yet fulfill George Orwell's prophecy by 1984. Credit bureaus may sell reports about consumers in connection with any conceivable kind of legitimate business transaction.

THE WELCOME LADY'S WATCHING YOU

Some of the data in your credit-bureau file may have come from the scratch pad of one of those welcoming "hostesses" who knock on your door when you have recently moved to a new town. The personable ladies are good at striking up a friendly conversation, and it's no idle chatter. Besides promoting local merchants with free samples, gift, coupons and discount tickets, they may be assigned to pick up information on your credit worthiness.

Scores of credit bureaus sponsor welcoming firms. A typical one is the Welcome Newcomer Service of the Credit Bureau of Washington, D.C. Welcome Newcomer says its hostesses always explain their credit-bureau mission, but according to its own survey, 24 per cent of the people visited did not remember being told the real purpose of the interview. The FTC recently announced a proposed complaint charging Welcome Newcomer Service with failure to tell people it is gathering credit data rather than just extending greetings to newcomers.

ARAB UNION: HOW GREAT A THREAT?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. DERWINSKI. Mr. Speaker, the Middle East is undoubtedly the greatest world trouble spot and very properly deserves the major attention of administration leaders and of our diplomats.

The announcement of the new federation comprising Egypt, Libya, and Syria must be carefully analyzed in its relationship to the entire Middle East picture.

The Chicago Sun-Times, in an editorial commentary Wednesday, April 21, very properly directs public attention to the prospects of this intended federation and its probable impact on the Middle East situation:

ARAB UNION: HOW GREAT A THREAT?

The announced federation of Egypt, Libya and Syria unquestionably adds to the dangers of nuclear war already inherent in Middle Eastern instability, but it cannot yet be ascertained how great a factor the new union is.

Egyptian President Anwar Sadat says the new federation will have "one president, one flag, one capital." It will also, he says, have one foreign and one defense policy. Sadat, with customary bombast, promises no yielding of Arab territory to Israel, no negotiations and no "bargaining" on the right of Palestinian refugees.

All of this would bode ill for hopes of returning the Middle East to its customary position of stable crisis, except for two things. First, earlier attempts at Arab unity have failed as national self-interest eclipsed the dream of a Muslim world stretching from Iraq to Morocco. Second, the policies as outlined by Sadat show very little change from earlier public pronouncements.

Circumstances can and do alter cases, and it is to be hoped that the international facts of life will require Arab leaders to forswear their public saber-rattling when it comes to discussing what can, should and must be done in the Middle East.

NEENAH, WIS., BACKS REVENUE SHARING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, the rising tide of support for the idea of revenue sharing cannot escape our attention. I wish today to point out that the crisis of local government is not only the crisis of the great cities of Newark, Philadelphia, and Milwaukee. The erosion of the local tax base and the rising costs of municipal services has also created major headaches for the small cities of the land.

I submit the evidence of the city of Neenah, Wis., population 23,000, on the banks of the Fox River. Clustered with sister cities both larger and smaller at the head of Lake Winnebago, Neenah is hard pressed to prevent the municipal despoiling of both of these great water resources.

I am pleased to share with the House the following resolution of the city council of Neenah, Wis., endorsing general and special revenue sharing.

I include the material as follows:

RESOLUTION No. 5428

RESOLUTION ENDORSING GENERAL AND SPECIAL REVENUE SHARING

Whereas, the need for public facilities and services provided by state and local government is increasing at a rate which exceeds the revenues generated from the available tax base to such governments; and

Whereas, the federal government, through exercising taxing powers vested in it, has substantially diminished the available revenue producing sources available to states and local governments; and

Whereas, state and local governments and their designated regional councils are facing substantial deficits unless the federal government supplements the existing grant assistance programs to such governments; and

Whereas, there appears to be a general consensus of the states and the local governments that the most advantageous method of obtaining and receiving supplemental federal funds would be through a program of general and special revenue sharing; and

Whereas, the viability and continued growth of regional councils as policy and coordinative mechanisms of state and local governments is dependent on the strength and fiscal integrity of state and local government;

Now, therefore, be it resolved by the Common Council of the City of Neenah that the United States Congress be urged to enact during the first session of the 92nd Congress a general revenue and special revenue sharing program to assist states, local governments and regional councils in meeting their fiscal needs.

STUDENT HOUSING IN RURAL AREAS

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. BEGICH. Mr. Speaker, the problem of providing adequate education plagues every State in the Nation today. Each State has similar problems. However, in the State of Alaska because of the large geographical size and the many rural areas of the State, Alaska has many unique educational problems.

In many of the small villages and cities in Alaska, students are brought to the community high schools from as far away as 1,000 miles.

Sometimes the student is able to be placed in a school near his home community, but suitable housing is not always available.

If students who are in need of placement could be integrated into these high schools in the remote areas of Alaska, it would benefit both the student and our high school system.

Group homes offer a more comfortable and normal living experience that adds greatly to the student's educational progress. While the dormitories now in planning or in use do offer some comfort, group homes would be a more beneficial environment for the student:

HOUSE JOINT RESOLUTION No. 15: RELATING TO STUDENT HOUSING IN RURAL AREAS

Be it resolved by the Legislature of the State of Alaska:

Whereas a number of small high school facilities are being established in various communities in rural Alaska; and

Whereas in many instances, there are persons of high school age who live in communities located near these schools who are in need of placement; and

Whereas one of the major problems to be overcome before a student in need of placement can perhaps attend a high school relatively close to his home community is the provision of suitable housing; and

Whereas it would be of great advantage to the student to be able to continue his education at the nearest possible location to his home; and

Whereas if the students who are in need of placement could be integrated into these schools in the remote areas of Alaska, it would not only benefit the student but would aid the development of these small high schools, both in terms of their physical facilities and the curricula available; and

Whereas group homes offer a more comfortable and relatively normal living experience, thereby adding to the learning process in classrooms;

Be it resolved by the Alaska State Legislature that the Bureau of Indian Affairs is urgently requested to investigate the possibility and the implementation by the Bureau of Indian Affairs of a plan whereby group homes rather than dormitories would be made available in those communities where high schools are or will be established.

Copies of this Resolution shall be sent to the Honorable Rogers C. B. Morton, Secretary of the Department of the Interior; the Honorable Morris Thompson, Area Director, Bureau of Indian Affairs; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Nick Begich, U.S. Representative, members of the Alaska delegation in Congress.

H.R. 7725—DETERGENT POLLUTION CONTROL ACT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. ANDERSON of California. Mr. Speaker, sanitation and cleanliness are of paramount importance with today's homemaker. The soap and detergent industry have made tremendous gains in providing the housewife with materials to clean clothes and keep a spotless home.

Yet, most of us would be satisfied with a shirt that was clean and white—not necessarily "whiter than white"—if we also knew that we were preserving the environment.

Today's detergent, with a high phosphate content, is getting our shirts "whiter than white," but it is also contributing greatly to the pollution of our waters.

Phosphorus is being dumped in our streams and lakes at a rate exceeding 486 million pounds per year. Phosphorus fertilizes aquatic plants and causes an extremely rapid growth of algae. As these plants die and decay, they use up the oxygen in the water, and cause the fish to suffocate. As the plants grow and die in rapid succession, the water itself is displaced by the accumulated masses of living and dead vegetation and, finally, the lake becomes a bog, and eventually, dry land.

Such destruction of a lake is called eutrophication. It is similar to the natural process by which a lake matures, ages, and dies. But, the natural process is so slow that it can be measured only on a geological time scale. However, the extent of eutrophication which has occurred in the past few decades under the onslaught of 20th century technology would require thousands of years under natural conditions. It has been estimated, for example, that man has aged Lake Erie 15,000 years in the last 50 years.

Phosphorus enters our waters from numerous sources; however, the largest single input is from detergents. The rising levels of phosphorus discharged into our country's waters result not only from the increasing amount of synthetic detergents used by consumers, but also

from the increasing percentages of phosphates per pound of detergent product formulated by the manufacturers in the last decade. In 1958, synthetic detergents contained 7.7 percent phosphorus. In 1967, the percentage of phosphorus contained in synthetic detergents had grown to 9.4 percent.

Mr. Speaker, there is evidence that there are cleaning substances which will not degrade and ruin the environment to replace phosphorus.

Thus, today, I am introducing legislation which directs the Administrator of the Environmental Protection Agency to establish standards of water eutrophication ability to be met by all synthetic detergents by June 30, 1973. In addition, this bill, called the Detergent Pollution Control Act, makes it unlawful after June 30, 1973, for any person to import or manufacture a detergent compound containing phosphorus.

Mr. Speaker, I owe a special debt of thanks to Mr. Charles M. Dinaberg, a student at the Loyola—California—School of Law. Mr. Dinaberg has prepared a scholarly exposition advocating the abolition of phosphates in detergents. His paper has been a great help to me in analyzing the problem of phosphates and in presenting a solution.

NATIONAL GIRL SCOUT WEEK

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. BYRON. Mr. Speaker, last week the country celebrated the 59th Anniversary of the organization of the Girl Scouts. As a tribute to the Girl Scouts I would like to include in the RECORD an editorial which appeared on April 22, 1971, in the Hancock News of Hancock, Md., as follows:

HELPING TO CLOSE THE GAPS

Young people are facing enormous challenges on what the quality of life will be in the future. How they meet the problems of a rapidly changing society will test their ingenuity, imagination, and abilities. How they prepare themselves to meet these challenges is of utmost importance.

One youth-serving organization which is taking the lead in involving young people in many self-directed, self-planned projects is Girl Scouts of the U.S.A. Some GSUSA endeavors are directly related to the quality of our country's physical environment; others concern the interrelationships of people, and youth participation in planning and decision-making.

This concept of responsible citizenship and service with others has always been a basic one in Girl Scouting. Today's Girl Scouts are involved in projects to help close the gaps separating economic, racial, cultural, and age groups. Across the country, girls and adults from urban, suburban, and rural areas are working in partnership with national and local community groups toward these goals.

Prepared by their training, these girls give millions of hours of service to their communities. In day camps for ghetto children, in migrant worker camps, in Head Start programs, in various tutorial programs, in senior citizen projects, in hospitals, schools and libraries, on Indian reservations and in

hundreds of quality environment projects—Girl Scouts of all racial, economic, and cultural backgrounds contribute their skills.

During this Girl Scout Week, marking the organization's 59th birthday, we extend our thanks and congratulations to the nearly 4 million girls, men and women in Girl Scouting.

NATIONAL ENDOWMENT OF THE ARTS

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1971

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include my testimony before the House Appropriations Subcommittee on the Department of Interior and Related Agencies, Wednesday, April 21, 1971, on the National Endowment for the Arts. My statement follows:

NATIONAL ENDOWMENT FOR THE ARTS

There are those who would argue that the demands upon the national purse are so varied and urgent that appropriation for the Arts must be placed low on the list of priorities, if it is to be placed there at all. With this I must emphatically disagree.

The development of the Arts is the mark of a civilized nation. The gift of appreciations, whether of opera, symphonies, sculpture, pictures, theatres, museums, adds dimension to life and living, drawing man out of the narrow confines of self and self-pity. For a nation to neglect its art and artists is to admit that its horizon is narrow and its vision pinched.

Those of us in Brooklyn, New York, who have attended the Brooklyn Museum, the Botanic Garden, the Brooklyn Children's Museum, and the Brooklyn Academy of Music, can testify how the people not only of Brooklyn but of distant places visiting my home town embrace these expressions of our culture. Those of us who attend the performances of the Metropolitan Opera House, the New York City Opera, and beyond these the Lyric Opera of Chicago and the San Francisco Opera, see in them the monuments of national pride. What I say of New York is equally true across the nation.

There are few today who will not admit that the citadel of the Arts has moved from the cultural cities of Europe to the United States. The ferment and experimentation in the Arts, whether they be in the ballet or in the little theatres across the nation, need nourishment. We cannot afford to let this ferment and experimentation die for the lack of it.

Food, shelter, clothing—yes. But shall there be little beyond these?

The audience and viewers of the world of art keep growing. There is an insistent demand that this stream of light and vigor not be dimmed.

I remember a time when those who could afford it, and many who could not, went to Europe to look, to contemplate, to study, and to imitate the art of the Old World. This is now reversed, a reversal with a tremendous difference. Paris, Rome, Venice, London, were the art centers. But the art did not flow into the provinces of the respective countries. In the United States this is not true. Small cities within the breadth and length of this country have set up their little theatres, their symphonies, their museums, their operas. This is reflected in the local newspapers which devote pages to the arts within the orbit of their circulation.

We must not agree to be artistically barren. We need to encourage, to stimulate, to applaud the artistically gifted and the fruits of these gifts.

I fervently hope that this Subcommittee will be most generous in its recommendations, understanding fully how wise will be this investment in the future of our nation. I ask you to consider appropriations for the National Endowment for the Arts, not as an expenditure, but I repeat—as an investment. Thank you.

ROYAL OAK, MICH., CELEBRATES GOLDEN ANNIVERSARY

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. BROOMFIELD. Mr. Speaker, in 1921, Royal Oak, Mich., was granted a city charter. Today, 50 years later, Royal Oak is a model residential community whose citizens have reason to celebrate the golden anniversary of her incorporation.

Conveniently located just north of Detroit, Royal Oak has managed to become a major city, while retaining a refreshing suburban flavor. In 1970 the census registered a population of approximately 85,000 people, and the community is still growing. But like the thousands of trees that line its streets and avenues, my hometown has taken its growth in stride, gradually expanding without the explosive problems that have beset most of the urban areas in our country. Indeed, stability remains the keynote in Royal Oak: its tax base has not spiraled wildly with its accelerated development, its residential character continues to flourish, and basically, its people do not care to move away. Surely, no greater compliment can be given to a city.

In a sense, the growth of Royal Oak has mirrored that of our country; a gradual development closely associated with technological progress and improved transportation facilities. Railroads and highways may be said to have civilized our Nation as much as any other single factor. Railroads and highways made Royal Oak what it is today.

When William Thurber set up house in the area nearby Governor Cass' famous "royal oak," he found an almost complete absence of good roads. In fact, the bogs and swamps to the south usually forced settlers up the Detroit River to Mount Clemens before they could take a stagecoach directly to Royal Oak.

By 1828, however, the Detroit-Saginaw Turnpike had been built, and the seeds of the community's growth had been planted. Seven years later an energetic promoter named Sherman Stevens purchased 80 acres of land for the Detroit and Pontiac Railroad he had helped to found.

The railroad reached Royal Oak in 1838, bringing work for the first homesteaders: cutting timbers for the ties and rails, and cordwood for the steam engine. A sawmill was built on the site now occupied by the Lawson Lumber

Co. Two hotels were erected to house the growing railroad construction crews. For some time Royal Oak was the northern terminus of the road and a flourishing trading center.

The Interurban tracks reached town in 1895, providing inexpensive transportation to and from Detroit. Not only did the Interurban carry commuters into the city for work, but picnickers out of the city to play. A new, less practical value was placed on easy transportation.

No wonder Henry Ford's automobiles caught on so fast. Between 1890 and 1910 Royal Oak drew as fast as his new industry, attracting thousands of Detroit workers who had tired of that crowded city's dirt, smoke and noise. In that period, Royal Oak's population jumped 461 percent, and in 1921, 50 years ago, she became a full-fledged city.

By 1931 the Interurban had given way to the automobile. In that year the world's first superhighway—the eight-laned Woodward Avenue—was completed, and the process which began with the Detroit-Saginaw Turnpike had come full circle—but with cars instead of stagecoaches. Surely, Mr. Speaker, Royal Oak's growth, like that of the Nation, has been closely intertwined with the development of her transportation system.

We know today, of course, that this development is not without its drawbacks: across the Nation citizens see our highways clogged with traffic and our atmosphere smoky with pollution. They see, moreover, other examples of technological progress with dangers greater than anyone ever imagined: they see the splitting of the atom as a threat to human existence as well as a source of human development; they see the enormous growth of housing and they see the surrender of our open space.

Today, Mr. Speaker, this Nation is at a critical moment in her history. We look with question to the future and, rightly, we look for guidance from the past. We ask that progress be controlled and that history be observed. It is a fitting time to awaken the sleeping moments of our heritage.

That, Mr. Speaker, is the purpose of Royal Oak's Golden Jubilee: we celebrate the present to commemorate the past. We examine our mistakes, we rejoice in our gifts, and we look without despair to the years ahead, certain, after all, that our future is built on a sound and vital tradition.

PRIVATE GUCOFSKI'S LAST LETTER

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. ROGERS. Mr. Speaker, on March 22, 1971, Pfc. Stephen D. Gucofski was killed in action in South Vietnam. On March 20, 1971, Steve wrote his last letter home to his parents anticipating that he may be injured or killed by hostile fire and expressing his concern over command decisions which sent his unit

into combat against outnumbered odds without proper support.

Although I no longer have the privilege of representing Steve's hometown of Fort Myers, Lee County, Fla., I have taken this matter up with the Secretary of the Army in the hope that future lives of our servicemen in Southeast Asia may be protected.

I insert at this point in the RECORD for the benefit of my colleagues Steve's last letter to his parents:

20 MARCH 71

Hi Mom,

Well things are real bad now and I may get hit pretty bad. In the last 4 days 2 of our people have got killed and 8 wounded enough so they can't go back for a while. I just came back from R&R and am going back to the bush not because I have to but because I want to go out and help my buddies. If I get killed I want you to make sure one person comes to my funeral & that's Amy Hadfield this is her address.

AMY HADFIELD

5th West 9th North
Lehi, Utah 84034

I also want you to send her a dozen red roses from me & sign it the unseen friend so that when you get this letter, I should have enough money to get her to Florida if anything happens. Things are really bad recon has been hit 9 times in four days & they keep sending us out against out numbered odds and they are in bunkers & it seems nothing can hit them except a hell of a big bomb. Write our Congressman a letter & send him this letter then he will know how crummy things and our leaders are from Full Bird Conials or however you spell it.

If I don't make it I love you all & hope I don't bring to much unhappiness with this letter. Please try to understand what & why I'm doing this.

Love always,

STEVE.

P.S. Please see what you can do with our congress man.

SPEECH OF ADM. CHESTER R. BENDER TO NAVY LEAGUE LUNCHEON

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. GARMATZ. Mr. Speaker, each year the Washington, D.C., Council of the Navy League honors the U.S. Coast Guard at a special luncheon meeting. The fourth such meeting was held on Thursday, April 22. This is the Navy League's way of recognizing the Coast Guard's contribution to the Nation's seapower. I commend the Navy League for this initiative. Too often, I fear, we do not give proper credit to the Coast Guard. As one of the Armed Forces this small and relatively silent service has a unique position. It is a major component of the Department of Transportation and regularly performs a variety of peacetime duties. Yet it also is always ready to respond to wartime missions when it becomes a part of the Navy. To help explain the unusual role of the Coast Guard, I would like to insert in the RECORD a talk delivered by Adm. Chester R. Bender, Commandant of the Coast Guard, who was the featured speaker at the fourth

annual Coast Guard luncheon sponsored by the Navy League's D.C. Council:

SPEECH OF ADM. CHESTER R. BENDER, COMMANDANT, U.S. COAST GUARD, TO THE NAVY LEAGUE LUNCHEON HONORING U.S. COAST GUARD

It is indeed a pleasure to address the Coast Guard's staunchest supporter—the Navy League—and especially the D.C. Council.

I am always impressed with the nature and quality of this council's activities. Last month I attended your sea-air-space exposition, and I know this event must be "the" highpoint of Navy League programs. I commend you for supporting this excellent program and look forward to 1973 when you again sponsor this exposition.

Today's luncheon is especially important. It somewhat represents the beginning of the Coast Guard's 4th year of close relationship with the Navy League. I must say, we have come a long way in just three years. We greatly benefit from this association and we thoroughly enjoy the many friendships we have made.

It is no secret that these are difficult times for the military services. I don't speak particularly about the reductions in budget which the military have sustained, although these have been substantial. Rather, I am particularly concerned with the attitude of the American people toward the services. Admittedly, several of the services have suffered occurrences which have cast a shadow on our bright records. The Army with its Mal Lai incident, the Navy's *Pueblo*, and the Coast Guard more recently falling under general criticism for the return to a Russian ship of a would be defector.

I am, of course, familiar with the latter event and I won't attempt to excuse what was done. On the other hand, serious as it was, I was surprised at the depth of bitterness of the public toward the Coast Guard and at the lack of memory of some of those whom we have served so faithfully over many decades. Crewmembers of the *Vigilant* who could not possibly have been involved in the decisionmaking process were refused service in restaurants and threatened from many sides.

I don't believe that personnel of the military have changed much. The services are made up largely of dedicated people who are willing to work hard and fight as need be for their country for no great return beyond the sense of doing their job well.

I fully concur that the public has the right to expect outstanding performance from the services, and to demand that penalties be applied when the rules of soldierly conduct are broken. But a more understanding attitude on the part of our people concerning the difficulties of military life, and the genuine devotion to his country on the part of the average man in uniform would be ever so helpful.

Incidentally, I have a small ray of sunshine to offer in this cloudy weather. There was a greater number of applicants for appointment as cadets at the Coast Guard Academy in the class entering this summer than ever before. I have found, too, that our experience has been reflected at the other service academies—Annapolis, West Point and at the Air Force Academy. Frankly, I don't quite know why this is so. The pressures of the draft are decreasing rather than increasing. Perhaps it is a reaction among a sector of young men who are interested in a good education in a restrained atmosphere and away from some of the turmoil of the campuses. I hope that it reflects a true interest in a career in one of the Armed Forces as well.

Next month, at your national convention, the Navy League will present awards to officer and enlisted personnel from the Navy, Marine Corps—and for the first time, the Coast Guard. Including the Coast Guard in your national awards program will certainly

call public attention to the contributions of our personnel and will help to further motivate them for the future. Recognition such as this always makes a tough job easier to handle.

It is, of course, primarily up to the services themselves to make service life attractive. In the career enhancement area, the Coast Guard has followed the "Z" grams of Admiral Zumwalt with a great deal of interest. The admiral has truly brought a breath of fresh air into the naval services. The wind has blown over the Coast Guard as well because, while not obligated to do so, we have found much to emulate in his actions. Some of his orders we have not followed as being not practical for the smaller sized Coast Guard, and on a few items we have decided not to follow suit. But we recognize that, especially in the seagoing services, there must be compensations for extended absences from home. To enlist and retain good men we must become competitive with other modes of work and living. We can rely only to a certain degree on patriotism and must rely to a much larger extent on practical factors of life to hold our people.

One of the first announcements I made upon becoming commandant was that I'd like to see the Coast Guard have its own distinctive uniform. Much as I admire the Navy, and proud as we are of our close relationship with the Navy, I'd simply like our Coast Guardsmen to be known for what they are, rather than being so often mistaken for members of our big sister service. The reaction among our enlisted men was immediately enthusiastic and among the officers somewhat cool. This is no doubt true because the sailor suit is considered a bit out of date today whereas the naval officer's uniform is admittedly handsome. At any rate, we are going ahead with designing a Coast Guard uniform which will first be tried with enlisted personnel only. Incidentally, the design which is finding quite a bit of favor with the uniform board is a modernized version of the old surfman's uniform. The surfman was the equivalent of a seaman in the lifesaving service, which became a part of the Coast Guard in 1915. The uniform consists of a single breasted jacket with a shirt and trousers and a visored cap and has a nautical, distinctive appearance with real tradition for the Coast Guard.

When I said earlier that I did not believe that the military have changed much, I was speaking primarily to the attitude of personal characteristics of the people. I have been particularly struck by the changes otherwise in the Coast Guard over the last 180 years. While realizing that some of this change is really modern adaptation of resources and techniques to combat old problems.

I would like to talk today about some of what the Coast Guard is and does in peace and war, and I'd like to say first what the Coast Guard is not. The Coast Guard is not the country's second navy, even though it is a seagoing military service. It is rather an auxiliary to the Navy in a highly specialized sense.

During this country's first war at sea—an undeclared war with France in 1798—the revenue cutter fleet, which had been established eight years before, was placed under the orders of Benjamin Stoddard, the first Secretary of the Navy. Congress then ordained, after the fact, the "revenue cutters shall, whenever the President of the United States shall so direct, cooperate with the Navy of the United States". We've been cooperating ever since. Much later, in a codification of laws relating to the Coast Guard, the Congress reaffirmed its actions by ordering that "the Coast Guard, as established January 28, 1915, shall be a military service and a branch of the Armed Forces of the United States at all times. The Coast Guard

shall be a service in the Treasury Department, except when operating as a service of the Navy". Three years ago we shifted our home base to the Transportation Department.

The words "service in the Navy" are important, as the Coast Guard is equipped, trained and committed to carry out in wartime specialized duties as a separate service, but under the chief of naval operations. Over the years, of course, our tasks have changed and they will continue to change as the requirements of war and the characteristics of the Coast Guard equipment and capabilities change.

Rather remarkably though, the function that the Coast Guard squadron one was performing and the present activities of squadron three, under the Navy's market time operation in Vietnam waters, are, in fact, very similar to the duties for which the original Coast Guard—the revenue cutter service—was established by the first Secretary of the Treasury. In 1790, Alexander Hamilton was concerned about the great amount of smuggling along our coast, to the detriment of our Nation's economy. He persuaded the Congress to build 10 small armed "cutters" to form the revenue cutter service for combating the smuggling; and, recently, the market time operation, in which 31 of our cutters have been under the commander, naval forces Vietnam, is a coastal surveillance operation designed to prevent the smuggling by the enemy of men and materials of war into South Vietnam. The cutters, both small and large, have seen frequent action. Numerous individual encounters have occurred. There was a major encounter a few months ago when two of our new 378-foot high endurance cutters, the *Rush* and the *Sherman*, engaged a steel hull, armed trawler approaching the coast of Vietnam.

During this sharp night action the capabilities of these new cutters were ably demonstrated. The trawler was sunk a few miles off the coast and large quantities of arms and other war supplies have been recovered by the Navy explosive ordnance disposal teams. Incidentally, it is estimated that each of these 120-foot trawlers carries enough war supplies to support a battalion of North Vietnamese or Viet Cong troops for one year.

Just last week the cutter *Rush* was in the thick of it again. She, along with the cutter *Morgenthau* and other naval units, were involved in the sinking of a 160-foot enemy trawler in South Vietnamese territorial waters.

Our cutters are frequently called upon to provide naval gunfire support for our forces on land. But much of the work is in hailing, boarding and inspection of junks and sampans that may be carrying anything from chickens for the market to small arms for the Viet Cong. Those of you who are old enough to remember prohibition will recognize that this is not dissimilar from our work in the rum running days.

In keeping with the President's policy on Vietnamization, all but a few of our cutters have been turned over to the South Vietnamese Navy—all of our 82-foot patrol boats have been transferred and last January the first two 311-foot cutters were transferred to the Vietnamese. Even as we phase out our coastal patrol, we will continue to assist the South Vietnamese in the areas of port security, explosive loading, maritime law enforcement and aids to navigation for the foreseeable future and we are presently maintaining a cadre of advisors to the South Vietnamese navy for maintenance of operation of our cutters.

In the wars of the intervening 170 years from 1798, the revenue marine, now called the Coast Guard, has fought alongside our big sister with considerable distinction.

As in World War I, a big part of the Coast

Guard's tasks in World War II was in anti-submarine warfare, with its cruising cutters and escorts, as well as its sea frontier patrols and pickets along the coast, helping to win the Battle of the Atlantic.

Later in the war, our duties included manning landing craft that hit the invasion beaches with assault troops, we were present at most of the stops.

But the Coast Guard's availability to serve with the Navy in time of war is really a bonus benefit. It is not our sole reason for being and Congress would not support it as such. So let's look at some of the service's peacetime duties.

Having been initiated as a law enforcement agency, in the protection of the customs, the service is even today the primary law enforcement agency of the United States on the high seas or in our territorial waters—sort of a seagoing police force.

The body of the law for which we are the enforcement agency is quite extensive. A partial list includes criminal law afloat, such as piracy and barratry, laws relating to oil pollution, rules of the road, motorboat safety legislation and conservation laws and treaties dealing with deep sea fishing, fur sealing and whaling and sponge fishing. Currently there is considerable publicity concerning Japanese and Russian fishing operations in the waters off our shores. A great deal of our ship time is devoted to ensuring that these operations are in accord with our agreements with these countries, and with our own law.

But, over the years, our duties have become more and more related to safety at sea.

The Coast Guard is probably best known for its rescue work. Two of its predecessors—the Revenue Cutter Service and the Lifesaving Service—were devoted to the saving of life and property at sea. Our aid to merchant shipping, to aviation, and to small craft has always been extended without regard to the nationality of the distressed craft. The nature of search and rescue, as we call it now, has changed somewhat over the years. In the days of sail, and before steamers and Diesel-powered ships became so reliable, much of the shipping came to grief on the rocks and beaches along the shore. Today we hear little of a vessel being driven onto a "lee shore". But oddly enough, ships still founder at sea, such as the *Texaco-Oklahoma*, still break down and even sometimes disappear completely as did the *Sulphur Queen* in February 1963 off the Florida coast.

The lighthouse service was combined with the Coast Guard in 1939, giving us the added responsibility of maintaining all of the maritime aids to navigation for the United States, and some that serve aviation interests as well. Our 45 thousand navigational aids include lighthouses, lightships, buoys, fog signals, and radiobeacons. Also, there are electronic aids, such as LORAN, standing for Long Range Aid to Navigation. LORAN serves a large part of the Atlantic and Pacific Oceans, and it requires that we operate stations in the most remote corners of the ocean, such as Greenland, Yap, and Vietnam, as well as the Philippines, Japan, Alaska and Turkey.

Today there are many changes being made in our navigational system. The lightships are on their way out, being replaced with off-shore fixed structures. Helicopters service these structures and some are being made to operate unmanned. Duty on the lightships hasn't always been popular, as a couple of the lightships have been struck and nearly cut in half by ocean liners making too close a call.

Our aids to navigation mission is an excellent example of the preventive mission aspect of Coast Guard operations. We would far rather prevent accidents than react to them, as we do in our search and rescue activities. A new development along these lines

is harbor advisory radar. About a year ago we began this service on a test basis in the San Francisco area. Basically, it is a system of radar surveillance of the harbor area and of advising incoming and outgoing marine traffic of weather conditions, traffic in the channel and any problems to be encountered. It has worked well in San Francisco and we hope to expand this marine traffic system concept to other ports where harbor configuration, weather conditions and traffic density make it a useful safety system. Most of our aids to navigation have the approval of the public, etc. (Fog horn story).

Another facet of our accident prevention role is ports safety and security. This mission is being complicated daily by technological advancements in the chemical industry. It is no longer exclusively the cloak and dagger anti-sabotage activity of World War II. Rather, it involves highly technical and sophisticated responses to problems of safety in the entire cargo system from and through loading terminal to the unloading terminal through its interconnections with other modes. We see the necessity for some form of traffic control and advisory system on many major waterways and ports. The increase in commercial inland traffic and the predominance of dangerous cargoes could well result in the Coast Guard maintaining a data bank of hazardous materials locations and their routing and a "cargo-tracking" system. We anticipate having the preliminary design of the tracking system by next year so that we can suitably respond to emergencies.

We expect substantial growth in the present 9 million craft recreational boating fleet in the next decade. In order to maintain an acceptable safety record, the recreational boater must achieve a higher level of safety consciousness and safe boating knowledge without decreasing the fun of boating. We can help him achieve this at minimum cost through continued use of volunteer organizations such as our Coast Guard auxiliary and the power squadrons.

Further advancements will be made by publishing more effective construction standards for boats and a wide variety of equipment; by providing more timely weather and other environmental information to the boating public; and by construction aids to navigation which are less complicated and more comprehensible to the boater.

The coast guard maintains ocean station vessels continuously at six locations in the Atlantic and Pacific Oceans. We see this ocean station mission of weather observation, oceanography and search and rescue continuing relatively unchanged through the present decade. A recent letter from the Department of Defense again makes it clear that these services are essential until feasible alternatives are available.

We are presently studying the capability of super buoys. If our research is successful, I see an ultimate decrease in the number of stations continuously manned by ships. More than likely, the emphasis will shift toward increased collection of oceanographic data to solve specific problems directly related to other major Coast Guard missions such as pollution control.

A mission which facilitates marine traffic in winter is domestic icebreaking. The past has seen us confining our icebreaking activities to those areas where commerce historically flowed during the winter season and to emergent considerations of providing food and fuel.

In the future, the Coast Guard, working jointly with other cognizant agencies, will seek to extend the navigation season or provide year-round navigation in icebound areas where studies indicate that such services are in the Nation's interest. We are now engaged in a study involving the Great Lakes, and see the upper Mississippi River

and areas of Alaska as prime candidates for future Coast Guard icebreaking services.

Going beyond the domestic icebreaking scene, we arrive at the area of polar operations. Our tasks here are to provide polar environmental data for applied research related to our missions, as well as icebreaking support to other agencies. Much of the Federal research will be devoted to discovering and developing techniques for remote sensing of the extent, features and behavior of the ice cover through use of icebreakers, aircraft and satellites.

Recently the National Science Foundation has been given funding responsibility for Antarctica research and this may portend significant change in the Antarctic program. The Coast Guard could conceivably be asked to take over much of the program support requirements.

As a part of the planning for a substantial role in polar operations, we have a new icebreaker funded in the 1971 budget. It is the first of what we hope to be a fleet of new icebreakers capable of extended endurance and operation on both Arctic and Antarctic service.

Perhaps the least publicized but fastest growing mission, in terms of national importance, is that of law enforcement. The growing size of world fishing fleets threatens the survival of certain fish species in all ocean areas. The present number of bilateral and multilateral agreements on fishery conservation will grow in number and geographical coverage. It is conceivable that such treaties will proliferate to the extent that all the international waters of the world will be regulated. Enforcement would, of course, require some type of international patrol. I see to Coast Guard as the only logical choice for the U.S. agent for such multi-nation patrols.

The situation as regards our coastal fishery resources is becoming more and more sensitive. Incursions by foreign fishing fleets will probably continue until some form of general agreement is concluded for the protection of the fishery, and to prevent international incidents from fishing rivalry and competition.

Two new missions are receiving increasing attention in the Coast Guard: Maritime Environmental Protection and Oceanography. In neither of these missions do we function alone.

In the first, the Environmental Protection Agency now exists as an independent agency of the executive branch of the Government. However, it exists for the purpose of establishing and coordinating the enforcement of environmental protection standards.

I see the Coast Guard, consistent with its traditional multifunctional resource utilization, having an increasingly important series of operational functions in pollution abatement and control.

The Coast Guard should find itself more and more at the heart of the curative approach to significant spills of oil and other polluting substances such as chemical and industrial wastes. The service has a unique capability for coordinating clean-up activities, enforcing preventative laws, maintaining functional regional response center, maintaining hazardous material data banks and providing quick reaction emergency capability.

On the preventive side, we are pushing for proper and efficient training and licensing of personnel, such as diesel towboat operators, terminal personnel and other people involved with transfer of potential pollutants between ships and tanks ashore to assure that these people understand the problems and consequences of their work.

The problems of pollution are international in scope and will require us to work closely with other nations in implementing international controls.

As for oceanographic activities, the National Oceanic and Atmospheric Administration is a reality within the Department of Commerce. Our scientific direction of the national data buoy development project will be phased out in favor of the National Oceanic and Atmospheric Administration. However, I see no reduction of the remainder of the Coast Guard oceanographic effort, particularly as related to improvement of our performance in other mission areas and of our long standing cooperation with the oceanographer of the Navy. Coast Guard efforts will be guided toward those tasks which are directly related to marine transportation. We will stress activities oriented to marine technology rather than basic marine science.

I have not touched on all of the Coast Guard's responsibilities but I have covered most of the major mission areas which will show marked change in the next decade.

In closing my remarks, I would like to acknowledge the outstanding contributions to and support of the Coast Guard by the Navy League. Our relationship has been a most enjoyable one and further enhances the comradeship which exists in war and peace among the seagoing services: The Navy, the Marine Corps and the Coast Guard.

ON EARTH DAY

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. EDWARDS of California. Mr. Speaker, Earth Week is a period designated for citizens to demonstrate their concern over the deterioration of our environment and the dwindling of our precious resources. Unhappily, for many this is a convenient time to register their commitment to conservation and then relax, contented that we have done our best to protect our land, our air, and our waters.

But if the conclusion of this first Earth Week is really to signify something meaningful, it must remind us to keep alive our concern during the remaining 51 unannounced earth weeks. What a shame it would be to permit the enthusiasm generated by Earth Week to dissipate as our environmental awareness becomes steadily displaced by political expediency.

Fortunately, Congress has begun to deal with our problems in this area. Yet, the accomplishments thus far are grossly insufficient. Our waters remain the final receptacles for much of our pollutants and our air continues to absorb the harmful byproducts of our industrial activity. Our landscapes are still permitted to shamefully expose and display undisguised wastes. Private interests squander scarce natural resources for quick gains and easy profits.

We need more legislation, that is evident. It is essential that Congress continue to expand the scope of our fight for environmental control and move toward a comprehensive policy of ecological protection. But it is also essential that we recognize that the passage of legislation is only one task in this extensive battle for environmental quality. Often, after the enactment of the appropriate legisla-

tion, other responsibilities encourage us to write off the tiring work that remains, and frequently, the boundaries imposed by time force us to consider the problem as solved.

Yet, the underlying difficulties often stubbornly remain after laws are passed. Private interests are often able to discover loopholes and means by which our laws can be circumvented. Some groups find successful ways of employing pressure on our agencies, thereby insuring a veritable administrative veto of congressional acts. And the existence of bureaucratic inertia and redtape can unwittingly allow for laxity in enforcement.

What is required is persistent and careful scrutiny of our conservation programs in order to guarantee their diligent and effective administration. Congressional oversight and public gadflies remain the best insurance we have that our Government will really commit its resources to the preservation of our environment. Certainly, the cause publicized by Earth Week deserves more than simple legislative exhortation and superficial pledges.

As Earth Week draws to a close, hopefully we will not turn our back on the obligations that relentlessly demand and deserve our consideration. Should we reject the note of alarm that has sounded this past week, we will not easily forget the impending consequences in the Earth Weeks to come.

AMTRAK—NEE RAILPAX—NEEDS MORE TIME FOR TRANSITION

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. DULSKI. Mr. Speaker, the Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce held 2 days of hearings last week on the national railroad passenger system which is due to go into effect on May 1. This is what has been known as Railpax—now renamed Amtrak.

Last December and again in January, I introduced legislation proposing a delay in the start of Amtrak because I felt that there was not enough time to complete the planning and analyze the effect upon our communities across the Nation. With the start of the new system less than a week away, I am more convinced than ever that there ought to be a delay of some type.

I am not locked in with my own plan for a delay in the effective date of the corporation. I am perfectly willing to accept the suggestion of the chairman of the House Committee (Mr. STAGGERS) and the chairman of the Senate Commerce Committee (Mr. MAGNUSON) that any other passenger service be continued for a period of time while the transition takes place.

At last week's opening day of hearings, I was deeply impressed with the remarks

of Chairman STAGGERS on his concern as to whether the Amtrak system really was carrying out the intent of Congress.

Mr. Speaker, as a part of my remarks I am including the text of Chairman STAGGERS' statement at the hearing, as well as the text of my own statement which I submitted for the consideration of the Members:

STATEMENT OF HON. HARLEY O. STAGGERS, CHAIRMAN, INTERSTATE AND FOREIGN COMMERCE COMMITTEE, BEFORE THE SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS—APRIL 21, 1971

Chairman STAGGERS. Thank you, Mr. Chairman.

Good morning to you. This is the first time that I have seen most of you. I have not had the opportunity of seeing any one of you in my office or talked to any one of you during this revision of the railroad system, but I understand many of you were in other offices on the Hill.

Mr. Chairman, I want to say that I am glad to be with you this morning in this hearing. The Rail Passenger Service Act, P.L. 91-518, which we worked so hard to create last year, has been distorted in my opinion.

The clear intent of that Act was to save and revitalize a national rail passenger system, as stated in Title I, findings and purposes and definitions of the Act.

We created a corporation to do this. I have been told that the members and staff of the corporation have worked very hard. This may be so, but they have not achieved, by any means, the clear goal which was spelled out for them.

They have not come up with a national system. How could we possibly have a national system and leave six states out entirely as well as key cities such as Cleveland, Little Rock, San Antonio and Dallas. This is incomprehensible.

As Mr. Jarman indicated we are receiving numerous complaints from Members throughout the country. I expect I have had more than half of the Members of Congress come to me and say that unless something is done to revise Ralpax or Amtrak, it should be killed.

It should be stopped now, they say, and that if they had known that this was what was going to happen, they certainly would not have voted for it last year.

We had hoped that we could turn this task over to the corporation and let them go to work. Under the present plan, we should call this legislation back for review and hold off, and correct the proposed arbitrary deletions of existing passenger train service.

As the corporation would have it you can't even go west to Chicago from the Nation's Capital. You would have to go north to Baltimore and Harrisburg before heading west. This makes no sense to me and I don't believe it does to anyone else who would look at the map.

We would see the direct route from Washington to St. Louis or Washington to Chicago that has been running the longest of any in the nation disappear.

It is the oldest railroad route in the nation and has been giving service through that area and still is to this day, but it won't if the corporation has its way of cutting it off on May 1.

This railroad goes back to the early part of the 19th Century. I believe it was in 1827 that the first train ran.

To take this out of service, and to substitute a roundabout route which will not provide direct service and will deprive present users of that service—this is just not rational, especially when the route goes through an area of the country in which we are spending millions, yes, and billions almost to rebuild. Then we undercut those we are trying to help.

If the Corporation could not come up with a truly national plan they should have come to us and said so. And if further funds are required for a national system, they should have come to us with necessary support for additional funds. I am very disappointed that the legislative intent of P.L. 91-518 has not been carried out.

There is another important issue before us today concerning passenger service.

Many railroads have posted train-off notices based on the Rail Passenger Service Act. They put these notices up without meeting the conditions of the Act which first requires that a contract be entered into between each rail carrier and the corporation.

These contracts were not entered into 30 days prior to May 1, 1971. Therefore, the 60-day notice period does not commence to run any earlier than the date of each contract, pursuant to a notice based on the terms of the law.

Our Counsel, as well as our Legislative Counsel, and the Senate Commerce Counsel are in complete agreement that contracts should have to be in existence before and railroad could take advantage of the 30-day notice provisions.

And if it comes down to a necessity of anyone having to go to court to enjoin a passenger train discontinuance, I want now to make it a matter of record that this was indeed our legislative intention when this bill was passed.

I talked briefly yesterday with Anthony Haswell, Chairman of the National Association of Railroad Passengers, and he agreed with the interpretation that any 30-day notices up to now are premature and that you cannot back-date beyond the date of the discussion of the contract between a railroad and a corporation.

He also advised me that his Association is pursuing every possible step to take this matter into court if that action is required.

I trust that we can work out these problems but I am far from satisfied at the present moment.

Certainly it was a surprise and a disappointment to me when this plan was announced to the public. I think that it was the intent of this Congress—and my intent—that this Ralpax set up a national system and not just to knock out everything over this country and let everything discontinue as of that time.

If it had been otherwise, I would never have voted for it and I would never have put my name on the bill because I think it is wrong and I think it is wrong for this corporation to allow it to be done. It says it is within your power to allow these trains to run and not to let them be cut off at one time. It is within your jurisdiction to do that: you may do it if you want to.

Now, another thing. As I understand under the contract there will be 16,000 men at least who lose their jobs, and you say yes, they are going to be on the job for a little while but then they are going to be cut off.

Well, that is another thing that if I had known about it I certainly would not have voted for this bill at all in any way.

I thought at least these men would be given a chance to continue working and that by attrition the jobs would be closed out. I don't believe in any man being discriminated against.

You say well, we didn't have anything to do with it, somebody else did that. That may be so, but you are the ones that had the final judgment on this. I know it is a problem but if nothing better can be done than has been done, I would recommend to this Committee that they pass a bill dropping Ralpax right now and let it go back to where it was before. Perhaps, we can work out something else that is more satisfactory to the people of this Nation.

I have no doubt that you gentlemen have tried your best with the advice that has been given you. I know several of you are not railroad men. I know you had to rely upon railroad men for advice. I don't know where else you would get it, if not from them.

I think that a lot of you got the wrong advice. I am not questioning your integrity or your intentions in any way. But, I do believe that there has been a grave mistake made and I think this Committee ought to look into it very carefully and see what should be done.

There are many bills before us, some of them to postpone the date of this going into effect for six months. Chairman Magnuson and myself wrote a letter to this group and asked them to put it off for 120 days and you came back and said you couldn't do it by law.

I don't know that this is the truth. I know you think it is, but I don't know that it is. I do know that you got a letter from myself and Senator Magnuson, Chairman of the Commerce Committee on the other side, in order to give you more time and the people more time to consult with you and get the feel of what the people in the Congress think.

After all, this was set up by the Congress as representatives of the people, and if the representatives of the people don't want it, and I say a great many of them have come to me and have said it is wrong, then it ought not to be, regardless of who set it up. When the Congress doesn't control the law of the land then we had better quit. I don't think in following this and reading the law that this is the intent of what this Committee meant or what the Congress meant.

I didn't intend it this way and I am sure many of the Congressmen who have come to me said they didn't see it that way or they wouldn't have voted for it.

Thank you, Mr. Chairman.

STATEMENT BY HON. THADDEUS J. DULSKI, BEFORE TRANSPORTATION SUBCOMMITTEE OF COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, APRIL 21, 1971

Mr. Chairman, I very much appreciate your calling these hearings today and tomorrow on the matter of Ralpax and my bill, H.R. 709, which proposes a delay in the effective date. (Ralpax now has been renamed Amtrak.)

For the record, I am Thaddeus J. Dulski, a Representative from the 41st District of New York.

We have a situation today which was not foreseen when we enacted Public Law 91-518, the Rail Passenger Service Act of 1970.

Clearly, it is imperative that action be taken—whether it be by the Congress or by the National Rail Passenger Corporation—to avoid a chaotic condition which impedes when Ralpax becomes effective May 1st.

There may be other ways in which to act besides postponing the effective date of Ralpax, and I am willing to listen to any suggestions that might be offered to cover the necessary transition period between the independent operation of the railroads and their operation under the Ralpax system.

We have passenger "train discontinuance" notices posted in terminals throughout the country calling for a halt to passenger service May 1st. Yet, the National Rail Passenger Corporation is not ready to operate.

OVERALL PROBLEM IS CONCERN

I am not faulting anyone—that won't solve anything. I am concerned with the problem that faces us in Congress as representatives of the people.

We in Buffalo will be without passenger service to the west and south, Cleveland will be without passenger service of any kind,

and Detroit will be without passenger service to the south and east, and so on, for case after case.

What do we do? I proposed last December and again in January (H.R. 709) that activation of Railpax be delayed six months so we in Congress and the Corporation could have more time to analyze the proposed system and perhaps iron out the kinks.

Mr. Chairman, in tandem with the Senator from Washington (Mr. MAGNUSON), Chairman of the Senate Committee on Commerce, you have asked the Corporation to come up with a procedure for delaying discontinuance of any passenger trains until September 20.

I can and do support this proposal fully—it is simply a variation on mine. It will serve the same purpose and—indeed—perhaps permit even a better transition from the present independent railroad pattern to the new national system.

IMMEDIATE ACTION NECESSARY

What is crucial, Mr. Chairman, is that we act immediately if we are to prevent the halting of passenger service on April 30. The railroads have posted their notices and the traveling public is taking them as official.

Penn-Central has posted its notices at the Central Terminal in Buffalo, and inquiring passengers are told "the Government is taking over May 1—if you're planning to travel after May 1 you'll have to call back then because we don't know what the schedule will be."

To borrow a phrase—this is a heck of a way to run a railroad!

Mr. Chairman, the Railpax Corporation—and the Congress—need more time to handle the massive transition. I agree fully with you that we must find a way to prevent arbitrary passenger train discontinuance on May 1.

We need time to look closer at the Railpax plan—even Railpax incorporators admit it has serious flaws, but they were under an edict to act—and to act fact. Frankly, in retrospect, the transition timetable is simply too compact.

Railpax needs time to spell out clearly what service it is going to provide. So far as I know, the proposed schedules still are tentative and incomplete.

With regard to service for Buffalo, the Penn Central Railroad presently is providing three trips daily each way between New York and Chicago by way of Buffalo. Additionally, there are two round trips that operate only between Buffalo and New York City.

TRANSITION PERIOD TOO BRIEF

Under the Railpax plan announced last month, the new service for Buffalo will be strictly between Buffalo and New York City with three trains each way daily. There will be no service west from Buffalo.

If the Railpax plan for railroad passenger service for Buffalo is allowed to go into effect, it means cutting off all direct service from Buffalo to the west, including service to such cities as Cleveland, Detroit, and other major centers of mutual interest. As I mentioned before, Railpax makes no provision for service in any direction for Cleveland.

Mr. Chairman, a delay through the summer months is absolutely essential. If the proposed Railpax system goes into effect on May 1, we are going to have chaos.

The flak is going to wind up here on Capitol Hill—in fact, it's already being felt.

I commend you and the Committee for its effort to seek a solution. I hope sincerely that the Committee can come up with an interim procedure that will prevent the inevitable confusion from a massive curtailment of service and, instead, permit an orderly transition.

Thank you.

RALPH NADER ARTICLE ON INVASION OF PRIVACY AND THE NEW FAIR CREDIT REPORTING ACT

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mrs. SULLIVAN. Mr. Speaker, Mr. Ralph Nader was an excellent witness before the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency on March 24, 1970, when we were working on the legislation which became the Fair Credit Reporting Act—a new title VI of the Consumer Credit Protection Act. Much of his testimony was directed against the invasions of privacy which characterize some types of credit investigation, and he strongly supported the provisions of my bill which would have dealt with this particular aspect of the overall problem of credit-reporting practices.

Although the House conferees on the legislation attempted to incorporate protections against unnecessary or excessive invasions of privacy in the final version of the bill, we were not successful in that respect, although we did succeed in conference in strengthening many other features of the Senate-passed bill.

Hence, in an article on credit dossiers in the April 17 edition of the Saturday Review, Mr. Nader, while acknowledging the importance of the new consumer protections which became effective yesterday, nevertheless described what he considers are shortcomings in the statute. His article will be of great interest to every Member of Congress, I am sure.

The article follows:

[From the Saturday Review, Apr. 17, 1971]

THE DOSSIER INVADES THE HOME

(By Ralph Nader)

Invasion of privacy used to carry an almost luxurious connotation, a concept reserved for special public figures whose private lives were invaded by scandal-mongers or seekers of vicarious thrills. It is no longer an elitist term. Hundreds of bits of information filed in dossiers on millions of individual Americans today constitute a massive assault on privacy whose ramifications are just beginning to be realized.

Most adults have at some time sought credit (or a credit card) and bought insurance. If you have done these things, there are probably at least two dossiers with your name on them.

When you seek to borrow money, your creditor receives a file from the credit bureau to establish your "credit rating." This dossier contains all the personal facts the credit bureau can assemble—your job, salary, length of time on the present job, marital status, a list of present and past debts and their payment history, any criminal record, any lawsuits of any kind, and any real estate you may own. The dossier may include your employer's opinion of your job performance or even your IQ rating from a high school test. By the time the creditor has finished talking to the credit bureau, he is likely to know more about your personal life than your mother-in-law does.

When you try to buy life insurance, a file of even more intimate information about

you is compiled by the "inspection agency." The insurance company finds out not only about your health but also about your drinking habits (how often, how much, with others or alone, and even what beverages), your net worth, salary, debts, domestic troubles, reputation, associates, manner of living, and standing in the community. The investigator is also asked to inquire of your neighbors and associates whether there is "any criticisms of character or morals," and he must state whether he recommends that the insurance be declined.

Credit bureaus and inspection agencies are the major sources of information about individuals: But government, schools, employers, and banks are also collectors, and sometimes suppliers, of information. Employers frequently make information on their employees available to a credit bureau or inspection agency. They may also exchange information among themselves. *The Wall Street Journal* has reported that department stores in many cities have formed "mutual protection associations" that trade the names of former workers who were fired for suspected theft. This information-trading means that an individual may be denied a job on the basis of a former employer's untested—and unrefuted—suspicions.

Anyone possessing an individual's bank records—now extensively recorded on computers—can reconstruct his associations, movements, habits, and life-style. The recently enacted Foreign Bank Secrecy Act can be used to require every FDIC-insured bank to make a reproduction of each check you draw on it and keep those reproductions for up to six years. The purpose is to ensure records of large quantities of money going out of the country so as to prevent tax evasions through use of secret Swiss bank accounts. But the act contains no protection for the depositor by limiting in any way the banks' use of these records. Conceivably, a bank could sell them to a credit bureau or investigation agency.

It is the rare American who does not live in the shadow of his dossier. The "dossier industry" is a huge and growing business. There are 105 million files kept by the Association of Credit Bureaus of America (ACBA). Retail Credit Company of Atlanta, Georgia, the giant of the industry, has forty-five million files and makes thirty-five million reports each year. Credit Data Corporation, the second largest firm, has twenty-seven million new dossiers each year.

These economic interests have almost total control over the information they collect and sell. They are not accountable to anyone except those who seek to purchase information. Further, for reasons of profit, these companies place a premium on the derogatory information they assemble. Except in three states, citizens do not have the right even to see these dossiers in order to correct inaccuracies. They will have that right for the first time when a federal law, the Fair Credit Reporting Act, goes into effect April 25, 1971. But they still will not have the right to control access to the information, on which there are in effect no legal restrictions, or the right to control the kinds of information that can go into their dossiers.

Until there are adequate protective measures—an "information bill of rights" that protects him against invasion of privacy through information dissemination—the citizen's major recourse is to understand how these agencies operate and what are his limited rights under present and pending law.

The first problem of the dossier is accuracy. There is no doubt that inaccurate information comes into the files of credit bureaus and insurance inspection agencies. In fact, credit bureaus disclaim accuracy in their forms, because most of the material is obtained from others (merchants, employers) and not verified by them. The informa-

tion "has been obtained from sources deemed reliable, the accuracy of which [the credit bureau] does not guarantee."

Illustrations of errors are legion. New York State Assemblyman Chester P. Straub was refused a credit card because his dossier revealed an outstanding judgment. The judgment actually was against person with a similar name, but the bureau had erroneously put it against Straub's name. Testimony before a U.S. Senate committee has accused credit bureaus of using a "shotgun" approach to recording judgments against consumers—entering any judgment on all the records bearing the same name as the defendant's, or a similar name, without checking to see which individual was actually involved.

In addition to errors of identification, there are errors due to incomplete information. A woman ordered a rug, but the seller delivered one of the wrong color. He refused to take it back and sued for payment. Although his case was thrown out of court, her credit record showed only that she had been sued for non-payment, and she was unable to get credit elsewhere thereafter. Arrests and the filing of lawsuits are systematically collected by credit bureaus and rushed into dossiers, but the dismissal of charges or a suit is not reported in the newspaper and so the credit bureau never learns of, or records, the affirmative data.

Also, there is the problem of obsolescence of information, as shown by the man whose bureau dossier in the Sixties listed a lawsuit from the Thirties. It was a \$5 scare suit for a magazine subscription he had never ordered, and "nothing had come of it"—except in regard to his credit rating.

The introduction of computers can create its own set of problems. Although mechanical errors in the handling of information by people may be reduced, the probability of machine error is increased. In addition, credit data are taken directly from a creditor's computer to a credit bureau's computer without discretion. Your payments may have been excused for two months, due to illness, but the computer does not know this, and it will only report that you missed two payments. Storage problems alone will prevent the explanation from being made. Your rating with that creditor may not be affected, but with all others it will be.

These credit bureau inaccuracies generally relate to "hard data," which are subject to verification or contradiction. The insurance inspection agency, on the other hand, reports "soft data," or gossip, and they are not subject to verification at all. This creates new sources of inaccuracies. Where the information is inherently uncheckable, the biased employee or the biased informant can easily introduce inaccuracies. Even where bias is not present, innuendo or misunderstanding can create error, while a vindictive inspector can abuse his power for personal reasons.

Why don't inspectors check the accusations made by informants with the accused? One reason is they don't have the time. If they must make ten or fifteen reports a day, they can spend only forty minutes on an average report, including transportation and typing it up. This allows no time for checking accusations, or even facts.

A more vicious reason is the agency's penchant for derogatory information and the fact that it records on both a weekly and a monthly basis the percentage of cases in which an inspector recommends declines. He must file a certain percentage of derogatory reports (at one time 8 per cent for life and 10 per cent for auto reports) if he is to be known as a "good digger." If he has not met his "quota," the temptation to use any rumor without confirmation may be overwhelming. These quotas may be regarded by the agency as a necessary control device to prevent inspectors from filing fake reports without in-

vestigation, but they show a reckless disregard for the safety of the investigated public.

Gossip-mongering with a quota on unfavorable comments can lead the harried inspector to rely on innuendo. A vivid illustration of the problems in insurance reporting is the case of two successful young businesswomen who applied for a life insurance policy required for a particular business transaction. On the completion of a routine report, Retail Credit Company advised the insurance company not to issue the policy. It reported "severe criticism of the morals of both women, particularly regarding habits, and Lesbian activities." The investigator's information came from neighbors. None of these neighbors actually stated they had seen any illicit activity, but innuendo accomplished the same result. "Informants [unidentified] will not come out and state that applicant is Lesbian, but hint and hedge around and do everything but state it." The insurance company followed Retail Credit's advice and denied the policy.

Until passage of the Fair Credit Reporting Act, the law offered no protection against an inaccurate report, except in three states. There was no way one could even see a report to correct it. However, this new act offers some solutions to problems of accuracy.

(1) It requires users of reports to notify consumers of the name and address of the consumer reporting agency whenever the user (e.g., creditor, insurer, or employer) takes adverse action on the basis of the agency's report.

(2) It gives the consumer the right to know the "nature and substance of all information" on him in the agency's files, except medical information and the sources of investigative information" (i.e., gossip). The limitation on sources of gossip is a serious weakness. Such sources can be discovered in litigation, however, and a suit is made easy to bring. Thus, *the agency can no longer guarantee the confidentiality of its sources.*

(3) If a dispute arises between the consumer and the agency about the accuracy of an item, the agency must reinvestigate and *reverify* or delete the information. This will usually mean going back to the same neighbors and obtaining the same gossip. If the dispute is not settled by reinvestigation, the item must be noted as disputed. This leaves the user free to believe the agency.

These provisions are the strongest in the bill. They are weak from the consumer's point of view in two areas: The consumer should be allowed to learn the sources of gossip before litigation so that he can effectively rebut inaccurate gossip; further, he should be provided a quick, simple procedure for obtaining a declaratory judgement on the truth of any item.

(4) The act also provides for enforcement through private actions if the agency is negligent. Negligence is easy to allege, but may be difficult to prove. Only time will tell what standards the courts will set.

Even though the agency's secrecy is now partially broken, relief may still not be available because most agencies are granted immunity for agency libel. Under the law of most states, the agencies are given a "conditional privilege" to publish false statements; so the libel action will not succeed. The privilege is granted on the grounds that they are fulfilling a private duty by providing businessmen with information they need in the conduct of their affairs. Georgia and Idaho (and England) do not grant the agencies such a privilege on the grounds that the privilege itself does not benefit the general public, but only a profit-oriented enterprise, and that individual rights take precedence over the self-interest of the enterprise.

In the states granting the privilege, it is conditioned on the agency's 1) disclosing the information only to those with the requisite commercial interest, and 2) acting in good faith and without malice. However, proof of malice requires more than just the falsity of the report. In the past this has conferred an effective immunity on false reports. Malice, however, may be shown by the quota systems of the agencies or by their secrecy. Arguably, these company policies show a "wanton and reckless disregard of the rights of another, as is an ill will equivalent." Such theories, however, have not yet been tested in court.

There is no regulation on sale of the extensive personal information collected by credit bureaus, insurance agencies, and employers. The dossiers are considered their "property," and they may do what they wish with it. The only influence to limit availability is an economic one, arising from the condition on the privilege for publishing libel—the report can be given only to subscribers of the service or others claiming a legitimate interest in its subject matter. However, claims of interest are easy to make and are not often scrutinized.

Furthermore, the citizen never knows when these dossiers are opened to someone. His consent is not sought before release of the information. He is not warned when someone new obtains the information, or told who they are—unless, under the new law, they take adverse action. There are no pressures on the information agencies to account to the subject of the dossier, nor have these agencies shown any willingness to assume such responsibility.

Credit bureaus may follow the Associated Credit Bureau guidelines and release information only to those who certify that they will use it in a "legitimate business transaction." This, of course, includes not only credit granters but also employers, landlords, insurers, and dozens of others. But even these weak guidelines are unenforceable by the association, and a CBS study found that half the bureaus they contacted furnished information to CBS without checking the legitimacy of their business purpose. Announced policies of inspection agencies also require a showing of a business purpose. But this includes anyone who has \$5 and announces himself as a "prospective employer."

In April, the Fair Credit Reporting Act will impose a restriction on the release of information, but it is no better than those presently available. An agency will be able to sell information to anyone having "a legitimate business need" for the information. There are no economic or legal restrictions preventing any credit bureau or inspection agency from giving out their dossiers indiscriminately to anyone who can pay.

The consequences of making highly personal information easily available have only begun to be recognized. Credit reporting agencies may serve as private detectives for corporations that want to intimidate a critic. Recently the press reported that American Home Products, a drug manufacturer with more than \$1-billion in sales, hired Retail Credit Company to investigate the personal affairs of Jay B. Constantine, an aide to the Senate Finance Committee who had helped draft legislation opposed by the drug industry. The investigation was stopped only "after their stupidity was uncovered," according to Senator Russell Long, Finance Committee chairman, who also said that the company had tendered "a complete letter of apology."

The introduction of computers furnishes others possibilities for use and misuse of personal information. Arthur R. Miller, in his new book, *The Assault on Privacy*, reports that MIT students in Project MAC (Machine Aided Cognition) were able to tap into computers handling classified Strategic Air

Command data. If they can do this, any time-sharing user can tap into a computer data bank. There is no way at present that computer people can guarantee their control over access. They cannot even guarantee that they can prevent rewriting of the information in the computer by outsiders.

What can be done to control the availability of these dossiers? Primarily, anyone obtaining information on you should be required to obtain your express consent to the release before receiving the information. This would recognize your interest in preserving the privacy of your own personality. It would allow you to decide whether any particular transaction was worth the invasion of your privacy by the other party.

Even if the information in the dossier is completely accurate and available only to creditors, insurers, and employers, there may be personal or private details—perhaps irrelevant to the demands of the credit-insurance industries—that people want kept to themselves. Some kinds of information may be so personal that their storage and sale are offensive. For example, it is possible to assemble a list of the books a person reads by observing his bookshelves, talking to his neighbors, or obtaining the records of the public library. An employer or insurer could manufacture a "business purpose" for obtaining such information—to determine the subject's knowledge or intelligence, generally, or in a specific field. There is little doubt that such an effort would be offensive to most people, violating their privilege of private thoughts and opinions. It would be offensive even if accurate.

Currently, the information gathered in most dossiers includes a subject's past educational, marital, employment, and bill-paying records. His "club life," drinking habits, and associates are recorded. Also included are employer's opinion of his work habits and his neighbors' opinion of his reputation, character, and morals, which probably includes gossip about old neighborhood feuds.

Insurance company underwriters indicate that many do not use some questions (e.g., "What social clubs does he belong to?"). Some questions are overdrawn (e.g., the query "Who are his associates?") is useful to them only as "Does he have any criminal associates?"—a quite different version). The reason for asking what kind of alcoholic beverage an applicant drank was incomprehensible to at least two underwriters.

When asked whether they ever sought to have unnecessary questions struck from the form, the response was "Why should we? It's just as easy to skip over them when reading." There was no indication that they had any scruples about, or even any understanding of, the problem as an invasion of privacy.

Credit bureaus and investigation agencies do not generally gather such information as test scores or personality traits. Nor are lists of books assembled—yet. But there is nothing to prevent these investigators from adding this information to the standard items in their dossiers. The FBI has tried a similar form of investigation. Common law doctrines seem not to cover these problems, and, until recently, legislatures and relevant administrative bodies have shown no interest. Most information agencies have no announced policies that would preclude them from including any type of question. Thus, the only reason such information is not gathered is an economic one: No one is sufficiently interested to request and pay for it.

New technology is also tipping the balance against the individual's right of privacy as far as kinds of information are concerned. With problems of storage and transmittal solved, the technological tendency is to collect more data on individuals, inevitably more sensitive data.

The way information is gathered also has

ominous implications for the individual's privacy. Credit bureaus gather their information from employers, newspapers, and credit-granters who are members of the bureau. They also collect data from the "welcome wagon" woman who visits homes and notes what buying "needs" you have so that you can be dunned by the right merchant. American Airlines' computer can give anyone information about what trips you have taken in the last two or three months. Further, it can give your seat number and be used to determine who sat next to you, perhaps inferentially describing your associates. In addition, it can tell your telephone contact number and, from this, determine where you stayed or your associates in each city of departure. Credit card accounts can do much the same thing, telling what you have bought recently (to establish standard of living and life-style) and where you shop.

Each of these methods of inquiry constitutes a serious invasion of privacy, but the most serious invasion is the neighborhood investigation by the inspection agency. Here information is gathered by questioning your neighbors, building superintendent, grocer, or postmaster about what you do while you are in your own home. There is the threat not only of gossip-mongering and slander, but of the creation of a kind of surveillance on your home. For most people, the only available private place is "home." Here, even though observed by neighbors perhaps, the individual can feel free to discard his social role and be more expressive of his own personality. It is here that the "neighborhood check" of the inspection agency is most frightening.

How does an inspector go about obtaining information from your neighbors? Frederick King of Hooper-Holmes candidly described the procedures used when a married man is suspected of an extramarital affair. "You go to a neighbor and establish rapport. Then you ask, 'What's your opinion of him as a family man?' This will usually elicit some hint—through the expression on his face or the way he answers. Then you start digging. You press him as far as he will go, and if he becomes recalcitrant you go somewhere else. If you go to enough people, you get it."

Do present laws give you any protection from these invasions of your privacy in regard to either the types of information stored and sold or the manner in which they are gathered? Probably not.

There is a tort cause of action for invasion of privacy, but instead of furnishing a broad protection device, the courts have established four subcategories of the right. Two of these subcategories related to the gathering and publication of personal material are "public disclosures of private facts" and "intrusion."

Public disclosure of private facts has not been actionable without a finding of "unreasonable publication," and publication to a "small group" would include the subscribers of a credit bureau or investigation agency, in much the same way that publication of defamation to such groups has been held privileged. The exemption is based on the same reasoning that sustains the conditional privilege to defamation and has the same dangers to the subject, who may not be able to correct falsehoods or defend himself against the consequences of having intimate details of his life revealed to the business community in his town.

Intrusion has been found most often in cases involving physical intrusion. Peering through windows, wiretapping, and eavesdropping seem to strike a more responsive chord in courts than does interviewing your neighbors or acquaintances. This tort is usually held to require an "extreme" or "shocking" violation of your privacy, and physical trespasses are most easily perceived as shocking.

In a New York Court of Appeals decision

involving the author and General Motors, the court went beyond physical intrusions include surveillance for an unreasonable time. However, even this decision makes actionable only those intrusions that are for the purpose of gathering confidential information. The question whether this doctrine covers investigations seeking to discover marital relationships, sexual habits, or housekeeping abilities has not been presented to the courts since the New York decision. However, three of the court's judges specifically stated that the four recognized subcategories of the right to privacy are neither frozen nor exhaustive.

If judicial protection against the collection and sale of overly personal information is limited, legislative protection is still nonexistent, even after passage of the Fair Credit Reporting Act. That statute may provide accuracy protection, but the Senate conferees refused to accept any provisions that would limit the types of data about you that can be gathered and sold.

The invasion of privacy should more accurately be called the invasion of self. The right to protection himself against an informational assault is basic to the inviolability of the individual. On the one hand, we recognize that an arrest record may haunt an individual, and there is precedent for a wrong arrest that is thrown out of court to be expunged from the record. But we have not yet recognized that the bits of information contained in dossiers kept on 105 million Americans may be just as decisive and just as damaging to their lives.

The individual's right to privacy of self is crucial to the functioning of our society. Suppose you walked into a courtroom and picked up a pamphlet relating everything the judge had ever done in his personal life. What would that information do to your interaction with that court? To some extent it is absolutely necessary to preserve barriers of privacy and protection about people's lives in order to permit ordinary interaction between people, and interaction that is to a significant degree based on trust.

Our Founding Fathers developed Constitutional safeguards in the Bill of Rights against the arbitrary authority of government. The rights against unreasonable search and seizure and against self-incrimination were examples of basic rights of privacy deemed critical for a free people. Generations passed and the country developed private organizations possessed of a potential for arbitrary authority not foreseen by the early Constitutional draftsmen. Most pervasive and embracing of these organizations is the modern corporation. Aggressive by its motivational nature, the corporation, in a credit-insurance economy spurred by computer gathering and retrieval efficiency, has created new dimensions to information as the currency of power over individuals. The secret gathering and use of such true or false information by any bank, finance company, insurance firm, other business concern, or employer place the individual in a world of unknowns. He is inhibited, has less power to speak out, is less free, and develops his own elaborate self-censorship.

What this costs in individual freedom and social justice cannot be measured. It can only be felt by the daily contacts with human beings in invisible chains reluctant to challenge or question what they believe to be wrong since, from some secret corporate dossier, irrelevant but damaging information may be brought to bear on them. The law and technology have provided the "dossier industry" with powerful tools to obtain and use information against people in an unjust way—whether knowingly or negligently. The defenseless citizen now requires specific rights to defend against and deter such invasions of privacy.

The Fair Credit Reporting Act will take steps toward solving some of the problems of accuracy in individual dossiers. For the first

time, people may find out what credit bureaus and inspection agencies are saying about them, and they now have some means of correcting inaccuracies. But there are still no restraints on availability of this information or on the kinds of information gathered. Unless citizens are provided with an "information bill of rights" enabling them to see, correct, and know the uses of these dossiers, and to impose liability on wrongdoers, they can be reduced to a new form of computer-indentured slavery. The law must begin to teach the corporation about the inviolability of the individual as it has striven to teach the state.

WHAT YOU CAN DO

What can you do to protect yourself from your dossiers? The Fair Credit Reporting Act—when it becomes effective this month—allows you to protect yourself, but only if you take action. Let me use, as an example, the ordinary purchase of a life insurance policy. After you have decided to purchase some life insurance, you should first consider how much of an invasion of privacy you are willing to suffer in order to get it.

If a character investigation will be made, you are entitled under the act to be told automatically only that it will be made, and you are told that fact three days after the investigation has been ordered. Once you have been informed, it is up to you to take any further initiative. You must request in writing additional information. Once you have made that request, the insurer must reveal "the nature and scope" of the investigation. According to Representative Leonor K. Sullivan of Missouri, the House manager of the bill, this means they must tell you "all the items of questions which the investigation will cover. The best method of meeting this criterion is for the agency to give the consumer (you) a blank copy of any standardized form used." Unfortunately, all of this happens at least three days after you have signed the contract.

However, you can still insist on receiving this information before you sign the contract. Nothing in the law prevents you from obtaining this information earlier. The agent and the insurer are both anxious to sell you insurance. If you don't like too much snooping, demand that the scope of the investigation be revealed before you buy. If you think it is overzealous, complain to both the agent and the insurer and be specific about what you think is too intrusive. If the company will not listen to your complaints, find another one—or consider using group insurance. It is an interesting fact that group insurance does not usually require an investigation, and its use has been growing.

Once the privacy problems have been settled between you and the insurer, you must also worry about the accuracy of the report. If you are turned down or highrated by the insurer, due in part to an investigation and report, the insurer must tell you that it was due to a report and give you the name and address of the agency making the report.

This entitles you to go to the agency and demand that it disclose "the nature and substance of all the information (except medical information) in its files." According to the House manager of the bill, this means disclosure of "all information in the file relevant to a prudent businessman's judgment" in reviewing an insurance application. If you have demanded a blank copy of the agency's standard form, you will know whether you have been told all that you are entitled to know.

If you disagree with any information in your file, tell the agency. The agency is then required to reinvestigate and reverify or delete the information. If they do not claim reverification, make certain that they delete the information, and then personally notify all prior recipients that it has been deleted.

If they do claim reverification, ask how they reverified, from whom, and exactly what was said. Don't be satisfied with general answers because you cannot refute specific accusations with generalities. Although the act does not give you access on request to the names of those who lied about you, it does give you access to those names if you file suit under the act. Thus, the names cannot be protected forever. Many reputable agencies should see this and be willing to attempt to settle disputes with you without litigation. Even if the agency claims reverification, you can still have the item listed as disputed if it is in error, and file a brief statement outlining your side of the story.

A second common example is the credit card company that charges you improperly and will not answer your letter of complaint, but continues to bill you and threatens to ruin your credit rating if you don't pay. You can follow the procedure discussed earlier and wait until some other creditor turns you down, then go and get the file corrected. It may be better, however, to go and check your file at the local credit bureau periodically, so that you can correct errors before they are reported and you are turned down.

TAXES: THE PARADOX OF OUR TIME

HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. MEEDS. Mr. Speaker, we can add up our blessings and then subtract our taxes. If the result is still above zero, then we may have the equation for contentment.

Not many of my constituents are content about taxes. Some are angry. Their sentiment was brought home graphically when I mailed out another questionnaire in early March to the 190,000 households of my district. Thousands of returns began flooding my office, and it became clear that taxes were a major concern.

So? Taxes have always upset people. Either they are too high, too unfair, or too misallocated. Only a week ago the pollster Louis Harris reported that Americans by a margin of 66 to 27 percent believe that Federal income taxes are too high. The poll also found that a majority does not accept the concept of raising taxes to control inflation and that a growing majority lacks confidence in the Government.

But wait a minute. Too often we tend to lump "taxes" together without discerning their source or developments that change their amount and their application. Now I want to discuss the "paradox" of taxation.

Federal income and corporate taxes have been going down; State and local taxes have been going up. This is the tax paradox of our time.

DIFFERENT TAXES, DIFFERENT GOVERNMENTS

Taxing is a power that is shared between the Federal Government and State and local governments. Thus, the Washington State Legislature in Olympia cannot change Federal income taxes, and the U.S. Congress has no jurisdiction over sales taxes, school levies, and property taxes.

Property taxes, sales taxes, and other

local revenues are being forced up rapidly because State and local spending is increasing astronomically. This spending has risen by 12 times since 1946. Federal spending, on the other hand, has risen by four times. State and local government costs went from \$11 billion in 1946 to \$132 billion in 1970. Major cost factors: education, highways, welfare, recreation, and law enforcement. Property tax hikes are also related directly to increased population growth, housing shortages, and land speculation.

Each State and community relies on different sources of revenue and on differing degrees of taxation. Unlike most States, Washington does not have an income tax. Experts believe this is the best and fairest way to raise money, but in 1970 the voters of Washington State rejected House Joint Resolution 42 which would have allowed a flat-rate income tax and which would have reduced sales and property taxes. Instead, my State continues to rely on sales, property, and excise taxes for its revenue.

In failing to adopt progressive taxation, my State puts the heaviest burden on people whose incomes are pressed to bear it. Rather than taxing income, Washington levies taxes on the necessities of life such as food, clothing, and shelter. Hit hardest are the senior citizen and the budget-conscious middle-income family. Social security cannot keep up with the county assessor.

Early in 1971 property in Washington State was reevaluated, and higher assessments tapped the wellsprings of protest. For the voters and the legislature there are only two alternatives. Either they can reduce property taxes and services such as the police and education, or they can find an alternative source of revenue. There is no escaping reality.

Before State and local officials demand revenue sharing with the Federal Government, they ought to make their own tax systems more fair and efficient. In 1970, for example, only 27 States used corporate and personal income taxes to obtain 20 percent or more of their revenues. Eight States had no income tax at all. Besides Washington this group includes Texas, Ohio, Pennsylvania, and Florida.

In 46 States the largest source of revenue was the sales and/or gross receipts tax. In their trend and in their ability to raise revenue, these taxes are far different from the Federal corporate and personal income taxes.

FEDERAL TAXES: HIGHER EFFICIENCY AND LOWER RATES

The Federal income tax was enacted in 1913. It is a progressive tax, meaning that you are supposed to pay more if you earn more, pay less if you earn less. One thing about it is certain. It is the most efficient collector of revenue the world has ever known. When the national economy grows by 1 percent in a given year, Federal income tax collections grow by one and a half percent.

Except for the 10 percent—now expired—surcharge passed in 1968, Congress has not raised individual income tax rates since 1951. That is correct, 1951. In fact, the 1951 boosts were allowed to expire in 1953.

Mr. Speaker, to illustrate how Federal taxes have been reduced in our times, I would like to summarize briefly the tax history of the postwar America:

In 1946—Congress cut individual rates by about 5 percent. Corporate taxes were cut to a maximum of 38 percent, and the excess profits tax was repealed.

In 1948—Individual rates were cut again; personal exemption from \$500 to \$600 for taxpayer and dependents; couples were allowed to split their income, thus giving them a lower rate than for single taxpayers. Persons over 65 were given an extra \$600 exemption.

In 1950—Korean war began, and Congress repealed the 1946 and 1948 rate cuts; corporation rate raised in three steps to 47 percent; excess profits tax reimposed.

In 1951—Individual rates were raised by about 11 percent; maximum corporation rate went to 52 percent; excise tax on beer, tobacco, gas, and autos were raised.

In 1953—Congress sees end of Korean war, votes to let 1951 increases expire. Excess profits tax repealed.

In 1954 to 1959—Numerous changes in excise taxes, depreciation, deductions, stock dividend exclusions, medical expenses, child care costs, charitable contributions.

In 1962—Business given 7-percent investment tax credit; travel taxes reduced or repealed; Keogh Act permitted self-employed persons to set aside income for retirement.

1964—Individual rates were cut. Minimum rate went from 20 percent to 14 percent. Maximum rate went from 91 percent to 70 percent. Corporate rate trimmed from 52 percent to 48 percent. Minimum standard deduction increased and set at 10 percent up to a ceiling of \$1,000. Many provisions of Internal Revenue Code on excise taxes, stock options, sick pay, dividends were changed.

1965—Congress cut or eliminated many of the excise taxes imposed during World War II.

1968—Congress voted a temporary 10-percent surcharge on individual and corporate taxes.

1969—Historic tax bill passed. Tax Reform Act is first major overhaul of Internal Revenue Code since 1913. Some loopholes closed or reduced. Final law ran to 255 pages. Personal exemptions for taxpayer and dependents increased from \$600 to \$750 by 1972. Minimum standard deduction by 1973 goes from current 10 percent up to \$1,000 to a new level of \$15 up to \$2,000. Lower taxes for single persons; new head-of-household rates for certain unmarried persons with dependents. Seven-percent investment credit repealed; 10-percent surcharge repealed.

So our tax liability is less than it was 20 years ago. The actions of Congress on personal and corporate taxes dispute one of the conclusions of the Louis Harris poll taken this month and mentioned earlier. In that survey, the American people by a margin of 85 percent to 10 percent agreed with a statement that "politicians promise tax relief before an election and then do nothing about it when elected."

ONE EXCEPTION: SPECIAL-PURPOSE TAXES

Although general tax liability has been cut, one type of tax has increased since World War II. This is the special-purpose tax from which the revenues do not go into the ordinary receipts of the Treasury. Transportation and social security taxes can be used only for distinct purposes.

Federal-aid highways are built with the proceeds from taxes on gasoline, tires, auto parts, and trucks. In 1970 Congress applied the user-tax principle to airport and airway construction and modernization. These taxes are levied on passenger tickets, fuel, air cargo, international travel, and aircraft registration. In other words, public travel brings travel improvements.

Until 1950 the social security withholding tax was 1 percent on the first \$3,000 of income. Today employers and employees each pay 5.2 percent on the first \$7,800 of income. Rate increases are scheduled through 1987, and the taxable base goes to \$9,000 next January 1.

Congress has increased social security benefits by 45 percent since 1965. Medicare has also been adopted and expanded during this time. Unless the whole concept of social security is altered, raising benefits will require additional payroll taxes.

LOOPHOLES AND PUBLIC CONFIDENCE

Having discussed the trend in Federal taxes, I would be remiss in pretending that the Internal Revenue Code is not without its faults. Far from it, Mr. Speaker. Despite its efficiency in raising money, the Code has a maze of unfair loopholes that penalize the wage earner and undercut confidence in the Government.

There is income, and then there is taxable income. Over the years our progressive income tax has become riddled with all sorts of special treatment for various types of income: Charitable contributions. Municipal bonds. Depreciation. "Hobby" farming. Foundations. Stock options for executives. Multiple corporations. Estates. Bad-debt reserves. Insurance.

Heading the list of controversial loopholes has been the 27½ percent oil and gas depletion allowance. With this loophole and with the drilling cost writeoff, oil companies have escaped fair taxation.

Take 1968, for example. The Gulf Oil Co. had a net income of \$977 million but paid less than 1 percent in Federal taxes. Texaco made over \$1 billion but paid only 2.3 percent in Federal taxes. Richfield paid not one penny.

Since it was enacted in 1926, the oil and gas depletion allowance has cost the Government more than \$80 billion in lost tax revenues.

Depletion allowances apply to other minerals as well. There is even a depletion allowance for—are you ready?—clamshells.

Tax revenue lost through loopholes has to be made up by the taxes you and I pay.

THE TAX REFORM ACT: A FIRST STEP

Public opinion fathered the Tax Reform Act of 1969. It was a most welcome

development. While many of us had been talking about tax reform a long time, public interest in the topic never really flared until President Johnson requested the 10-percent surcharge in 1967.

My contribution to the reform effort was to introduce loophole-closing bills in 1967 and 1969. When tax reform was being considered in the House Ways and Means Committee in early 1969, I testified on three important areas. I recommended first, a deep cut in oil depletion; second, tax relief for the elderly; and third, a crackdown on "hobby" farming for tax purposes.

The Tax Reform Act made a start at clamping down on loopholes. It reduced the oil depletion allowance slightly, and it contained many other changes designed to retrieve lost revenue. Still, it did not go far enough.

I would like to see additional tax reform legislation passed in 1971, but this appears unlikely for two reasons. First, the House Ways and Means Committee is tied upon a host of matters including revenue sharing, social security, medicare, and welfare reform. Second, the Nixon administration is not keen on reforming the tax laws. Through Treasury Secretary Connally it has expressed coolness to new legislation. When Mr. Nixon was campaigning for President in 1968 he gave a speech in Houston urging no changes in the oil depletion allowance.

Mr. Speaker, taxes are the dues we pay for our progress, defense, and well-being. How the money is spent is open to question and debate, for priorities are ever-changing. No one is expected to be totally satisfied with all the uses of his tax dollar.

But one thing is certain to me: A lot more people would feel better if everyone paid his dues. The salaried man in Everett, Wash. does not get a free ride, and neither should Gulf Oil. The fisherman in Anacortes pays his share, and so should the insurance company in Connecticut. The working mother in Bellingham is doing her part, and so should well-heeled foundations in New York City.

Taxes will never be popular, but they should be fair.

LIBERALIZED TAX DEPRECIATION ALLOWANCE

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. GIBBONS. Mr. Speaker, as a member of the Ways and Means Committee, I am deeply concerned about the administration's announced liberalized tax depreciation allowance which would enable businesses to write off the cost of new equipment 20 percent faster than they can now. It is estimated that the revenue loss in the coming decade as a result of this administration action will be approximately \$36 billion.

I believe that the administration is usurping the constitutional rights of Congress to write tax laws, and a tax change of this magnitude should be thoroughly studied by the Congress.

Other concerned Members have joined me in a letter to the Internal Revenue Service expressing strong opposition to the proposed asset depreciation range system regulations. If others would like to join, they are welcome to do so.

The letter follows, along with the names of those in opposition to the announced regulations:

APRIL 22, 1971.

HON. RANDOLPH THROWER,
Commissioner, Internal Revenue Service,
Washington, D.C.

DEAR MR. THROWER: The undersigned vigorously oppose the proposed asset depreciation range system regulations which were published on March 15, 1971.

The action taken by the Administration to liberalize depreciation is illegal, in the opinion of noted tax authorities. We support this view, and thus oppose the proposed regulations.

Regardless of the legality of this action, changes in the tax laws, and most particularly those of such a magnitude as proposed in the regulations, should be subject to intensive study by the Congress. In the past, Congress has wisely refused to delegate discretionary authority to the President to change tax rates even temporarily. The power to originate revenue and taxation measures must remain within the jurisdiction of the Congress of the United States, as provided by the Constitution of the United States. Only the Congress, as elected representatives of the American people, is able through a comprehensive legislative process, to properly evaluate the type of tax legislation that is most beneficial to the country as a whole. In this way, benefits on behalf of one segment of the society at the expense of the general taxpayer can be avoided.

The validity of the Administration's argument that the liberalized depreciation will stimulate the economy is highly questionable. It is unlikely at the present time, when industry is operating at only 75 percent of its capacity, it will increase its productive capacity even further by substantial investments. Thus, unless the liberalized depreciation proposal is withdrawn, business will reap an unwarranted windfall in tax reduction for investments it would make anyway.

Since a tax break for one segment of our society must ultimately be borne by the rest of our taxpayers—and this is clearly an unwarranted benefit to a limited segment of our society—we join in opposing the liberalization of depreciation as provided in the proposed regulations which were published on March 13, 1971.

Sincerely,

Brock Adams, Joseph P. Addabbo, Les Aspin, Herman Badillo, Nick Begich, Jonathan B. Bingham, Phil Burton, Shirley Chisholm, Jim Conman, John Dingell, Robert F. Drinan, Thaddeus Dulski, Don Edwards, Sam M. Gibbons, Michael Harrington, William D. Hathaway, Ken Hechler, Henry Helstoski, Andrew Jacobs, Jr., Robert W. Kastenmeyer.

Edward Koch, Clarence D. Long, Ray J. Madden, Patsy T. Mink, Parren J. Mitchell, William S. Moorhead, John E. Moss, Robert N. C. Nix, Charles B. Rangel, Henry Reuss, Peter W. Rodino, Jr., Benjamin S. Rosenthal, William F. Ryan, Paul Sarbanes, Jim Scheuer, Louis Stokes, Morris K. Udall, Edward R. Roybal, William R. Cotter, William R. Roy, William J. Green, Mario Blaggi, Abner J. Mikva.

REVENUE SHARING

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. BOLLING. Mr. Speaker, in the following article from the New York Times magazine of April 25, the author, Max Frankel, finds President Nixon's revenue sharing plan wholly inadequate. Mr. Frankel argues convincingly that the real solutions to the financial and other problems of many States and localities lie in reorganization and reform of State and local governments as well as more equitable and fairer State and local taxes based on the principal of ability to pay.

I include the article as follows:

REVENUE SHARING IS A COUNTERREVOLUTION (By Max Frankel)

Poor Publius, operating under the name of Alexander Hamilton, had only \$4.2-million of the public burden to distribute in his first three years as Secretary of the Treasury. Most of it came from customs collections, and after he paid interest on the public debt and the costs of the Army and its veterans there wasn't very much left for guarding the least wealthy part of the community from anything. But Publius was richly endowed with an idea, a Federal idea whose meaning and power seem to have escaped the notice of his successors as they plot a "New American Revolution."

The Revolution, if you haven't heard, is to be President Nixon's bloodless execution of the Federal monster by a technique called Revenue Sharing. Its promise is "cash and freedom" for the states and cities. Its slogan is "power to people." Its goal, a "new Federalism."

The governors, mayors and people need more money, right? Too much of their money now gets shipped off to Washington, right? Too many Congressmen and bureaucrats try to tell them how to run their affairs, right? Well, step right up and let us help yourselves: one pot for "general" revenue sharing—let's say \$25 a head to start, half to the states, half to the cities, no strings attached, no serious questions asked; a second pot for "special" revenue sharing, using moneys hitherto earmarked for definite projects—about \$50 a head, to be spent almost as freely, though with a little more guidance and accounting. Right? Right on!

Like all revolutionary doctrine, this is heady stuff. A good many governors and mayors are rushing headlong for this dole, duly reciting the selfless doctrine of the revolution—that revenue sharing will not only rescue local government from financial collapse but also bring decision-making "closer to the people," eliminate waste and tyranny along the Potomac and generally breathe new life into our democracy.

The only trouble is that like all simplistic formulas, revenue sharing ignores a good many political facts of life. It dangles cash before some hard-pressed communities without really defining the object of such a costly "reform." Indeed, it proposes to commit an open-ended portion of our jointly owned treasure without achieving any significant reform. And it gives virtually no thought to the desired purposes of our Federal system, old or new Publius, where are you?

The fact is we need not a new Federalism but some clear thought about our neglect of the old. For the very purpose of our hierarchy of Federal, state and local governments was to have been a careful pooling (sharing!) of their revenues to provide for the common defense and to promote the general

welfare. Many states and cities are in trouble now for the simple reason that we have failed to use the Federal power to insure either the fair raising of revenues or the rational sharing of costs. It is no answer to give away the money and the power that could correct these failures. The revenue-sharing revolution is, in essence, an abdication.

The President, Congress and their bureaucracies were never meant to be merely tax collectors. They were meant to govern, to attain a wider reach and a broader view of the national interest than any local regime, and indeed they have until now progressively done so. They were meant to preside over a system of multiple tax collection and spending that allows money to pass up the ladder of governments for services best managed by a higher authority and to be redistributed down the chain for services best administered at the state, city, county, village or school-district level.

The central flaw in the President's revenue-sharing scheme is that it would ignore this system in the name of reforming it. It would begin to turn the Federal Government into little more than a tax collector and dispenser. It would leave the states and cities saddled with costs—welfare, for instance—that ought to be shared by the population as a whole. It would leave them free to tax their citizens in wildly unequal patterns. It would give them portions of the common national treasure with only negligible concern for their capacity to spend it effectively. A program that does not address the ways in which governments raise their revenues hardly deserves the name revenue sharing. A program that does not relieve local governments of obligations they neither created nor sought should not be palmed off as burden sharing. The Nixon program is revolutionary only in the sense that it is antigovernment, hostile to the very idea that the Federal moneys and powers should be used to achieve desirable and necessary ends.

The most clearly stated purpose of the President's plan is to relieve the money shortage of state and local governments. But it is bound to fail because it has not faced the basic questions: Who needs more money? Why? How could it best be provided to achieve the Federalist goal of truly sharing revenues and obligations?

Some states and localities need money because they have been forced to assume burdens that are excessive. Still others need money because, though they have tried hard to meet their obligations, they remain poor. And some, being rich, energetic and lucky, don't need any relief. Mr. Nixon would just kick back money to all of them.

The President favors such a wholesale distribution because he believes it would simultaneously unravel a good deal of Federal red tape, enhance the power of local governments to choose their own priorities and revive the authority (and presumably the accountability) of state and local office holders. These are worthy objectives but dubious assumptions. The nearer our elections get to the local level, the less adequate the public discussion and the smaller the participation. In any case, the President's objectives are not likely to be realized by a program that fails to deal with the structure of local administrations, with their unequal tax systems and their uneven burdens.

SHARING THE WORK

The President's judgment that the Federal edifice is buckling under the weight of a top-heavy steeple tends to ignore the fact that the rest of the American structure of government is in no condition to support anything. At the middle levels are the state and county administrations, mostly weak, outmoded or corrupt, even when they are not broke. At the lowest level, the foundation of local government can be described only as jerrybuilt.

The problem goes far beyond local officials who stash public funds in unmarked shoe boxes, as in Illinois, or squander them on luxury suites for the poor, as in New York. Money alone has never fostered honesty or intelligence, and there is no reason to believe that the infusion of Federal money will increase the supply of either. The Federal dollar is money, not manna.

And even a shortage of money has not induced the states and localities to streamline their administrations. It is the illogical and complex structure of local governments, not their poverty, that has placed them beyond the reach and comprehension of the citizenry.

There are more than 80,000 units of local government in the United States—21,000 of them juggling the affairs of the major metropolitan areas that house 70 per cent of the population. That works out to an average of 91 governments for the typical metropolitan area, or 48 for each metropolitan county, including—besides the county government itself—12 school districts, 12 municipalities, 7 townships and 16 special districts that run the water supply, treat the sewage or provide some other service.

Only about 20 of the nation's 247 metropolitan areas are managed by fewer than 10 local governments. The Chicago area embraces 1,113, Philadelphia and environs 871, metropolitan New York 551. The average metropolitan citizen is the subject of at least four levels of local government. The average metropolitan county provides work or 350 elected officials.

Counties and school districts in this tangle exercise powers delegated to them by the states and therefore dovetail across the map in jigsaw pattern. All the other units of local government have sprung up in random and overlapping profusion, for purposes of exclusion (we'll fend for ourselves, Jack, and let the rest of the region go hang) or evasion (if state law says no more borrowing by county or city, we'll just make us up a new government, Guv).

Whatever is not hopelessly hobbled by quadruplication in this structure is ludicrously hampered by miniaturization. Two-thirds of our municipalities and townships have populations of less than 5,000. Among 5,000 metropolitan school districts, about one-fourth educate fewer than 300 pupils and about one-third operate no more than a single school. All but 200 of 5,000 metropolitan municipalities govern less than 25 square miles, the majority of them less than two square miles.

To exercise "control" over these local governments, the citizen must pick his way through laundry-list ballots of nonentities. And controlled or not, local office holders can rarely find enough money or authority in their slender jurisdictions to fill even the most elementary needs of the citizens. Most of the thousands of local governments can neither attract nor afford the expertise and administrative skills that they so plainly lack.

Whoever presumes to talk of invigorating these local governments and their state counterparts is talking about many governors condemned to serve only one brief term, often alongside independently chosen, unresponsive, perhaps even disloyal, cabinet officials. He is talking about state legislatures, a number of which may still meet only in alternate years and most of which are ill-paid, ill-staffed and ill-housed. He is talking about multiple systems of state justice in which judges are often subject to partisan election without regard for their professional qualification. He is talking about mayors, managers, executives, councils, school boards, directors, commissioners, assessors and the Lord knows who else with wholly uncoordinated mandates, all scrambling for taxes and loans and subsidies and carving out their own areas of sovereignty and authority.

Custom, confusion, regulation and debt seem to have petrified this overgrown forest. The states themselves have been passive about reorganization. The public has been apathetic, turning out no more than 25 per cent of the electorate for the few occasions when local reform has come to a vote. President Nixon grandly asserts his "trust" in the people and local office holders to reorder their affairs once they are given a little more money. Revenue sharing is being pushed on them with all the promise of the quick fix.

It is much more likely that the hasty injection of miscellaneous moneys into this structure will only reinforce its worst habits. And the very worst are the tendency to keep enlarging the tax burden of those least able to pay while sparing those who could afford to pay more and the toleration of scattered administrations that neatly wall off the people with the most money from the people with the greatest problems.

There is much to be said for the claim of governors and mayors that they usually know better than horse-trading members of Congress or rule-writing bureaucrats where their communities can most profitably invest new revenues. But that does not relieve the Federal Government of its obligation to direct the spending of its funds so that national priorities, too, will be served. In devising the great G.I. Bill program after World War II, the Federal Government did not force every returning veteran into college or tell those who went what they should study. But it did assert the national will. It spent billions to encourage the training and education of the postwar generation and to keep it from overwhelming the job market during the postwar demobilization. It required the veterans to account for their expenditures and it set standards for the schools that wished to compete for their tuition.

So, too, the help that is given states and cities from the common treasury can be used to promote the national purpose. Instead of being distributed at random, as Mr. Nixon proposes, the Federal dollar could be used to induce structural reform at all levels of government, above all, reforms that would produce a genuine and democratic sharing of revenues and burdens.

SHARING THE REVENUES

There is little doubt that state and local governments, in the aggregate, need more money. Their expenses have increased more than twelvefold since World War II—to an estimated \$132-billion—more than three times as fast as spending by the Federal Government or individual citizens. By 1975, presuming roughly the present range of obligations, the state and community budgets will total about \$200-billion, and between \$6-billion and \$10-billion of that amount will be lacking.

But none of this tells us anything about who actually needs money, or how much. And only by the crudest possible standards of accounting do these figures alone justify a massive Federal dole. To define the "needs" of state and local governments we ought to have some idea of how much and how fairly they tax their own citizens. We ought also to have some common standards to suggest which level of government should properly pay for different kinds of services.

Over the last 10 years, without waiting for such a rational division of labor, the Federal Government has increased its aid to local governments from \$7-billion to about \$30-billion a year. Though these expanded programs failed to meet many of the high goals set for them, they were born of the proper impulse to spend Federal funds for the benefit of the poorest portions of the population. The main purpose was to produce, in effect, a redistribution of the national treasure by taxing those best able

to pay to support programs that would benefit those in greatest need. Title I of the Elementary and Secondary Education Act, for instance, tried to pump out about \$1-billion for additional, compensatory schooling for the children of the poor; in fact, most of that money has been used merely to equalize the schooling of the poor at standards that the states were supposed have been meeting in the first place.

There have been other Federal failures, which Mr. Nixon and his aides have been most eager to advertise. Many of the regulations written into Federal programs have turned out to be unsettling and restrictive—for example, the ones requiring states and cities to divert money from their own favored projects to "match" Federal expenditures on Federal priorities. Many Federal programs have been drawn so narrowly that they strangle decision-making at lower levels; others have been so complex that only administrative geniuses can learn to qualify for their benefits.

It is a long leap backward, however, from the idea that regulations and restrictions on Federal spending need to be changed to the proposition that national purpose must be abandoned in the very design of the programs. Surely the *minimal* concern of a Federal program to give the states and cities more money should be the adequacy and fairness with which those states and cities levy taxes. President Nixon shuffled the deck awfully fast when he came to this point in his pitch for revenue sharing. Nothing better demonstrates his eager flight from Federal purpose and his lack of interest in genuine reform or, if you will, revolution.

In his political haste and anti-Federal fervor, Mr. Nixon argued that the Federal Government had "preempted and monopolized" the personal income tax as a source of revenue, leaving the states and cities to depend upon inferior and unfair taxes on property and sales. He noted, rightly enough, that the Federal income tax was a far more equitable way of raising revenue and that some of the local levies were becoming an almost intolerable burden on many citizens, notably those least able to pay. But these were crocodile tears, shed for a system that the President treated as a state of nature, as if it were beyond the capacity of men and governments to change. Far from advocating local tax reform or making Federal aid contingent upon constructive change, he offered revenue sharing to the perpetrators of inequity. Instead of changing the deplored system, he proposed to underwrite it indefinitely.

Some of the most flagrant inequities in our national tax system result not from the Federal "surplus" and local "shortages" that allegedly trouble Mr. Nixon. They result from the disparities of wealth and need among the states, cities and communities, often within just a few miles of each other.

Throughout the country, groups of citizens have fled the central cities with their wealth, walked themselves off behind "local" governments and ordinances and left the inner cities and neighboring counties to cope with their growing problems and diminishing sources of revenue. Some of the local governments we hold so dear for being "close" to the people are in fact little more than fiscal sanctuaries erected to prevent genuine revenue sharing. For reasons of state and liberty, we may not be able to reorder things by telling people where they should live and work. But we can certainly push their money around to spread the burdens and the wealth.

Even more disturbing is the evidence that many states and communities simply refuse to raise the revenues they so manifestly need for the services they crave and that the majority of local governments persist in rigging the taxes they collected so that they fall cruelly upon those least able to pay.

For all its imperfections, the Federal income tax stands as the most progressive levy yet devised to spread the burdens of government. It draws relatively more from the most fortunate and little or nothing from the unfortunate. No Federal edict prevents any state or locality from adopting an identical or similar tax system. They could even save themselves the collection costs and ride piggyback on the Federal tax structure by laying claim to any add-on percentage they wish, as they have been invited to do by the members of Congress most influential in these matters.

Some taxes on property and sales are obviously desirable at the lower levels to pay for facilities of direct benefit to local businessmen and residents. But as a principal source of general revenue for states and localities, which these taxes have become, they are viciously unfair. They produce such practical and theoretical absurdities as the requirement that a region's public education system be roughly commensurate with the market value of its real estate.

It is such unfair local taxes that have been rising the fastest and feeding the frustrations of taxpayers. The property tax has been a special favorite, largely, it is thought, because it can be adjusted and manipulated by administrative fiat, usually without legislative action.

Ten states, including New Jersey, Connecticut and Texas, have thus far refused to impose any income tax on their residents. Pennsylvania and Ohio are just getting around to thinking about one. Three other states tax only dividend income. Four large states, including Illinois and Michigan, tax only at a flat rate, to the obvious advantage of the wealthy. Of the remaining 34 states with nominally "progressive" income taxes, only 17 bother to vary the rates on earnings beyond \$10,000, and most of the other progressive scales don't go beyond \$5,000. One consequence of this pattern of taxation is that citizens earnings \$15,000 or more, who pay 33 per cent of all taxes collected by the Federal Government, pay only 8 per cent of those collected by state and local governments.

The inequalities are horizontal as well as vertical. There is no precise way to compare the taxes paid in different parts of the country or the quality of services they buy. But there exist some estimates of the state and local tax burden borne by an average family of four with a gross income of \$10,000 in the largest city of each state. That burden ranges from \$1,121 in Baltimore to \$387 in Charleston, W. Va. It is \$816 in New York City; \$610 in Hartford; \$507 in Cleveland; \$414 in Houston, and \$398 in Seattle.

Many local governments simply do not tax as much as they should, and the vast majority of them burden the poor and middle classes while they spare the rich. Although most of them need more money, the extent of their real "need" and the character of that need cannot be judged from their budget deficits. Some poor states need a lot more help. Some rich ones need relatively little. Poor communities and cities in wealthy regions probably need the most help, but the quirks of political boundaries and aggregate statistical tables hide the evidence.

To bail out and subsidize such a tax system, as the President proposes, would not only reinforce the unfairness of it all. It would also pass up what may be a rare opportunity to use the power of the Federal dollar to coerce—or, if the ideologues prefer, to induce—real reform. For there exist dozens of formulas by which Federal aid could be used to promote local tax reform so that the burdens would fall more equally on all citizens.

SHARING THE BURDEN

Even a fair revenue system, however, would work unfairly unless we also arrange a logical

and equitable distribution of governmental burdens.

Obviously, sending out checks to a million welfare recipients in New York City is a burden for City Hall. It is, in fact, a burden twice over, for those million people must also be provided with public services to which they contribute next to nothing in taxes. But why should this be the exclusive burden of other New Yorkers? We wouldn't dream of asking Alaska to bear a heavier share of the national defense budget because it happens to border on the Soviet Union. We don't expect St. Petersburg, Fla., to pay a larger share of Social Security taxes just because the elderly like to settle there. We don't ask Kansans to assume a bigger responsibility for subsidizing agriculture because the farmers are their neighbors. Yet we let Mississippi or Louisiana or Puerto Rico or Appalachia export its poorest citizens to New York or Chicago or Detroit and, if they cannot earn their keep, throw much of the responsibility for their support on the states and cities in which the poor happen to congregate.

Underwriting that kind of isolation may strike some as a "new Federalism," but it is not the kind Founder Publius had in mind or the kind any thoughtful person would wish to perpetuate. Yet that is precisely what President Nixon's revenue sharing envisions—alleviating the burden a little, but doing nothing whatever to shift its horrendous weight from the localities to the entire country, where it belongs. Welfare costs represent a redistribution of income, and that can be accomplished fairly only through the national treasury. Indeed, the assumptions of welfare costs by the Federal Government should be accompanied by a subsidy to the communities in which the recipients reside to compensate for the services they require.

Pegging the burdens of social service to the appropriate level of government is what genuine Federalism is all about. And only when we get a system that fairly distributes the costs among states and localities can we determine which of them truly need special help from the rest of us.

All this involves much more than administrative tidiness. Of the \$9-billion spent on relief programs for 14 million people unable to support themselves, more than \$6 billion comes out of the Federal budget. But the confusions of purpose and administration at all levels of government impose severe hardships on the recipients as well as the taxpayers.

As Gilbert Y. Steiner demonstrates in a brilliant new study of relief programs, the "lucky" poor family can have its welfare income doubled through food stamps and public housing while a comparable but "unlucky" family must put its name on waiting lists for both of the added benefits. The reason is that some states and communities participate in food-stamp and public-housing programs while others don't. There are the Mississippis of the nation, already taxing themselves fairly hard, which cannot afford the payments of New York or California, and there are the Delawares, which simply won't.

At the moment, the Federal Government pays out almost as much in relief to the families of poor veterans (not in any way disabled in war) as it does to families with dependent children. But the dependent children program is tied into so many state and local variations that the payments change from place to place. The relief to veterans is fair across the board and fairly shared by all the nation's taxpayers, and it has become the very model of tidy administration. Notwithstanding Mr. Nixon's dragon portrait of the Federal bureaucracy, the program for aid to former soldiers and their families provides uniform Federal standards and payments and simple access to the system by potential beneficiaries and by nongovernmental groups, such as the American Legion,

that lobby on their behalf. The benefiting veterans are, in fact, a privileged group among the unequal poor, and it has been argued that their program ought to be merged with all other relief measures. But such reform, like others, could be achieved only if all major relief projects were placed under Federal control. Revenue sharing, as conceived by the President, would simply give away the money with which this could be accomplished.

The President's other big proposal, for "welfare reform," would offer some valuable new assistance to the working poor and it would give some financial relief to some states—without, however, assuring that the benefits would be passed on to the needy. And it would do very little for most of the seven million recipients of aid to families with dependent children.

It is simply absurd to regard relief as a local responsibility. Just as veterans are helped from a sense of national obligation, so should the poor, and especially the poor descendants of slaves, be treated out of a sense of national duty. If they are deemed worthy of help they should not have to shop around for the counties and cities that offer more than others. And if they are deemed to be a common obligation, their support should not depend on local or state budgets.

Nor is welfare the only item on the agenda of intelligent Federalism. State laws requiring children to attend school and setting minimum standards for schools—even while the schools are administered "locally"—were among the earliest expressions of the doctrine that higher levels of government must protect the common interest in lower-level administration. Now the time has come for an even broader Federal standard and subsidy of education.

We have become a highly mobile country. A hundred communities may benefit from the schooling provided by one, and a hundred may suffer from the educational neglect of another. Yet many state governments have failed to assure at least minimum patterns of equal spending on education in their jurisdictions. And the Federal Government, now bearing only 7 per cent of the cost of public education, has not even begun the search for common minimal standards.

It seems that we have been federalizing the interstate highway system for nearly two decades with very little thought about the caliber of person we wish thus to turn loose in the land.

The financial crisis afflicting state and local governments has been laid to many causes, including the wage clamors of newly militant unions of public employees, the soaring costs of construction, the slowdown in aid from the states to cities and the slumping economy that simultaneously reduced tax collections and raised welfare costs. By far the greatest surge in local expenditures over the last decade is traceable to the soaring costs of education and assistance to the poor. Genuine reform, therefore, promises not only fairness and neatness but the very financial relief that Mr. Nixon says he seeks.

The Federal Government cannot and should not prescribe the *maximum* service that local citizens may wish to support. If some villagers want more traffic lights, they can organize to get them and pay the cost. Many local requirements are peculiar or particular and of little importance to higher levels of government. But we can and should work toward *minimum* standards of life throughout the nation.

The Federal Government has a right and duty to establish minimum standards of relief, education and health, as it does in setting minimum benefits under Social Security. It has the right and duty to use its power and money to adjust for the spread of problems from one region to another, as it does in attacking air and water pollution.

It has a right and duty to equalize the burdens on its citizens, at it does by taking relatively more tax money from wealthy communities and individuals and giving relatively more to poorer ones. It has a right and duty to induce and coerce the states to work toward the sharing of revenues and burdens within their jurisdictions, as well as without.

It would be refreshing if such ardent advocates of the needs and rights of the states as Mr. Nixon would occasionally speak to the obligations of the states and localities. For the failures of the Federal Government become quickly apparent to everyone, but the failures of local administration are never really rectified or even noticed until they become an oppressive burden on the country at large.

The President's "New American Revolution" would not only fail to remedy these shortcomings. It does not even recognize them. If we followed his advice, what is deceptively called revenue sharing would become a constant flow of money out of the Federal treasury that would not buy anything for the national interest. The new revolution is in fact a counter-revolution. Publius, where are you?

THE NIXON PLAN

President Nixon's plan for "revenue sharing" is relatively simple, and therein lies its principal political appeal.

He would take 1.3 per cent of the taxable personal income that is annually reported to the Federal Government—\$5 billion in the first full year of the program—and distribute it, virtually without condition, among the states and localities. He calls this "general" revenue sharing.

Each state's annual share would be based on its population, with a small adjustment in favor of those who exact a higher rate of tax from their citizens. The states would have to submit to an occasional Federal audit and they would be subject to court action if Washington could—and would—prove that the money had been spent in discriminatory ways. If a state and its localities failed to agree on a formula for dividing their grant, they would lose 10 per cent of it and have to split the remainder as directed by Washington, roughly half to the state, half to its local units.

Assuming a pie of \$5-billion, the Treasury estimates that New York's slice would be \$534-million; California's \$590-million; New Jersey's, \$154-million; Mississippi's, \$61.5-million; Connecticut's, \$59-million. Governor Rockefeller (who supports the plan but would double the amounts) estimates that New York State would probably keep 49 per cent of its money and give 51 per cent to local governments, including \$189-million to New York City, \$4.8-million to Buffalo and \$192,000 to Scarsdale.

This type of revenue sharing has an interesting history. It was first urged upon the Government in 1964 by President Kennedy's economic adviser, Walter W. Heller, and Joseph A. Pechman, director of economic studies at the Brookings Institution. They were attracted to it in those blissful years before the big Vietnam push because they doubted that the Great Society could spend Federal money faster than it was being generated by a booming economy.

Heller feared above all that Congress—as typified by the formidable chairman of the House Committee on Ways and Means, Wilbur Mills—would yield in future years to the temptation of frequent tax cuts, thus turning the funds raised by the fairest available revenue system back to the consumer and leaving local public needs poorly attended.

Pechman was especially eager to help some of the poorest states, many of which collected fairly steep taxes but still cannot afford relatively decent levels of social spending. Both economists first favored direct pay-

ments to the states but later accepted a requirement that the states "pass through" a part of the Federal money to cities and other localities.

Though the once feared "excess" in Federal revenues has long since evaporated and though the President and Congress have combined to cut individual and corporate income taxes by an eventual total of more than \$11-billion, Mr. Nixon adopted the Heller-Pechman plan virtually intact. He included the "pass-through" amendment to help gain local support, even though no state can really be prevented from retrieving on other programs the sums it would be compelled to pass on to localities under revenue sharing.

The second major part of the Nixon proposal—"special revenue sharing"—would assign to a fund for relatively unrestricted spending more than one-third of the Federal money now given—with abundant conditions—to states and cities for specific purposes. This money could be spent in six broad categories: education, urban development, rural development, transportation, law enforcement and manpower training. Mr. Nixon would offer a total of \$11-billion at the start—only \$1-billion in new aid—though he clearly hopes to use the entire \$30-billion in existing Federal aid programs for such distributions in the future.

The purpose is to "liberate" the recipients from Federal regulation and priority and to abandon altogether the requirement that Federal grants be earned with locally raised "matching" funds. The President has not settled upon all the distribution formulas, but it appears that population will be deemed a major factor. And even before the proposal reached Congress, Mr. Nixon's own men found many new reasons for reestablishing Federal safeguards, or strings for these rhetorically untied funds.

CONSCRIPTION IN GERMANY

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, April 26, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, some of those who wish to retain the power of conscription have claimed that ending the draft will lead to an army of "mercenaries" and "Hessians." These critics have overlooked the fact that the Hessian mercenaries of the Revolutionary War were actually German conscripts.

As historians have often pointed out, conscription has been intimately connected with Prussian militarism. In fact, one of Hitler's strongest criticisms of the post-World War I Republic was that it had abolished the draft. In "Mein Kampf" he lamented the passing of compulsory military service:

In the morass of a universally spreading softening and effeminization, each year three hundred and fifty thousand vigorous young men sprang from the ranks of the army. . . . The young men who practiced obedience during this time could then learn to command. By his every step you could recognize the soldier who had done his service.

Hitler underscored the value of the draft in militarizing the population:

The elimination of universal conscription—which for dozens of other peoples might be a matter of no importance—is for us fraught with the gravest consequences.

Ten German generations without corrective and educational military training, left to the evil effects of its racial and hence philosophical division—and our nation would really have lost the last remnant of an independent existence on this planet.

Later, he would see conscription as a means of politicizing the armed forces:

The influx into the Wehrmacht of the masses of the people, together with the spirit of National Socialism and with the ever-growing power of the National Socialist movement would, I was sure, allow me to overcome all opposition among the armed forces, and in particular the officer corps.

As the noted historian Gordon Craig has pointed out:

His estimate of the probable results of conscription was shrewd and was certainly borne out by the facts.

Any hope that the army could maintain its independence within the state and at the same time exercise a restraining influence on the policies of the Nazi leader rested, in the last analysis, upon the ability of its leaders to maintain the unity and discipline of the officer corps. But, once the infiltration of the army got under way, any hope of this disappeared.

This material has been compiled in a staff study prepared for the Gates Commission. I commend this item to your attention:

EUROPEAN EXPERIENCE WITH CONSCRIPT AND VOLUNTEER FORCES—PART II: GERMANY

Germany, like France, has a "developed" political culture and a long record of conscription. She was one of the early converts to universal military service. From 1814 to the end of the Nazi era, except for the short period between 1919 and 1935, the Prussian and its successor German state consistently imposed peacetime and wartime obligatory service without exemptions or the right of substitution, a longevity record unequalled elsewhere.

CONSCRIPTION IN OLD PRUSSIA, 1650-1806

Until the early eighteenth century compulsory service in Prussia was legal only for the militia. Frederick William, the Great Elector (1640-88), felt that the militia hampered him in his pursuit of absolutism. He consequently founded the first Prussian standing army. It was voluntarily recruited, abroad in large part, and since the ruler's resources were limited, circumscribed in size. Despite its illegality, Frederick I (1688-1713), the first crowned Hohenzollern, started compulsory recruiting for the standing army, especially during the war years 1688-97 and 1703-13. His successor, "the founder of Prussian militarism," Frederick William I (1713-40), regularized the practice even in peacetime. From the outset it met with vigorous opposition, both from the serfs and their masters. At this time the Junkers of the Prussian countryside were by no means imbued with that militarism which has since become a byword for the whole class, and conscription had to be practiced for the officer corps as well as for the ranks. According to the theory of the Nation in Arms, this should have helped Junker domination of the state; in fact, compulsory service by the nobility was accompanied by the rise of absolutism at the expense of the Junker-dominated provincial Estates. In the early seventeenth century, the Prussian estates had been no weaker than the English Parliament, "but then the latter went from strength to strength, while the estates lost their power," eliminating "the possibility of their transformation into a more modern representative assembly. . . ."

The history of the Hohenzollern state is largely the history of its army. The great

Elector began his reign with a few thousand mercenaries; Frederick William I ended his with a war strength of 80,000, only about a third of which, however, were with the colors throughout the year in peace. Since the population of Prussia at that time was not in excess of 2.5 million, this still made for a permanent peacetime establishment of over 10,000 soldiers per million population, double that of contemporary France.

The marked expansion of compulsory service and the progress of Hohenzollern despotism reached their full scope during the reign of Frederick William I. Frederick William I boasted that he was "the finance minister and field marshal of the King of Prussia," but he was also his own minister of war, foreign affairs, education, commerce, industry, agriculture, and home affairs in general. He supervised and controlled everything.

Both the Great Elector and Frederick I had made their decisions in the council chamber in the presence of their ministers, who as a group were called the Privy Council, but Frederick William I made his in the privacy of his apartment, attended only by his private secretaries.

The obliteration of the functional boundaries between court and bureaucracy was accompanied by an obliteration of the boundaries between the civilian and military spheres and by the domination of military over civil affairs which became characteristic of Prussia and Germany. The military as such were not supreme, however, since the specialized interest of the military, regarded as an embryonic profession, were also sacrificed to absolutism and the dilettante interference of the King and his cronies in the "Tobacco Parliament." Militarism was substituted for the "military way," to use Vagts' expression. "To be the commander-in-chief in the civil state as he was in the army was the inevitable ideal of government for Frederick William and his successors. . . . The esprit de corps of the regiment blossomed into a political and social ideal."

Conscription was expanding *pari passu* with the progress of militarism. In the first part of Frederick William's reign it was carried out in a highly arbitrary and irregular manner, as recruiting officers randomly organized hunts throughout the districts. But the king could not afford to ignore that in many border districts potential conscripts were emigrating en masse. Compulsory recruiting was eventually regularized in the so-called canton system of 1733, which assigned definite recruiting areas (cantons) to each regiment and established authoritative lists of able-bodied men.

The canton system was by no means a universal service system. In 1726 the middle classes were granted exemptions, as were a whole series of skilled workers beginning with the weavers in 1717. Even the peasant conscripts did not serve full time. The nucleus of the ranks consisted of professional volunteers; the conscripts came in time to form only a reserve.

During the eighteenth century the crude absolutism of the earlier Hohenzollerns was transformed into the enlightened despotism of Frederick the Great (1740-86) and his successors. The harshest aspects of serfdom were abolished and Frederick began "to define the purpose of the state in terms of liberty as well as of authority."

At the same time the burden of conscription was progressively reduced, and the troops were better treated. The Prussian Army still included a higher proportion of drafted men than any other European country, but much less so that it had been under Frederick William I. Frederick the Great "always felt that his subjects served the state better as taxpayers and producers of goods than as soldiers." Under Frederick William I, two-thirds of the army at full strength had consisted of Prussian subjects, but under Frederick the Great the proportion fell, by 1751, to less than

36 percent. Toward the end of his reign, the proportion of native recruits seems to have increased, not due to any change of heart on Frederick's part but to the difficulty of enlisting the necessary professional soldiers in the other German principalities. In 1768, he wrote that "in wartime recruits should be levied in one's own country only when the bitterest necessity compels." This view was maintained by his successors down to the Prussian defeat by Napoleon in 1806.

THE REFORM ERA AND THE WAR OF LIBERATION, 1807-13

In 1806, the Prussian army was decisively defeated by the French at the twin battles of Jena and Auerstädt. The years immediately following the debacle constitute one of the great reform eras of German history, with progressive innovations in all spheres—social, economic, administrative, educational and military. Caste isolation was broken up and the estates converted into modern classes. Serfdom was abolished and compete freedom of exchange, occupation and contract instituted. Local self-government was established on a viable basis by the Municipal Act of 1808, which released the towns from the control of both the Junkers and the state and entrusted municipal affairs to elected councils. Under the central administrative reform of the same year, there was created a carefully differentiated and articulated modern bureaucracy. Bureaucratic rule replaced rule from the royal study. The reformers also had plans—never effected—for a legislative body, though not for popular elections. This reflects the limits of the Prussian reform movement. It aimed to achieve in Germany what the Napoleonic regime had accomplished in France. Hardenberg, who headed the government for the major portion of the Reform Era, admired, if anything, the French Empire of Napoleon. He would have liked to establish in Prussia a suitable counterpart of that regime, stripped of feudal encumbrances but free also of democratic elements.

Even when an extension of political rights was contemplated, the reformers tended to present those rights in the guise of duties. The proposals for a legislative body, for example, originated out of "a feeling that it is not fair of the people to wash their hands altogether of public matters and to discharge the whole burden upon their rulers. . . ."

The tendency to skip over into a semi-authoritarian emphasis on duties instead of rights should be borne in mind when assessing the aims of the reformers in the military field. Most of the reforms were consistent with the contemporary *bourgeois* trend toward equal rights—e.g., the revolutionary order of August 1808 which opened the officer corps to non-noble talent and made merit the principal qualification in obtaining commissions and promotions, also the new articles of war promulgated at the same time, which gave additional protection to enlisted men.

It is not easy to reconcile this emphasis on rights with the principle of compulsory service. It is one thing to say that everyone has the right to serve; it is another thing to say that this is everyone's duty. The French Revolution emphasized the rights of the citizen. After 1792, an authoritarian emphasis on the citizen's obligations was superimposed, without eliminating most of the basic rights won by the revolution. The Prussians, on the other hand, went directly from "enlightened absolutism" to "liberal absolutism." The military reformers—Scharnhorst, Gneisenau, Boyen, Clausewitz, supported by the civilian Stein—took as their model, not the turbulent French army of 1792, freely enlisted, but Carnot's *levée en masse* of 1793, when the revolution was losing friends and gaining enemies at home and abroad. "It sounded like one of Stein's own utterances when Gneisenau, à propos of the French Rights of Man,

exclaimed, 'First make the human race enthusiasts for duty, and only after that for rights.' . . ." It was not the French Revolution itself which the reformers admired but the Napoleonic emasculation of it.

The advocates of military reform did not emphasize universal service as a method of ensuring civilian control. They stressed it for enhancing the military strength of the state and for imparting to each citizen the proper ideals—"to direct men to be free and how to be free . . ." For the reformer Stein universal service would make it possible "to inculcate a proud warlike national character, to wage wearying distant wars of conquest and to withstand an overwhelming enemy attack with a national war." The philosopher Fichte assigned to the state "not only its negative compulsory rights against unjust acts but a positive compulsory right to educate its citizens to moral freedom." Wilhelm Humboldt, the educational reformer, laid on the state the duty of "influencing the spirit and the character of men." The military reformer Clausewitz went beyond this, contending that the state must "force the people so to act and so to be as it thinks wise."

It is often said that in 1807 Scharnhorst introduced a new form of conscript service called the *Krümper* system to build up a trained reserve of 150,000 men by 1813, despite Napoleon's limit of a 42,000-man Prussian army. The *Krümper* were conscripted into the army, trained for a short time, then released into the reserves, while new short-term conscripts took their place. The truth is, first, that Scharnhorst only had recourse to the *Krümper* system after he was rebuffed in his efforts to secure universal service. The *Krümper* service did not involve universal service. There was not even anything new about it; it was simply the name which the military gave to the canton system. Third, almost no unwilling cantonists were taken into the reserve during the Reform Era. Almost all of the *Krümper* were old soldiers from disbanded regiments, "most of whom were reluctant to abandon the security of military life." The number of men without previous military experience who were conscripted, trained briefly in the ranks and then released to the canton reserve "diminished to a handful." As Shanahan says, it "is clear that the training of 150,000 *Krümper* from 1807 to 1813 is an historical legend."

Large-scale conscription was no product of the Reform Era, which ended in 1812. Indeed, "its establishment reflected not the triumph of reform principles but the imminence of war. . . . the prospect of liberation from the thralldom to Napoleon." The Commander of the Prussian contingent during Napoleon's Russian campaign, General Yorck, began conscription in December, 1812. Acting on his own authority, he concluded an armistice with the Russians and summoned an East Prussian *Landtag*, which decreed the mobilization of a provincial militia (*Landwehr*) to consist of all able-bodied East Prussians between 18 and 45. Although no exemptions were permitted, the purchase of substitutes was authorized. The King transferred his headquarters out of Napoleon's reach and on March 17, the day following the Prussian declaration of war, a royal order drafted by Scharnhorst decreed the formation of an all-Prussian *Landwehr* on the East Prussian model.

The principle of universal service was now legally established, even if vitiated to some extent by the right of substitution; "the exigencies of war had accomplished in a few weeks what Scharnhorst had striven in vain for years to achieve."

THE STRUGGLE FOR UNIVERSAL PEACE TIME SERVICE, 1814-17

In promulgating universal service in 1813, the king suspended canton exemptions only for the duration of the war. Upon the defeat of Napoleon, the exemptions of the 1792 can-

ton law were restored (May 1814). A few days later he appointed Boyen, Scharnhorst's military colleague, as Minister of War, and by September Boyen had drafted a universal service law which met with royal approval. The bill differed in some respects from the proposals advocated by the military reformers before the war. The reformers had envisaged a sharp separation between the line and the *Landwehr*. Although everyone fit had to serve, only the lower classes would be conscripted for the line, with the middle classes entering the *Landwehr*. It was to be a true civilian militia, independent, with elected middle class officers rather than appointed regular officers. The *Landwehr* of Boyen's bill of 1814, however, was comprised of veterans of the standing army. Boyen established five grades of military service. The conscript was to serve three years in the line, two years in the line reserve, seven years in the first levy of the *Landwehr* and another seven in the *Landwehr's* second levy. The first levy would serve alongside the line in the event of war but in peace would be inactive save for annual drills and exercises. The second levy was designed to perform garrison duty and provide replacements for the regular army in wartime. Finally, a fifth grade of service, the *Landsturm*, was to include all men between 17 and 50 who were not enrolled in the regular army or the *Landwehr*; they could be called out only in the event of invasion, by special order of the crown.

Historians have had difficulty explaining why universal service could be easily implemented in 1814 when it had been rejected throughout the years 1807-12. This leads us to wonder whether universal service ought to be considered as a conquest of the Reform Era, whether in fact it was not more compatible with the spirit of reaction which seized Prussia after the Napoleonic Wars. Many of the objections brought against universal conscription from 1807-13 were thoroughly consistent with the major libertarian premises of the Reform Era. On the other hand, it is impossible to find a single major reform implemented after the outbreak of the War of Liberation in 1813. It was during the course of this struggle that the reactionaries first seem to have rallied from their earlier defeats; e.g., Ancillon's campaign against the "few shrill voices," which degenerated after 1815 into the systematic hunt for "demagogues."

It also seems questionable to maintain that universal service was a precipitant of Prussian military professionalism. According to Huntington, aristocratic amateurs could be tolerated in the officer corps "only so long as the rank and file were long-term regulars. When the latter became amateur soldier, . . . a much more capable and experienced leadership was necessary. . . ." This is why we "virtually always" find a "direct relation" between the "nation in arms" and professionalism, not only in Prussia but elsewhere. Yet the origins of professionalism in Prussia antedates the introduction of universal service. Class preference for the nobility was abolished in 1808; as a result, the proportion of bourgeois officers increased from less than 10 percent in the pre-Jena period to about 50 percent in the aftermath of the War of Liberation. In fact, the degree of *embourgeoisement* of the officer corps (never as great as in France) actually declined in the years of reaction which followed the promulgation of Boyen's Law. All the other significant military reforms, too, came well ahead of adoption of mass conscription—the reorganization in 1808, for example, of the General Staff, from that point on "the organizational stronghold of Prussian professionalism"; the formation in 1809 of a War Ministry, the fruit of Stein's general campaign against uncertain jurisdiction and multiplication of functions in both civil and military administration; the replacement, by the middle of

1810, of almost all the old basic officer schools with new advanced schools of war; and, finally, the foundation in the same year of the famous War Academy, the key educational institution of Prussian professionalism and the only such establishment of its kind in Europe for years to come. Every one of these reforms preceded the promulgation of peacetime universal service by 4-6 years, during a period when the reformers were consistently rebuffed in their attempts to establish mass conscription. During that period, the Prussian army and its trained reserve always totaled fewer than the 80,000 effectives which Frederick William I handed down to Frederick the Great in 1740, although the Prussian population of 1813 was about double that of 1740.

Historians often give the impression that universal service was supported by the partisans of reform and opposed by all the partisans of reaction, but this conclusion is not valid. The King was hardly an enemy of universal service in principle. In July 1807 he had directed the Military Reorganization Commission to consider a reduction in canton exemptions. In the spring of 1808 he had approved a memorandum recommending universal service, declaring it to be "a measure which derives from the obligation of every subject to defend his country and which is inescapably imposed by the passage of the years. . . ." That summer he reiterated his conviction that "every subject of the state, without regard to birth, should be obligated to military service." In the fall of 1811 he again admitted that "general conscription" was "necessary" and he said the same thing early in 1812. The King would not even recognize the right of substitution. In July 1812 he wrote: "It is not proper that one of the first and most important duties to which every citizen is subject be allowed to be discharged with money."

Though a consistent proponent of universal service in principle, the King nevertheless put off implementing it until 1813. Apparently he was prevented by outside pressure, but from where? None of the prominent reactionaries—Borstell, Yorck, Marwitz—seem to have been opponents of universal conscription. Borstell was the author of a memorandum recommending a system of conscription "which imposes on all classes of the population, rich and poor alike, the duty of personally defending the state." Borstell was not a reformer; he was, as he has been represented, a class-conscious Junker, opposed in principle to the opening of the officer cadet schools to all qualified candidates without class distinction.

General Yorck balked at the same reform proposal. He viewed it as a "feeble yielding to the views of the cosmopolites and theorists." Yet in 1813 Yorck, as Governor of East Prussia, submitted to the provincial *Landtag* a draft *Landwehr* bill for universal service without either exemptions or substitutions; Yorck's draft had been based on one by Clausewitz, an "orthodox" military reformer of Scharnhorst's stamp who was unlikely to get Yorck's agreement for any other reform proposal. Marshal Blucher also endorsed a "national" army. He told Gneisenau that "no one in the world should be exempt; and it should be a scandal if someone hasn't served."

Another thorough-going reactionary was General Ludwig von der Marwitz, the spokesman of Brandenburg *Junkertum*, the most conservative provincial nobility in the Kingdom of Prussia. He forcefully argued the equal obligation of all to serve in the armed forces. He felt that the state, the citizen and the soldier could not be mechanically differentiated. "The soldier was merely the most self-sacrificing of citizens, and everyone must be obligated to be a soldier. . . ." Marwitz stressed the concepts of duty and sacrifice, and the introduction of

Landwehr conscription in East Prussia in 1813 is said to have "thrilled his soul."

The war over, Marwitz continued to support universal service. He backed Boyen's military legislation of 1814-15, but objected to the provision for the so-called one-year volunteers (*Einjährigen*). These were young conscripts "from the educated classes" who had the privilege, if they could provide their own clothing and weapons, of serving for one year rather than three, with first claim on officer positions in the *Landwehr*. This was the only concession to inequality of servitude in Boyen's bill and it is significant that Marwitz wanted it withdrawn. He also objected, as did many military men and Junkers, to the "unnecessarily" sharp separation of the *Landwehr* from the Line, which might have undesirable socio-political implications as well as reduce efficiency.

In summary, then, what many observers have interpreted as reactionary opposition to universal service *per se* is better described as reactionary opposition to the particular institutional arrangements which the reformers advocated for the realization of universal service.

However, voluntarist sentiment did play a role in the politics of universal service during the Reform Era. Almost all of the military reformers—Scharnhorst, Gneisenau, Grolman, Boyen, Clausewitz—favored compulsory service. Colonel Boguslawski of the War Ministry agreed, but wanted the right of substitution. Among the civilian reformers, Stein and his collaborator Theodor von Schön seem to have been alone in endorsing universal service without exemptions or substitutions. Altenstein and Dohna, who together headed up the ministry from 1808-10 after Stein's dismissal, favored the admission of substitutes. The Hardenberg ministry which followed proved to be no more sympathetic to universal service without substitutes, though in other respects Hardenberg himself was more radical in his notions of military reform. For example, until dissuaded by Scharnhorst, Hardenberg wanted to appropriate such procedures as rank and file election of NCO's and NCO election of subalterns for the Prussian line.

It was not liberal government officials alone who reacted negatively to universal service. According to Simon, "a number of influential men, without personal interest and with reformist sympathies, . . . opposed Scharnhorst's proposals. Baron Vincke, a famous jurist and an admirer of English political institutions, described to his friend Stein the consternation which universal service would cause among the educated classes. Conscription on this basis meant 'the death of culture, learning, and trade, of civil liberty and of all human happiness.' 'It would waste years in the lives of the country's education youth. . . .'"

The distinguished historian Niebuhr took the same stand, condemning universal service as the "kind of equality that must enrage the true friend of liberty," since it treated all men equally as ciphers; the only satisfactory solution was to permit substitutes for those who could afford it. The impetus for these and similar arguments came from the middle classes, who were in the van of the reform movement. In February 1813, when the King suspended the canton exemptions for the duration of the war, people said Prussia had "become a police state" and opposed the suspension with deeds as well as words. Rebuffed, the urban middle classes continued to protest. In Breslau in 1817 truculence took the form of collective refusals to take the *Landwehr* oath. Resistance was suppressed in Breslau, but in Berlin the opposition was so strong that the Berlin *Landwehr* had to be disbanded.

The year 1817 saw the last great flareup of resistance and the mood contrasted vividly

with the passive acquiescence shown in 1814 when Boyen's law was promulgated. To be sure, "the great majority of the generals held firmly to the ideas of Scharnhorst and Boyen," but it seems that "the high officials had been by no means completely convinced. . . ." This included the Minister of Finance, Bülow, and Schuckmann, Minister of Interior. Schuckmann felt "that a young man of culture could be transformed into an efficient infantry soldier in six weeks at most," and therefore he wanted to cut down the obligatory service period. Stein and Schön, two giants of the Reform Era, were also critical. Stein argued after the War of Liberation that, since there was no longer any threat from France, the Prussian army was "much too numerous and expensive." Schön, now Governor of East Prussia, "was of opinion that three days training per annum was amply sufficient for the military education of a volunteer. . . ." Others also had their doubts. Treitschke notes sadly how "among the notable publicists of Prussia there was hardly one to be found who displayed an understanding of the essential preconditions of a military system truly fit for war." He cites Benzenberg, the Rhenish patriot, and Ernst Moritz Arndt, the hero of the national renaissance against Napoleon, as examples, and traced their thought to the work of the South German liberal, Rotteck, who championed the *Landwehr* against the conscript line and advocated the right of substitution. For him and the like-minded liberals of Prussia the heroes of the War of Liberation were the volunteer units. "The name of voluntary army was to them as irresistible as that of free state. . . ."

The opposition of 1817 apparently caused the authorities serious concern, combining as it did the complaints of statesmen and publicists, the upper and middle classes and urbanites who had formerly enjoyed exemptions from service. But the attacks on Boyen's Law were either ignored or peremptorily rejected. "It was a principle which had come to stay in Prussia. Its advantages as a method of recruiting over the old canton system were too obvious to the King and to Hardenberg was a liberal, he "had long learned to accommodate his aspirations to circumstance. . . ."

CIVIL-MILITARY RELATIONS, 1813-40

The Reform Era had given a tremendous boost to the rational study of war and to the professionalization of the Prussian officer corps. The theoretical rationale for the aims of the military reformers was most satisfactorily expressed by Clausewitz in his concept of the intrinsic duality of war. "War is at one and the same time an autonomous science in that its ultimate purposes come from outside itself."

The "military virtue of an army" is not found in the nature of the cause for which it fights any more than the skill of the lawyer is judged by the persons of his clients. The inherent quality of a military body can only be evaluated in terms of independent military standards. The ends for which the military body is employed, however, are outside its competence to judge. . . . The soldier must always be subordinate to the statesman. . . . In formulating the first theoretical rationale for the military profession, Clausewitz also contributed the first theoretical justification for civilian control.

Excellent as was their theoretical awareness, the members of the officer corps sometimes seemed to care more for their personal honor, an aristocratic virtue, than for the requirements of discipline and obedience. In 1860 Prince Frederick Charles of Prussia wrote of several instances where the strong sense of honor of the Prussian officer had led him to become an independent judge of the orders he received. The first such occasion on a mass scale came late in 1811 when a quarter of the officer corps (Clausewitz among them) resigned their commissions in

protest against the Franco-Prussian Alliance, and then migrated Prussian officers, led by General Yorck, simply left the war, without even consulting the King and the political authorities in Berlin. In effect it was a revolution, carried out by the military.

Prussian civil authorities had other reasons to feel that the military were getting out of hand in the period from 1813 to 1815. One can point, for example, to the violent manner in which Blücher and Gneisenau had insisted upon their own war plan at a critical juncture during the War of Liberation in 1814 and their flat refusal on several occasions to carry out orders from general headquarters. The soldiers showed even less discipline and professional modesty at the peace table in Vienna in 1814. It was not in their character to defer to a "lousy pack of diplomats," to use Blücher's expression. They intervened at every chance, criticizing the tactics of the Prussian delegation, attacking the territorial arrangements, pushing their plans for war with Austria, hegemony in North Germany and the annexation of Saxony, with scant appreciation of the dangers posed for Prussian security. Blücher made the most of his prestige, both at home and in Britain. At one point he contemplated resigning his command as a dramatic protest against "the despotism of the diplomats."

Blücher and his staff (which included the "reformers") were jeopily concerned with vengeance against France and with "the honor of the army." This explains their insistence on a victory parade through Paris, on the execution of Napoleon, the demolition of his victory monuments, the arbitrary imposition of tribute, the severe requisitions, the looting. "All this made sense only from a militant viewpoint that simply sought to taste its triumph to the full, without much regard to the work of peaceful reconstruction to come. Controversy on this point with the 'diplomats' was inevitable." In November 1815, after the peace settlement, in which the diplomats got their way against the army, Blücher refused to evacuate France, despite orders to the contrary, until specified fortresses were surrendered as pledges, and he obeyed only after Chancellor Hardenberg had formally complained to the King.

But before Blücher departed for Prussia, he was persuaded to write the King "in the army's interest" about their unsatisfactory relations with the civilians. Blücher's memorial symbolizes a reversal of earlier tactics. Throughout the period 1807-12, the reformers in the military bureaucracy had shown a keen sense of solidarity with the civilian bureaucracy in struggling against personal government and rule by the king's secretariat. The effort had been strikingly successful. "So little sign of conflict was there then between the military and civilian spheres that the army reformers themselves urgently pleaded for Stein's cooperation." When Hardenberg became chancellor in 1810, "the subordination of the military to the leading state authority came even more plainly to the fore."

The beginning of the dissolution of the bureaucratic bloc coincided with the War of Liberation and the introduction of universal service. The breakdown of the distinction between citizen and soldier in the lower ranks paralleled the breakdown in the distinction between strategy and politics in the upper ranks. Until 1815 the struggle was confined to an attempt by the soldiers to usurp the functions of the civil bureaucracy. Blücher's appeal to the King against Hardenberg represented a further stage in retrogression—a return to personal rule. As Blücher put it in his letter to Frederick William,

"How sad and harmful to be dependent on prime ministers, how destructive to the army if this influence continued and *Yr. Majesty did not maintain direct control of the army!* . . ."

Thus the appeal to the court against the civilians implied as a corollary that the army was prepared to yield up its legitimate professional interests to absolutism. Modernization, differentiation, specialized pluralism were receiving a severe setback. It is interesting that this differentiation crisis—an across-the-board confusion of roles—should coincide with the introduction of universal service.

Universal service did not inhibit reaction in Prussia, either in society as a whole or in the military sphere. There was a sharp revulsion from the guiding principles of the Enlightenment, the French Revolution and the Prussian Reform Era. This was the age of the Holy Alliance of Austria, Russia and Prussia, of the hunt for "demagogues," of the Carlsbad Decrees and severe censorship, tribal nationalism, bitter anti-Semitism, and the glorification of war by the romanticists as a virtue in itself. It was as if the Germans had never heard of the democratizing tendencies of the Nation in Arms. In the Prussia of this period, says Holborn, "there were no citizen soldiers, since Prussia had no citizens but merely subjects. Conscription was only a different, and incidentally cheaper system of recruitment for an army which reflected the lack of political rights of the people and was a tool for the suppression of liberalism."

As Goerlitz notes, the Army now "lay beyond the influence of public opinion and was untouched by any spiritual force or inspiration coming from the people themselves. . . ." The notorious mistreatment of conscripts represented a definite retreat from the standards set by the Reform Era, when the Army was almost entirely volunteer. Not until 1844, after the liberal tide had again begun to flow, did the authorities intervene to prevent arbitrary treatment of enlisted men.

Nor did universal service give a boost to military reform. The reform impulse first slowed, then halted and after 1819 reversed itself. The War Ministry lost the unified character of the Reform Era, and in place of the principles of ministerial responsibility and inter-ministerial coordination under a strong chancellor, as the King again began to regard the army as "a personal instrument of the royal house," which is not at all the same thing as civilian control. After Hardenberg's death in 1822.

"The office of state chancellor was left vacant, and thus was lost—for good, as it turned out—the supremacy of the prime over the war minister and his minions which Hardenberg had achieved. At the time the loss seems scarcely to have been noted, but in my opinion its repercussions on the subsequent relation of state and army are far more significant than the growing autonomy of various military agencies vis-a-vis the war ministry.

"Indeed, after Hardenberg there was to be no Prussian government able any longer to confront the King as a solid political unit, in the manner envisaged by the reformers of 1808 to 1814, and to assert authority in military matters as well. There was only a loose aggregation of ministers functioning as bureau heads. . . . Here lay the danger that government would again revert to the King's privy council. . . . Scope enough was left for a "premier behind the veil," none other than house minister Prince Wittgenstein, a dangerous and furtive plotter and a man after the heart of all the reactionary cliques. During the old King's declining years he actually managed to involve the adjutant general and chief of the military cabinet in his schemes."

With the army at the mercy of court dilettantes, professionalism was bound to suffer, especially when this was accompanied by an intrusion of class interests into the officer corps. The reconversion of the officer corps into a Junker preserve inevitably degraded intellectual standards. Demeter, com-

paring the atmosphere of the Prussian Army around 1825 with that of the Reform Era, exclaimed: "What an abyss again divides one *Weltanschauung* from the other!" Under the leadership of the reformers, "the intellectual and scientific eminence of the General Staff made it a discernibly anti-feudal element. . . ." But after the removal of Boyen and Grolman from the War Ministry in 1819, "there is no doubt . . . that the social and educational reforms effected in the officer corps by Scharnhorst were weakened. . . . General Hake, who was War Minister from 1819 to 1833, had none of the reformers' faith in education, and privately believed that an officer was competent if he could read, write, and figure. . . ."

Military professionalism also suffered in other respects. Had the Prussian army been interested in promoting military efficiency with the object of eventually unifying Germany, it would have earned the gratitude and cooperation of German liberalism. However this goal was precluded by the anti-nationalism and anti-liberal orientation of the Holy Alliance. Under the leadership of its "Chief of Police," the Austrian Emperor, the Prussian Army assumed the role of a mere constable for policing the Germanies.

In the works of military publicists, . . . the role of the army as a "factor of order" in society was given great emphasis. In addition, the brutality with which the troops conducted themselves . . . seemed to indicate that the army was animated by a genuine contempt for civilians. . . .

The abuses could not help but make the army an object of popular suspicion and dislike. In the years between 1819 and 1840 everything that Scharnhorst and his disciples had done to reconcile the military establishment with civilian society had been destroyed. . . .

As long as the army concentrated on its domestic police role, it could hardly become an efficient instrument for war; this was shown in the mobilization of 1850, which was "little better than a fiasco." At the same time it led liberalism to idealize the militarily incompetent *Landwehr* at the expense of the Line. Efficiency in war was no longer the criterion; the criterion was the political and social bias of the Prussian military police. For this a *Landwehr* was more than sufficient for bourgeois liberalism; and its expansion would have the additional advantage of reducing significantly the period of obligatory service.

THE REVOLUTION OF 1848

With the accession of Frederick William IV in 1840, there were signs that the state of siege against the people of Prussia might be lifted—the granting of amnesty to political prisoners, the cessation of censorship associated with the Carlsbad Decrees of 1819, the convocation of a United Prussian Diet with circumscribed powers, the elimination of the political role of the so-called military cabinet, even the reappointment of Boyen, that relic of the Reform Era, as Minister of War in 1840. Boyen was able to effect some reforms, but the King did not give him firm backing, so that almost nothing, for example, was done about the alienation of Army and people.

In fact, the antagonism was visibly increasing. The regime rediscovered the dangers of a reform era, when "rising expectations" outdistance the willingness to satisfy grievances. Treitschke found it ironic that "conflicts between civilians and soldiers occurred more frequently than had ever happened before in Prussian history." Civil-military relations in Berlin, for example, had gone sour through the contemptuous treatment of the city fathers by the military governor. Incidents occurred in other cities and garrison towns. The confrontation became more intense and the number of incidents multiplied as Prussia approached 1848, the year of revolution.

The Prussian officer corps threw itself into the role of gendarme with apparent relish and the troops were universally obedient. Certainly this was a violation of the first proposition of the theory of the Nation in Arms, which cannot envisage citizens in uniform repressing their compatriots. As long as Prussia was quiescent, apathetic and in the grip of reaction, it is understandable that there should be no stirring in the ranks; we have no reason to expect the citizen-soldier to display greater awareness than the citizen-civilian. Even after 1840, however, when the population was gaining in political consciousness, there was no noticeable effect on the temper of the troops. When concern arose in 1848 that the revolution might spread from Paris to Berlin, the king's military advisors, in contrast to many of his civilian counselors, advocated a policy of force without concessions. With actual relish, not regret, that the army contemplated anew the role of policeman. After numerous bloody clashes, Berlin finally responded with barricades and the relief and joy of the military leadership was visible. In the course of the struggle "Not a single unit mutinied, all stood by the old order, unshaken." Even the *Landwehr*, manned by a conscript civilian rank and file and officered by conscript civilian *Einführigen*, by and large carried itself surprisingly well in putting down revolutionary riots. There were a few instances of insubordination, but in the main, despite the widespread political upheavals, discipline held.

The very militiamen who had but recently taken part in street demonstrations and disorders by the liberal democrats could be actually mobilized to put down insurrection, could be sent to fight a civil war under their own civilian officers. These were certainly extraordinary facts, and thoughtful officers pondered them.

It became clear for the first time that in a modern army based on universal military service the attitude of the leaders is far more important than the political sentiments of the ranks. . . .

The Army was never defeated by the insurrectionists. The revolution triumphed—temporarily—because of its moral impact on the king and the administration. The military were incensed at the king's capitulation and never reconciled themselves to the decision. Large numbers of officers were with difficulty dissuaded from resigning their commissions; as Prince Frederick Charles explained, they felt their "honor" to have been tarnished. Among other intrigues hatched by the military, Major (later General) von Roon and his good friend Bismark constructed a plan to have the Commander at Stettin, General Wrangel, march his troops on Berlin, "liberate" the king and restore the pre-March system. The king himself expressed the fear that the officers might replace him with his brother, Prince William, if he did not tread carefully and accommodate his policy to their demands.

In November 1848, when the King felt his cause morally strong enough, he sent General Wrangel and thousands of troops back into Berlin; the revolutionary period was over. But the King, urged on by his civilian advisors, still felt compelled to narrow the chasm between crown and people with a constitution. The royal charter promulgated by the King in December 1848 reaffirmed divine-right monarchy, the crown's right of absolute legislative veto, and the power to issue emergency decrees. The charter provided for a bicameral legislature, with the upper house transformed, in effect, into a house of lords, while the lower house, originally elected by universal suffrage, was eventually elected by a three-class suffrage system, which ensured that the well-to-do would be disproportionately represented. The revised constitution of 1850 reaffirmed the King's power of command and personnel ap-

pointment in the army. It stated specifically that the army would take an oath to the King, not to the constitution, despite the King's earlier promise.

Even so, there was no simple return to the old pre-1848 system. The King could evade the theoretical responsibility of the Minister of War to Parliament by the convenient fiction that his parliamentary responsibilities extended only to administrative actions, not to command functions. But the real obstacle to the army's freedom of action was the necessity of having its budget approved by the lower house. "For perhaps the first time in its existence the Prussian army was . . . placed in a position in which it was forced, for material reasons, to worry about its public reputation and popularity. . . ." And the lack of a clear-cut victory for crown and army provided liberalism with ready-made issues for renewing the struggle.

EMERGENCE OF THE CONSTITUTIONAL CONFLICT, 1850-62

Liberalism did renew the struggle, after a short interval of reaction through the mid-1850's. In 1858 Prince William assumed authority as regent, in 1861 as King in his own right. Disgusted with the reactionaries who had ruled Prussia since the failure of the revolution, he ousted them from power, installed a moderately liberal ministry, and authorized new, unmanipulated elections. The result was a resounding liberal victory in the lower house, and the launching of the "New Era." Among other proposed reforms, there was one for the Army, which precipitated the celebrated constitutional crisis of the 1860's.

From the end of the Napoleonic Wars to 1859 the peace-time strength of the Prussian Line had stabilized at ground 125-130,000 troops. Initially this had been based on a legal three-year active duty period for conscripts. However, as the Prussian population increased (from some 10 million in 1814 to some 18 million in 1859) increasingly a smaller percentage of each annual class were taken for the Line; the rest were put immediately in the *Landwehr*, without adequate training. In 1834, therefore, the active duty term was cut to two years, in order that more of each contingent could be given Line training. Prussia in 1852 reverted to three-year service, based on an annual contingent of about 40,000 conscripts, as in 1814. When the new liberal ministry first contemplated army reform in 1859, it suggested a reduction of service to two years but with a sizeable increase in the annual contingent. Had this course been followed, there would have been no conflict, but the final decision of the King and the army was to maintain the three-year service and to increase the annual contingent of conscripts from 40,000 to 63,000. This larger contingent was to serve three years with the colors, four years in the reserve, and four and five years, respectively, with the first and second levies of the *Landwehr*. This meant a vast increase in the standing army at the expense of the *Landwehr*.

The liberals objected to the extra expense for the larger standing army and to the downgrading of the *Landwehr*, but primarily to the additional year of obligatory service—and in this they had the clear support of public opinion. As in Spanish, French, and British history, we find the authoritarians, rather than the liberals, pushing for the greater degree of compulsory service, even in those cases where the liberals themselves are committed to the Nation in Arms on principle. Some of the New Era liberals favored a volunteer system on the British model, others the French commutation system, a third group the Swiss militia system. Whether out of principle or practical politics, however, the majority of the liberals in parliament stood on the ground of two rather than three years' universal service, while conceding to the regime the compensatory increase in the

annual conscript contingent. This implied a standing army of the existing size, but a substantially larger war establishment. The liberalism of the New Era, then, was less anti-militaristic than the Left of March 1848, which had demanded the replacement of the regular army by a popular militia.

The New Era liberals, despite misgivings, might even have gone along with the army reform without modifications, if they could have been given some assurance that the enlarged army would be used to realize German national goals. However, there had been nothing in Prussian history since 1815 to provide any such assurance, and following 1848 the regime and its army had proved a disappointment to German nationalism. Germany remained divided into thirty-nine different sovereignties, an intolerable situation in a world of unified national states. In 1848 the revolutionaries had called an all-national parliament, which met in Frankfurt, drafted a constitution and offered the King of Prussia the Imperial Crown. But the King refused to "pick up a crown from the gutter."

The failure of revolutionary nationalism in 1848 showed that unification, if it were to come at all, would have to be carried out "from above," by the organized force of one of the German powers against the other. Since Austria, being more non-German than German in its composition, could never realize the national idea, it was reasonable that liberalism should assign the task of unification to Prussia, the most powerful of the primarily German states. Indeed, "the greatest support for Prussian leadership in Germany in the 1850's and 1860's came from liberals and progressives. . . . The overwhelming number of people in Germany who favored constitutionalism, parliamentary institutions, freedom of conscience, intellectual freedom, separation of church and state, progress, science, broad educational opportunities, and who were opposed to clericalism, absolutism, obscurantism, authoritarianism, and feudalism, were all ranged on the side of Prussia." Liberalism, obviously despairing of effecting unification by the spontaneous democratic action of the people, was prepared to rely on Prussian state-egoism. This alone suggests the weakness of German liberalism in comparison, say, with the classical British model. In 1861 the historian Treitschke published a commentary on Mill's *Essay on Liberty*. Though, like other liberals, Treitschke grew reactionary after the foundation of the German Empire in 1871, at this stage he enthusiastically accepted Mill's objective of the highest degree of personal liberty. However, he criticized Mills for not giving sufficient recognition to the state as the source of the individual's rights and creative energies. These differences in the two liberal traditions may suggest why one country has commonly relied on voluntarism and the other on compulsion in military recruiting.

Immediately after refusing the crown offered by the Frankfurt assembly in 1849 Frederick William developed a scheme for unification drawn up by his advisor Radowicz, calling for a "narrower" and a "wider" union of the German powers. Shorn of most of the liberal-constitutional features of the Frankfurt plan, it did propose the formation of a federation of the German states north of the Inn, which excluded Austria. This "narrow" union, under Prussian hegemony and with a common foreign policy and National Assembly, was to be bound in perpetual alliance with Austria (the "wider" union). The proposal met with the obstinate veto of Austria, now recovered from the crippling effects of revolution. Prussia was faced with the choice of war or abandonment of the Radowicz plan. It is interesting to observe the reaction of the "Supreme War Lord" and the army to this confrontation, an army allegedly

permeated with the ideals of its citizen-soldiers.

The King was plainly horrified at the thought of serious conflict with Austria for, despite his apparent enthusiasm for Radowicz's project, he still held to the romantic notions of his youth, according to which the Austrian Emperor was the natural ruler of the Germanies with the Prussian King standing at his side as his loyal retainer and *Reichserzfeldherr*. Shaken by the apparent imminence of war, Frederick William was readily susceptible to the arguments of his more reactionary advisers—Otto von Manteuffel within the ministry, Leopold Von Gerlach, Edwin von Manteuffel, and the other members of the secret [military] camarilla, and virtually all of the soldiers in high administrative posts. . . . These men, motivated by their fear of liberalism and their belief that the strength of the army should be reserved as a safeguard against a renewal of revolutionary agitation on the home front, showed a high degree of skill in devising reasons for a Prussian surrender to Austrian demands. . . .

The upshot was the formal abandonment of the Radowicz plan at Olmütz in November 1850 and the re-establishment of the old Germanic Confederation, which provided no real union at all. "To Prussian liberals, who had rallied behind the Radowicz plan, the Olmütz convention—soon known as "the shame or "the humiliation of Olmütz—was completely disillusioning; and it colored their attitude toward the government's foreign and military policy for the next fifteen years. . . . To the military, however, "nationalist enthusiasm was altogether repugnant. They did not view the army as at one with the German people, in accordance with the theory of the Nation in Arms, but as "an island in society, ringed round by hostile forces. In all this they shared the views of *Junkertum*, which "hated the German idea and hankered for the gentlemanly days of the Holy Alliance. . . ."

They wished to maintain the status quo, with power left in the hands of the ruling princes and with the Prussian and Austrian monarchs cooperating as equals to keep out foreign enemies and to keep down internal liberalism. Insofar as any changes were to be made in the existing constitution for Germany, they had to be achieved by common agreement among all the rulers; otherwise legal rights and therefore morality would be violated, the door opened to further inroads upon the status quo, to liberalism and nationalism. . . .

The king agreed. The forces often associated with militarism, then, were indifferent to the national question, and hostile to unification. As late as 1871, when William was about to assume the Imperial crown, he declared that "it means nothing at all to me. I hold only to Prussia."

It was obvious to liberalism, therefore, that in promulgating his proposal for army "reform," the king was not actuated by any national-liberal motives. It was also obvious that, in holding out for three-year service, the prime consideration was not the fighting effectiveness of the army, but rather the political significance of the reform. The King and his military supporters both agreed that two years' training was adequate for a rank-and-file soldier, but insisted that the third year was required to inculcate the conscripts with a sense of military honor and a proper devotion to the monarchy.

William and [War Minister] Roon had no intention of abolishing universal military conscription in favor of a purely mercenary army. Quite the contrary, it was their deliberate purpose to employ the three years of military training as a means of implanting habits of loyalty and obedience to the monarchy which would make the conscript for the rest of his days a staunch supporter of

the crown and its political authority. The army was to become the "school of the nation," . . . William and Roon desired to use the draft to inject military attitudes into civil life.

This was also the view of the other high military officials, Moltke, the Chief of the General Staff, "strongly emphasized the educational mission of universal military duty. The military estate trained men 'to physical fitness and mental vigor, order and punctuality, loyalty and obedience, love of country, and manly virtue' . . ."

The "grey eminence" behind the King in the early stages of the constitutional conflict was General Edwin von Manteuffel, the Chief of the King's Military Cabinet and, as such, responsible for military personnel matters and for the sovereign's military correspondence. The very existence of the Military Cabinet was an instance of absolutist recidivism, a throwback to the institutional amorphousness of Old Prussia. It was designed to permit the King to act in army affairs without the counter-signature of the Minister and thus to avoid accountability to the Prussian Lower House.

Since March 1848, when the King had temporarily capitulated to Berlin democracy, Manteuffel had been seeking to erase the humiliation. From 1859 to 1866, he took the lead in rejecting all notion of compromise with liberalism even at the cost of civil war. Manteuffel had General von Bonin replaced as Minister of War in late 1859 by General Albrecht von Roon. Bonin was an officer in the tradition of Herman von Boyen and had no stomach for a struggle with the *Landtag*, with which he was nine-tenths in agreement anyway. Roon was a quite different man, a splendid product of the Nation in Arms. In his view the constitutional doctrine of the liberals "could be harmonized only with the sham-monarchy of Belgium, England, or of Louis Philippe, but not with a genuine Prussian monarchy by the grace of God. . . ." He told the King in effect that the liberal proposals would undermine the army, and thereby weaken the crown. He felt that the army, not the lower house, represented the nation.

From the beginning of his tenure as Minister of War the King had more confidence in Roon than in his other ministers. Roon, a thorough-going political general, took advantage of this to press for the overthrow of the liberal ministry and its replacement by a conservative one, a task in which he was eventually successful. He did not envisage this change as a shift from one party to another; but rather advised the King to choose his ministers from among men without party ties, thereby returning the struggle for power to the King's entourage and removing all control from the public. "Von Roon was consistent to the end. The kind of ministry he proposed was the only one suited to the retention of absolutism under a constitution."

From 1860 until the spring of 1862, Roon and the King blindly followed General Manteuffel's lead even though public opinion steadily buttressed the liberal opposition. The number of conservative deputies in the Lower House fell from 181 in 1855, to 47 in 1858, and to 15 in 1861; the Liberals gained correspondingly, both in numbers and intransigence. At first the Liberals were not unwilling to cooperate, but when in 1860 and 1861 the King, at Manteuffel's urging, violated the commitment of his ministry to the Chamber and created new regiments without legislative authorization, tempers began to rise. In 1862, the *Landtag* threw out both the army organization bill and the budget. In retaliation, the King dissolved the Chamber and called for new elections. In military circles all the talk was of a coup d'état; Manteuffel was in favor as a matter of course and Roon declared that he was "determined" on it. With the King's permission, a plan (the

Hiller-Manteuffel Plan) had even been drawn up and approved for a campaign in Berlin, with sealed orders sent to unit commanders.

At this point, however, the King and Roon began to back away from Manteuffel's extreme solution. Perhaps the elections were a factor; 284 Liberals were returned, as against 10 Conservatives, despite governmental pressure. The King and his war minister were demoralized. Roon joined the civilian ministers in conceding two-year service to the Chamber, provided the other elements of the reorganization were approved. The Chamber was enthusiastic but at the last minute the King balked, feeling that three-year service was a *sine qua non*. Manteuffel had won, for without his influence, the differences between the Chamber and the Crown would probably have been settled before the end of 1862.

The King now threatened abdication if he did not get his way on three-year service. He had made the same threat before, to the horror of Manteuffel and the military party. Old General Wrangel had even told the King that abdication was tantamount to desertion in the face of the enemy and threatened him with the mutiny of the whole army. Now it was Roon who was dramatically affected by the King's announcement. To the astonishment and anger of his ministerial colleagues, Roon now deserted the united front and declared his willingness to carry on the government without a budget. It gave the King the indispensable degree of support to confirm him in his stand; he ignored his ministers and listened only to his military advisors, who actually desired a conflict.

It was this quite unexpected statement on the part of Roon which made the conflict between King and parliament inevitable. And Roon cannot have been in any doubt that by doing so he broke his oath of allegiance to the constitution. But he did not allow that to trouble him. He knew there was a man who was equal to the task of governing Prussia without any constitutional scruples.

That man was an old friend of his youth, Otto von Bismarck-Schonhausen, who in 1848 had plotted with Roon to subdue the revolution by military force.

BISMARCK AND THE FOUNDATION OF THE EMPIRE, 1862-71

Although the King did not trust his new Minister-President, Bismarck served him well in the constitutional conflict. His appointment occurred on the very day that the Lower House of the *Landtag* rejected the army budget for 1862 by a vote of 273 to 68. Undaunted, Bismarck blandly set forth in the Lower House his theory of the "constitutional gap," which the previous ministry, Roon included, had unanimously declared to be untenable. According to the theory, laws had to have the consent of all branches of the government—the crown and both the upper and lower houses of the *Landtag*. If there was no agreement, "necessity" alone should rule. Clearly, the existence of the state was a matter of necessity; therefore the government was justified in continuing to collect taxes and disburse revenues to maintain the state. For years taxes were collected, money was spent—and the Lower House continued to throw out the budget. Neither the King nor his Minister-President were impressed when new elections in 1863 resulted in another resounding defeat for the regime. Despite unprecedented pressure on the electorate, including drastic restrictions on the press, the number of conservative deputies were only raised from 10 to 36, with 285 liberals returned.

The regime stood up to this seemingly solid front of opposition, first, because it felt that it could count on the army. "At no time during the constitutional conflict," says Pflanze, "did the liberals question that the army, both officers and men, would stand behind the crown against an uprising. Whether this was

true or not, the liberals believed it to be true and did nothing to mobilize the population or incite the troops to disobedience.

The second factor in Bismarck's success was the lack of Prussian political maturity. "Far from firmly united against the government, the deputies were divided into parties, causes and factions with differing aims." In large part this parliamentary fragmentation reflected the amorphousness of public opinion, which supported the opposition with less resolution than the election figures would suggest, especially as the conflict continued. At the time Ferdinand Lassalle published an analysis of the constitutional conflict, in which he contrasted English with Prussian behavior in case of a similar unconstitutional imposition of taxes. The Englishman would refuse to pay, and eject the collector from his home. If he returned with soldiers, he would be met with force. If there were casualties the tax collector and soldiers would be indicted and condemned, while the citizens would be released with honors. It is even questionable that the soldiers would obey and move against the delinquent taxpayers, since the Mutiny Act was dependent on the annual parliamentary vote of supply. No budget, no Mutiny Act; and the troops would be absolved of their oath. "And because all the people know this would happen, wrote Lassalle, "everyone would refuse to pay taxes . . ." In Prussia, on the other hand, the citizen refusing to pay his taxes could be sure of a jail sentence for resisting "lawful authority." If there were casualties, the soldiers would be protected while the citizens would be convicted as a matter of course. "And because this is so and because from the start all the odds are against those who refuse to pay taxes, the government will feel confident of any action it undertakes and all the officials will be loyal to it." This was the situation in one of the great liberal eras of Prussian history. The liberal movement was far more principled and militant than it had been in the period of the Holy Alliance or than it would be after the foundation of the Empire in 1871. Again, it is difficult to escape the conclusion that the contrast in character between the two countries affords us some insight into the reasons for their different recruiting methods.

Another reason for Bismarck's success in the constitutional conflict was his willingness, even eagerness, to implement "from above" much of the liberal program, domestic and international. Bismarck was no longer the unreconstructed Junker of 1848; he too had been converted by the time-spirit. To realize his ends, however, Bismarck had to tread very carefully, because of the attachment of the King and the reactionary party to the "legitimate" structure of Europe created at Vienna in 1815. Through skillful diplomacy and consistent misrepresentation of his policy of unification, he managed to provoke three fruitful wars—with Denmark in 1864, with Austria in 1866 and with France in 1870. The first was fought jointly with Austria to wrest from the Danes the largely German-speaking duchies of Schleswig and Holstein. Bismarck then exploited the negotiations over the disposition of the duchies to poison relations with Austria and incite her to war, which Prussia won in three weeks. The old German Confederation was dissolved; Austria was expelled from German affairs; the German states in the corridor truncating the eastern and western provinces of Prussia were annexed outright; and all 22 states and principalities in North and Central Germany above the River Main were joined together in a North German Confederation under the hegemony of Prussia. Was South Germany to remain outside the Union? Napoleon III was sympathetic to the principle of nationality, but he recoiled at the prospect of a German Empire on his borders extending from the Meuse and the Eider to the Alps. Should the South German states be drawn into the new

Confederation, then, as he informed the British, the *chassepots* would go off by themselves. Bismarck's policy, therefore, called for war with France and again, aided by incredible French diplomatic blunders, he was successful in finding the right pretext and provocation.

Germany was now unified, and each step along the way, if it alienated the Conservatives, only mollified the liberals. Why should they persist in their intransigence, in their claims for parliamentary rights, when Bismarck, without them and even against them, was nonetheless implementing the substance of their reform program?

Bismarck had always realized that a large part of the opposition to the army reform was based on a fixed liberal belief that the government had no intention of using the augmented forces for any but domestic purposes. He had told the King in 1862 that, if he would promise to use his army to support the German National Union . . . all objection to his military plans would disappear forthwith. William's response convinced Bismarck that he could not expect the King to support a deliberately anti-Austrian policy . . . In common with soldiers like Manteuffel and Moltke, he regarded Austria as Prussia's natural ally . . .

For similar reasons, Bismarck felt compelled to take a high-handed line toward the Lower House in the constitutional conflict. His scornful dismissal of parliamentary claims was partly sincere, partly tactical, to gain the confidence of the King and neutralize the Conservatives. He did feel that the executive should overshadow the *Landtag* and that the King should be confirmed in his command of military affairs, without parliamentary control, but he had no intention of destroying the Lower House. He thought of it as useful, essential for his plans. He regretted his inheritance of the constitutional conflict with the Liberals, and from the beginning attempted to resolve it by compromise.

Neither Bismarck nor, surprisingly, Roon had strong views about two-year service. During Bismarck's first month in office, he and Roon drafted a bill calling for a standing army of the existing size composed of two elements: conscripts serving two years, forming two-thirds of the rank and file; and long-term volunteers (*Capitulanten*) at double pay, comprising the remainder.

Modeled after the system of Napoleon III, the plan would have permitted conscripts to purchase their release from military service after two years. Those unable or unwilling to pay were to serve a third year. The money raised would be used to attract volunteers. . . . In addition, the plan would have established the size of the army at one percent of the population and its support at a fixed sum per soldier. Henceforth these matters were to be beyond the challenge of the chamber of deputies. . . .

Bismarck's and Roon's proposal, therefore, contained both bait and snare. The snare was the fixed establishment which eliminated parliamentary control over the annual military budget. The bait was the provision for long-term volunteers, which represents a step forward in the political and military maturity of Prussia, since the commutation system is a half-way house between a purely conscript and a purely professional recruiting system for the rank and file. Conversely, the jettisoning by the liberals of their stubborn commitment to a dilettante compulsory *Landwehr* and to egalitarian universal personal service in the regular army was the sign of an emerging realization that one could be anti-militaristic without being anti-military.

On the whole, then, the proposal reveals the Chamber's attitude as well as Bismarck's and Roon's, for, despite other provisions of the bill which struck at the Lower House's budgetary rights, it seems likely that if it did not win the liberals it would split them.

But it was effectively sabotaged by General Manteuffel, who saw that it relinquished "the whole idea of a nation in arms." Under the Bismarck-Roon proposal, "the whole relationship of army service would be altered. It would no longer be an honorable duty, to be absolved by every able-bodied man alike. It would receive the stamp of a burden the poor man has to bear in its full weight, while the rich man could evade it at least in part."

Manteuffel's view was shared by his alter-ego in the camarilla, General Alvensleben, who felt that the Roon bill "turns the honor of serving as a soldier into a burden, out of which one can buy one's way." The King became a convinced opponent of the bill and Bismarck, afraid to jeopardize his relationship with William, did not press the issue.

Bismarck never gave up trying to convince the King of the feasibility of a two-year service period. Another opportunity came in the Spring of 1865 when a moderate liberal in the Lower House proposed a new plan for reducing the compulsiveness of the recruiting system, partly by reducing the size of the annual contingent, partly by shortening the three-year service term, the difference again being made up by the enlistment of volunteers. Bismarck quickly approved it and, with the support of the whole ministry, submitted it to the King. For the second time his effort at compromise was sabotaged by General Manteuffel, who "remained inflexibly opposed to anything that might be interpreted as a concession on the part of the Crown. Like his friend Alvensleben, he maintained that every revolution in history had started because the reigning monarch had been willing to compromise."

Manteuffel was sustained in his stand by the conviction that the recent victory over Denmark had cleared the way for a return to naked reaction. Bismarck's adroit diplomacy had masked the ultimate national-liberal implications of the war; all the militarists could see was that the moral authority of the Crown had been mightily enhanced. "Manteuffel at least was making no secret of his belief that time for revoking the constitution was approaching," an argument which he developed at length in a letter to the King. Bismarck was so incensed at Manteuffel's penchant for politics that he made an all-out—and successful—effort to have him appointed to another post, away from the King's immediate circle. In this he had the support of Roon who, despite his antipathy to the Lower House, had grown progressively disenchanted with Manteuffel's extremism and his habit of acting in the King's name in military matters without consulting the War Minister. Under Bismarck's deft hand, ministerial government was winning out over irresponsible rule from the King's entourage.

In other respects, too, Bismarck showed that he was effecting a reconciliation with the times. He was successful in his demands for one-man, one-vote universal suffrage for the Lower House of both the North German Confederation and the Empire, a proposal which he had made to the King as early as 1861. Since Bismarck was realizing the liberal program, the fighting ardor of the Prussian Chamber was rapidly disappearing. In 1866 after the Seven Weeks War with Austria, to the horror of the Conservatives and despite the strong misgivings of the King, the regime publicly extended an olive branch to the opposition, frankly admitting that it had acted unconstitutionally in governing without a budget and requesting that the *Landtag* legitimize past expenditures by an act of indemnity, which it promptly did. In matters of domestic legislation, Bismarck's cooperation with liberalism over the next five years proved to be extraordinarily fruitful. The liberals gained all their goals except power, which was not their primary concern. The reforms came more quickly than seemed possible and "It is not surprising that in face of such a revolution the liberals

did not challenge Bismarck's possession of power. . . .

There was a negative side, however. Though the regime had admitted to illegal rule, the Chamber, in voting the indemnity, also admitted that the regime had acted correctly, and had won no guarantee that the Crown would behave any differently in a future crisis. The indemnity vote of September 3 was "as decisive a landmark in the history of Germany as was the Bill of Rights in the history of England or the oath of the tennis court in the history of France." But the outcome was different. In the struggle between crown and parliament in Germany, the crown had won.

The abridged ambitions of liberalism were also visible in the constitutional arrangements for the North German Confederation in 1867 and the German Empire in 1871. The three main organs of the Empire were the Presidency, the Federal Council (*Bundesrat*) and the Parliament (*Reichstag*). The Presidency was the preserve of the Emperor, who appointed the Federal Chancellor (Bismarck). The latter had no cabinet; the heads of the departments of states were simply administrative officials responsible to him. The Presidency, the key organ, had complete charge of foreign affairs, declared war and made peace, and formed alliances. The Emperor was the unchallenged master of the armed forces. The second key institution was the *Bundesrat*. As the successor of the *Bundestag* of the old German Confederation, it was composed of delegates from the federated states of the Empire; in practice it was controlled by Prussia, which had not been merged into, but rather had acquired Germany. The third organ, the *Reichstag*, was elected by universal suffrage, but this was the democratic gloss on a relatively impotent institution. The *Reichstag* could debate, pass or reject legislation, but it could not initiate it; initiative in legislation, as in policy and administration, belonged to the Presidency. It had the budgetary veto, but this was of dubious efficacy in view of the precedent set by the constitutional conflict, which remained in everyone's memory and guided conduct. The Federal Chancellor was not responsible to the *Reichstag*. If Bismarck was voted down, it would not be he who resigned but, in effect, the *Reichstag*; it would be dissolved and new elections held. Liberalism had sold out to Bismarck and the political life of Germany never lived up to the hopes of the New Era.

BISMARCK AND THE SOLDIERS IN THE WARS OF UNIFICATION, 1864-71

Under the Imperial constitution the army, even more than the Chamber, was subjected to the will of the Emperor. Allegiance was sworn to him personally, not to the constitution. At the time of the indemnity compromise in September 1866, both the Crown and the Lower House had avoided discussions of the army reform, the original issue which had divided them. The question became academic when the parliament of the North German Confederation approved an army bill in 1867 which was essentially the army bill of 1859 over which the constitutional conflict had arisen. At the same time parliament voted the necessary funds to maintain the army at the appropriate level, not for a single year, but for four years—to 1871! No later Imperial Parliament would ever exercise the right of annual review of the military budget.

Success had bewitched and intimidated liberalism. In the three wars of unification the army had proved to be more efficient than anyone had the right to expect from its earlier behavior. The professionalization movement of the Reform Era had again been taken up from the forties to the sixties, paralleling the rise of liberalism and the *embourgeoisement* of Prussian economic life, and the prejudice of the Holy Alliance period against commissioning middle-class officers was reduced, despite the anxieties of Junkers

such as Manteuffel. Even in 1865, however, half the officer corps was still Junker, while among generals and colonels it was well over 80 percent. Evidently the Junkers themselves had been conquered by the professionalizing spirit. It was even Manteuffel's proudest boast that, during his tenure as Chief of the Military Cabinet, the army had gotten rid of its "incompetent aristocrats." Educational standards were improved during this period, beginning with Boyen's second tenure at the War Ministry in the 1840's, and specialization was advancing. On the eve of her three great wars Prussia's generals were "nothing but generals, competent ones, as the outcome of these wars was to show. . . ." Bourgeois rationalism, education, specialization were all making their mark.

The period also saw the re-emergence of the General Staff to a position of prominence especially after the appointment of Helmuth von Moltke as its chief in 1857. During the reaction of the fifties, the General Staff was overshadowed and in danger of being absorbed by Manteuffel's organization. Manteuffel's appointee, Moltke, however, reversed the standings of the two organizations, and did his best to isolate the General Staff from politics. Moltke's success in war was due to the business-like rationalism he applied to the conduct of the army.

In assessing the reasons for the Prussian victories over Austria and France, some writers have tended to overemphasize the role of universal service and to neglect the improvements in the officers' corps, which contributed the decisive factors. The Prussians had had universal service during the period of the Holy Alliance, when the army was inefficient. The new element was the spirit of rationalism which accompanied the rise of liberalism in the Forties. It is often argued that the French army lacked mass. Yet clearly the French did not lack troops; they lacked the appropriate techniques for quickly mobilizing and bringing them to the battlefield, which the Prussian General Staff had mastered through intensive study of the potentialities of railroads. Actually, the Prussian reserves were not a decisive factor; the majority of the battles seem to have been won before any reserves were committed. But even if superiority in "mass" was important, it could have been achieved by less peacetime compulsion—by the Liberal recruiting plan of 1860 or the compromise plans of 1862 and 1865, or by more voluntaristic methods, such as the French and the British employed. The head of the British War Office stated at the time that "the secret of Prussian success has been more owing to the professional education of the officers than to any other cause to which it can be ascribed. . . ."

On the other hand, it is possible to invest too much admiration in Prussian professionalism as an ideal type. Ahead in some respects, it lagged in others. The Prussian officer was not so much a member of a professional group as of a caste. His was not an occupation among other occupations in an integrated society; his was a way of life, in which the military function pervades all relationships and in turn is diluted by extra-military considerations. The aim was not a legitimate differentiation of specialties but a differentiation of worlds, the creation of a relatively self-contained socio-functional sphere divorced from the rest of society and with as few ties as possible to it.

The danger is that a military establishment devoted to a way of life rather than a simple vocation may not maintain a scrupulous respect for functional boundaries. It is difficult to build up a self-contained world out of a single specialty. At a minimum it requires an admixture of social, economic and legal functions which have little or nothing to do with the military calling *per se* and can only detract from its most efficient pursuit. But it can also involve the appropriation of other functions, including that

of policy. Certainly this happened in Prussia, even in the great age of the wars of unification, when the Prussian officer corps was perhaps at its professional best. It was not only in the domestic field that Bismarck had to struggle with political generals. In each of the three wars fought for German unification, "the Prussian Minister-President discovered that the army leaders had a tendency to regard war as a province in which they alone had competence, that they were reluctant to admit that the civilian ministers had any authority to influence the course of operations and that they were dangerously willing, in the name of military expediency, to disregard important considerations of international diplomacy."

This was the wrong tack to take with Bismarck who, without ever having read Clausewitz, had grasped the thrust of his conclusions better than the soldiers and was a firm believer in civilian control even in war.

On the eve of the war with Denmark, Bismarck clashed with the generals and the King over the serious diplomatic implications of the war plan. He only got his way by threatening to resign, which shocked Roon into effecting a compromise. In the course of the war itself, Bismarck's chronic controversy was with Wrangel, who declared it "impossible" to restrain his subordinates simply out of deference to Bismarck's diplomatic commitments. For a civilian "to give that ancient warrior instructions of any kind was at best a chancy business." Bismarck also quarreled with Prince Frederick Charles over the storming of Düppel, which Bismarck desired for its international impact but which the men in the field stoutly opposed because it lacked "military necessity." Luckily for Prussia's objectives the quarrel was eventually resolved in Bismarck's favor, largely because of the support of the King and some of the soldiers. Bismarck also aroused the indignation of the military over the armistice terms and the peace negotiations, so that in the end he had to state bluntly that it was not the business of the army to venture opinions on political questions.

Compared with the later wars, Bismarck's disputes with the military during the Danish conflict were relatively minor. In the war with Austria in 1866 Bismarck's close supervision of the military campaign on behalf of higher political considerations outraged the generals. His main opponent was Moltke, whose wartime, though not peacetime, elevation over War Minister Roon had unfortunate consequences, especially in the Franco-Prussian War. Roon recognized the supremacy of policy even in wartime, but Moltke tended to interpret Clausewitzian dicta in an unsophisticated mechanical way, and seemed to believe that once the political goal of the war was set, strategy was paramount. "Politics, in short, was to be decisive before the beginning and after the end of hostilities, but not in between."

It is understandable that, given this clash of views, the Chief of the General Staff should attempt to prevent both Bismarck and Roon from influencing or even knowing about the operations conducted against France in 1870-71.

From the commencement to the end of the war Bismarck's relations with the soldier-chiefs were more sharply strained than they had been in 1866. The soldiers—"the demi-gods," as Bismarck called them—would gladly have left him behind at Berlin. . . . The war was a soldier's business; and the generals wished to make a military peace. "It was a shame," said E. von Manteuffel, "that a mere politician should have more influence than a general." And the soldiers did their best to ignore the civilian. . . . General Headquarters was a camp of continuous strife, . . . and with Moltke at Versailles it came to an open breach. . . . "I am the military adviser of the King," Moltke said coldly, "and I have no other duty to fulfill; I will not permit the

decisions of Count Bismarck to lead me into error. . . ."

That Moltke was, in fact, the military adviser of the King greatly complicated Bismarck's problems, for during 1870 William tended to agree more often with his Chief of Staff. In 1871 Bismarck managed to get his way, to the humiliation of Moltke, who almost submitted his resignation. But civilian supremacy had become progressively more difficult to achieve, and the soldiers remained unconvinced after their setback. When the war was over Moltke publicly reiterated his view that policy only "operates decisively at the beginning and the end" of a conflict; in between, in its operations, strategy is "independent" of policy. And during the war itself he confided to the King his understanding "that the Chief of the General Staff (especially in war) and the Federal Chancellor are two equally warranted and mutually independent agencies under the direct command of Your Royal Majesty, which have the duty of keeping each other reciprocally informed." This was, as Craig notes, a remarkable claim, coming from a functionary who only a dozen years before had not even possessed the right of reporting directly to the ministerial level. At the time Moltke made his claim, the King avoided passing on it, but in the ensuing years, when universal service had been solidly Moltke and his successors would more than make it good; and they would not always feel it their duty to keep the civil authority informed.

MILITARISM UNDER THE EMPIRE TO THE FALL OF BISMARCK IN 1890

In our analysis of Prussian history thus far the army consistently appears as the main enemy of progress and liberal development—in the period of the Holy Alliance, the Revolution of 1848 and its aftermath, the Constitutional conflict. Even in the wars of unification, although the army proved its professional fighting competence, it also revealed an unprofessional lack of restraint in its dealings with the civil authority, strenuously attempting to usurp political functions in the name of military necessity.

This situation worsened under the empire. There was less civilian control, the soldiers stepped up rather than moderated their demands, and servility spread in the *Reichstag*. In 1874 it "compromised" with a seven year military budget, indistinguishable for all practical purposes from the permanent establishment demand by the army. The soldiers next reorganized the army administration so as to remove the most vital military matters from the jurisdiction of the War Minister—because he was accountable to the *Reichstag*—and to turn them over to the Military Cabinet and the General Staff. The wrecking of the unified character of the War Ministry was completed in 1883 with an order abolishing the Division of Personnel in the War Ministry and transferring all personnel matters to the Military Cabinet; it was shortly followed by another order granting direct access to the Emperor by both the Chief of the General Staff, Moltke, and his deputy, Waldersee, a man of consuming political aspirations. The position of the War Minister under the Prussian system had been difficult enough, but under the empire it became "monstrous and against all reason."

In all this the soldiers had the support of Bismarck himself, who in the seventies had turned against liberalism, universal suffrage, and other of his own constitutional arrangements. Yet it violated his own system of ministerial-bureaucratic autonomy in favor of royal absolutism, which would eventually occasion his own downfall. The army no longer faced the Crown united; it was split into three co-equal bodies to each of which the King had direct access. During this period the army was not just a state within the state, it was the state within the state—but it was a Caesarian state, headed up by the Supreme War Lord. The army had become

the obedient servant of a Führer, who would protect, isolate and insulate it, and preserve its "way of life." In thus securing its caste interests the army was renouncing its functional *raison d'être*, sacrificing its legitimate military bureaucratic interests. In its subjection to the capricious, willful intervention of the King, its internal amorphousness, jurisdictional confusion and redundant duplication of functions, the Imperial army looked back to the administrative primitivism of Old Prussia and forward to the even more grotesque formlessness of the Nazi era.

This era also had its adverse impact on military thought. Building on Moltke's point of departure in the Franco-Prussian War, the military theoreticians took additional steps toward the concept of "absolute war," war dissociated from policy. Clausewitz had taught that war, considered abstractly, as an "idea," was absolute: in practice, in the real world, it almost always had to be limited. It is connected with the preceding political objectives of the state and, by calculation, with the political situation which will follow it. "Since war is not an act of blind passion but is rather dominated by political ends, the value of those ends must determine the degree of sacrifice we are prepared to make to attain them." In the aftermath of the wars of unification these notions of limitation were questioned. In his well-known work, *The Nation in Arms*, Colmar von der Goltz contended that limited wars after the fashion of the 18th century or of the Prusso-Danish War of 1864 were no longer conceivable. Wars between the great European states would no longer come as a consequence of rational calculation but of "long-smouldering political hatreds. In a sense we approach an original state of nature, when wars among neighboring peoples could be set off by mere hostility. . . ." In this situation computations of gains and losses are irrelevant, and the commitment of resources is total. "In the face of the tremendous impact of war nowadays, politics recedes into the background even more than before, no sooner do the guns begin to speak. . . ." The approach to the concept of absolute war, which attained its ultimate expression in the Nazi era, was accompanied by an apotheosis of the offensive. Clausewitz had contended that the defense was the stronger form of action; otherwise there was no reason for its customary adoption by the weaker party in a war. In the Imperial army, however, "no other element of his doctrine aroused such fierce opposition . . . and it took the overwhelming strengthening of the defense in the First World War to convince the German Army that there was something in the views of Clausewitz."

At the same time the social and political alienation of the officer corps proceeded apace. It was explained in no uncertain terms that "no one could be an officer who was not willing to subordinate his political convictions to those of his *Kriegsherr* and to give unflinching support of his policies. . . ." Though the officer on active duty could not participate in party politics, there was no such bar for the reserve officer. He was officially told that he "must never . . . belong to a party which places itself in opposition to the government of our Emperor. . . ." On the other hand, however, he is fully justified in making use of his political rights and intervening in the political struggle in behalf of the objectives which the government of . . . the Emperor pursues."

It is true that, because of the enormous expansion of the Army, the recruiters no longer found it possible to restrict the officer corps to socially superior "Old Prussian stock"; there were simply not enough Junkers around to fill the billets. To nobility of birth now had to be added "nobility of temperament" as a secondary touchstone. The real breakthrough in reducing class discrimination, however, had occurred before the

foundation of the Empire. In 1859, only 35 percent of the second lieutenants were bourgeois, compared with 62 percent in 1873 and 75 percent in 1913. In other words, the 14 years between 1859 and 1873 showed a much greater relaxation of class rigidity than the 40 years between 1873 and 1913. Demeter's data points to the same conclusion. In 1860 the army granted entry to 690 officer-cadets of "Old Prussian stock." In 1869, however, whereas there should have been (all other things being equal) about a thousand officer-cadets of "Old Prussian stock," due to the enlargement of the officer corps, in fact only 532 appeared on the rolls, absolutely less than in 1860. The same trend is visible if one compares the respective figures for the officer corps as a whole. Of the increment in officer billets over the period 1860-69, the middle classes seem to have captured more than 80, the nobles less than 20 percent. In other words, the recruiting policy seems to have been more liberal during the unification period than under the Empire.

More important than the degree of *em-bourgeoisement* was the character of its influence. In the 1860's the relaxation of class restrictions in recruiting had meaning, because the middle classes tended to be liberal. It was different under the Empire.

The classes who had during the first part of the century seemed the worst infected with liberal and radical views, the men who had been admitted only on sufferance to the army in the dark days of 1808-14 and who had been purged from it very quickly afterwards, these same classes after 1870 swung massively to the support of the dynasty and the regime, humiliated themselves to get their sons into fashionable regiments, and swaggered out in their Reservist uniforms on every possible occasion. . . . The newcomers were quite happy to take the mould of the old order, and indeed to outdo it in their maintenance of all its rights and privileges.

The Phenomenon has struck the attention of almost all analysts. According to Demeter, "those who were rising in the social scale . . . found more and more that they must conform to the image of the corps of officers . . . This in its turn meant that the officer corps imparted a military tone to other social classes—a tone . . . which is scarcely to be found at all in democratic countries. . . ."

It is a moot point whether one can attribute this reactionary tone to universal service, as Kraus thinks, but it is clear that, if general conscription did have an influence, it was either socially negative or, if positive, so slight in its impact as to be easily masked by contrary forces. As Ferrero remarked at the end of the nineteenth century, whereas "militarism is reduced to a minimum" in England, "Germany has a more military character than . . . almost any other European society . . . Officers lead a separate existence; they have their own habits, laws, jurisdiction, and almost a *weltanschauung* all their own; they take more part in civil government than in other countries. . . ."

We discover, too, for the Empire, an increased alienation of the upper ranks of the army from the lower. There was said to be, towards the end of the nineteenth century, "an almost impassable gulf" separating officers from enlisted men, a gulf surpassing even that of the aristocratic army of the Enlightenment. An excessively brutal supervision accompanied the increase in social distance. "From the 'seventies onward," says one authority, "the ugly subject of the maltreatment of soldiers" became "a matter of frequent and justified concern," until in the 'nineties, "there seems to have been a perfect saturnalia of such offenses" against the troops. Maude attributed the increased "bullying" in large part to "the gradual deterioration of the Non-Commissioned Officers as a class" and to the fact that the officers had "lost the close personal touch

with the men that had formerly prevailed," a phenomenon service. The publicized cases of mistreatment are numerous enough; yet it was well known that for lack of any right of complaint by the soldiers only a small proportion of actual offenses was ever brought to the attention of higher authority. The sentences imposed on guilty officers were surprisingly light (normally only a few days' to a few weeks' confinement to barracks) and the professional pride of their brother officers was not sensitive enough to lead them to boycott the offenders, however much their actions might reflect on the honor of the corps as a whole; caste solidarity seems to have been too strong.

Like the officer's sense of honor and *noblesse oblige*, public opinion also proved to be a weak reed in support of the conscripts. The mistreatment of soldiers seems to have been a common subject of discussion in parliament and in a part of the press, but to little effect; the abuses kept recurring. As in the case of France during this same period, influential opinion was too enamored of the "first institution" of the land to take up a genuinely critical stance. Rosinski, in referring to the relapse of the middle class into its old servility after the foundation of the Empire, states that "in no other field was this chance . . . so conspicuous as in its attitude towards the army. The exaggerated but honest opposition" which had characterized the period from the forties to the sixties now "gave way to excessive adulation," endowing "the army with a popularity such as it had never enjoyed before. . . ." Who could tilt successfully with an officer corps which, "widely accepted and much admired," could do no wrong?

Adverse as was the impact of the Imperial military establishment on the domestic side, the influence which it came to exert over foreign policy was simply dangerous. Moltke's faults in this respect were minor compared to those of his quartermaster-general and eventual successor as Chief of the General Staff, General Waldersee, a "soldier turned politician, who rejected the two fundamental elements of the military ethic. He was the leading advocate of preventive war and he also entertained the idea of a military *coup d'état*. . . ." It took all of Bismarck's prestige, craft and capacity for infighting to frustrate Waldersee's foreign policy ambitions. In the end Bismarck himself fell—over other issues, but in large part as the result of Waldersee's intrigues.

It can be plausibly argued that the dismissal of Bismarck in 1890 was only the final stage in a process of secular political decay; if this has not been generally recognized, it is probably because counter-trends later in the 1890's restored a certain measure of institutional viability. Since the 1870's representative institutions—parliament, the political parties—had been sinking into insignificance and by 1890 it was being said that the nation had neither a political élite nor a political will. Beginning in the 1870's Bismarck had bowed again and again to a decadent *Zeitgeist*, but he balked at replacing his system of ministerial absolutism by the Emperor's personal rule. William resented the limitation on his free access to Bismarck's subordinates and forced the chancellor's resignation, through an ultimatum delivered by the Chief of the Military Cabinet, General Hahncke.

Surely, William II must have been a ruler to warm a Prussian soldier's heart. "We belong together, I and the army," declared the new Kaiser. "We are born for each other and shall stand indissolubly together no matter whether God's will brings peace or storm." In 1891 he told a group of young conscripts, "I may have to order you to shoot down your relatives, your brothers, even your parents—which God forbid!—but even then you must obey my commands without murmuring." No sentimental nonsense for the Nation in Arms!

THE ARMY UNDER WILLIAM II, 1890-1914

The early years of the post-Bismarckian period seemed to promise only a more sinister version of the previous Imperial trend. In the 1880's, the disorganization of the civil administration had been remarked, but after Bismarck's dismissal the civil bureaucracy no longer confronted the court with a single will; its impact was nullified. The individual departments of State might be free from the strong hand of the Chancellor, but William was the most free of all. By 1894 it was being said that the Kaiser had acquired the habit of making policy "with everyone and his aunt," while diplomacy was becoming less the preserve of the experts and more an affair of sovereign-to-sovereign contacts. As in the period after the Napoleonic Wars and later in the Nazi era, Germany was undergoing a serious differentiation crisis; and the attendant authoritarian disorder only offered new opportunities for the political generals, transforming foreign affairs into a "battleground of bitter struggles between the Foreign Office on the one hand and the high military offices on the other."

The politicization of the army had been encouraged by William's reorganization, in the late eighties, of his in-house military entourage, consisting of the Chiefs of the Military and Marine Cabinets, the court generals and the other general officers assigned to the Emperor as adjutants, and the aides-de-camp. The group was elevated to the status of a "royal headquarters," a title previously employed only in time of war, and was unified under a commandant of headquarters. Aside from the fact that this only added to the confusion in army affairs, through the ambiguity of jurisdiction between the commandant of headquarters and the Chief of the Military Cabinet, it testified to the heightened importance of the court military camarilla. So potent was the influence of the court generals that, within the short space of three years (1894-97), they managed through behind-the-scenes intrigue to effect the dismissal of a chancellor (Caprivi), a war minister, a foreign minister, and a minister of the interior.

German society seemed to have reached a nineteenth-century low in demoralization in the first half of the decade and then to effect a slow recovery. In 1893 the army had gone over to two in place of three-year service. However, the objective at this time was not to reduce the total burden of conscription, since the lowering of the service period was more than compensated for by the enlargement of the annual conscript contingent. At first the King had balked at this proposal, seeing no reason why he couldn't have three-year service and the extra conscripts, too. In this he was supported by his political general, Waldersee, who had earlier drawn up a "programme for the most ruthless application of the principle of universal service. Every man who could possibly be made liable was to be trained and that for the full three-year period. . . ." However, there were realists around who saw that, even in the Germany of the early 'nineties, it was politically impossible to obtain everything desired and that there were advantages to be derived for the royal cause from two-year service, since more young German males could be given the proper indoctrination in obedience and modest deportment. "The idea," says Maude, "was primarily due to the political necessity of finding some means of counteracting the growth of Socialism by distributing the load of military service more uniformly, and subjecting every able-bodied man, as far as possible, to that training of both body and mind which renders him less prone to the danger of Socialistic infection. . . ."

Thus the initial effect of two-year service was to increase rather than reduce the burden of compulsory service, but between 1893 and 1900 the expansion of the conscript con-

tingent began to lag behind the increase in the population. According to my own calculations, supported by the impressionistic estimates of students of this period, the average annual number of conscripts per million population fell from more than 10,400 for the decade 1886-95 to slightly more than 8,700 for the decade 1896-1905, and then continued to fall until 1913. Even the parties normally in the army's pocket shied away from agitating for more conscripts and the regime, accommodating itself to the temper of the times, refrained from forcing the issue.

The military justice dispute affords another illustration of the more critical spirit of the day. In the mid-nineties a bill was drafted to overhaul the code of military justice which, in its outmoded procedures and its failure to provide for public trials, compared unfavorably with its British, French, Italian and even Russian counterparts. However, both the Kaiser and the Chief of his Military Cabinet, Hahncke, were hostile to public trials, the latter contending that "the army must remain an insulated body into which no one dare peer with critical eyes." The dispute between William II and his own ministry soon became public and raised a veritable storm, the Left and the Center in the Reichstag attacking William's proclivity for personal rule and the enhanced importance of such extra-constitutional bodies as the Military Cabinet, while the Right, instead of defending the regime, remained silent, an ominous sign. Waldersee was all for a *coup d'état* but the Kaiser had lost his nerve. In 1895 he rejected the bill; in 1896 and 1897 he still stood on his rights; in 1898 he signed on the dotted line. "It was a curiously undramatic ending to a controversy which had aroused political passions for three years. . . ." Other signs of the time were the successful outcome of the anti-dueling campaign, the concern felt by high authority over the leniency shown to officers who had mistreated soldiers, and the new toleration shown to officers with "unorthodox" political views.

Parallel with these developments went an enhanced importance of the Reichstag, which during the Bülöw era specially (1901-09) "began to exercise more decisive influence." Germany had not yet achieved a genuine parliamentary government with the cabinet responsible to a Reichstag majority, but Chancellor Bülöw did attempt to work with the Reichstag without friction, as Bismarck had during the unification period and the early years of the Reich, and when Bülöw fell in 1909 the occasion was his failure to command a Reichstag majority, even though the Kaiser might have exploited this occasion to get rid of a man he by then detested. Certainly there was a diminution in "personal government" during this period. Having capitulated in the contest of wills over the military justice reform, William II turned away from autocracy to court popularity with his people. The aim was a compromise—"to satisfy Germany without injuring the Emperor." It is significant that he told his chancellor, "Bülöw, be my Bismarck." And Bülöw's role was Bismarckian in the sense that power was now retreating downward from the summits, partly to the bureaucracy, partly to the Reichstag. While the Reichstag did very little to exploit the Imperial disarray by effecting substantial alterations in the political structure, William's meekness (especially in the *Daily Telegraph* affair) contrasted sharply with his arrogance after the dismissal of Bismarck in the early nineties, when he could declare at a public meeting: "There is only one master in the Reich and that is I, and I shall tolerate no other."

The reduction in the Emperor's personal power closed the most important channel for military aggrandizement on the political front. The soldiers now found professional restraint more becoming, so that "by 1897

civilian statesmen had resumed political leadership." There were no political generals of the stature of a Waldersee to dominate the Bülöw era. The General Staff Chiefs who followed him "had no desire to assume open responsibility for the direction of Germany's foreign policy and were content to restrict themselves to the task of formulating the plans which would guide the operations of the army in the event that the nation should once more find itself at war." We probably should not attribute this new modesty to a difference in personalities. Credit should instead be given to the transformed climate of opinion. "It is significant that, in almost every session of the Reichstag from the end of the military justice dispute to the outbreak of the war, the army and its administration were subjected to searching criticism. . . ." True, the main benefit of the Reichstag offensive was to put the military on the defensive; nothing was done to abridge absolutist autonomy of command or to restore the pre-1883 internal organization of the Army. In fact, however, the War Ministry appears to have regained some of its authority, and it was responsible for the declining burden of conscription during this period. The General Staff wanted to call up everyone eligible, but the War Ministry successfully resisted, placing its faith in quality rather than quantity.

Conditions were still not ideal. The retreat of the army from politics took it, not into professional autonomy, but into isolation; communications with the political authorities were grossly inadequate. It is incredible to be told, for example, that "neither William II nor the Wilhelmstrasse knew before August 1914 the great secret that there was only one German mobilization plan." When the crisis came, diplomacy found that its power of decision had already been yielded up to the General Staff, whose planning had been based on purely military-technical considerations without reference to the external political situation.

Too, in Germany as in France and Britain, the four or five years immediately preceding the First World War saw a partial receding of militarism, due partly to internal political developments, partly to an increase in international tension, to which German foreign policy contributed a disproportionate share. When in 1899 Bülöw lost his Reichstag majority, the Emperor understood this as a gesture of confidence in him, and he resumed his old system of autocratic government uninhibited by the new Chancellor, Bethmann-Hollweg. After the Agadir crisis of 1911 there was a substantial increase in the annual conscript contingent and a resurgence of military caste exclusiveness and arrogance. This was conspicuously illustrated by the Zabern Affair of 1913 which had been precipitated by the illegal army arrest and incarceration of a score or so civilian demonstrators. Incredibly, the Zabern arrests were defended by the government; and the military authorities showed what they thought of the Reichstag vote of censure—passed by a majority of 293 over 54—by absolving the Zabern commander of any blame. Despite the fact that behind the regime stood little more than the Nation in Arms, the majority of the nation and its representatives in the Reichstag saw no other course open than to adjust to the verdict.

Six months later came the Great War, for which the military leadership of the Nation in Arms must bear a large share of the responsibility. Moreover, during the war, "Germany was the country in which the military assumed civil government functions to a degree unknown anywhere else. . . ."

MILITARISM IN WORLD WAR I

After the Serbian assassination of the Austrian Archduke Ferdinand at Sarajevo, both the German civilian and military authorities encouraged the Austrians to take

strong measures. The civilian stand, predicated on the belief that neither Russia nor France would support the Serbs, was abandoned as soon as its erroneous premise became clear. While Bethmann was engaged in his desperate search for peace, the soldiers were sabotaging his efforts. In 1909, the German Chief of Staff, Moltke, had promised his Austrian counterpart Conrad, that if Austria found it necessary to invade Serbia and Russia intervened, this would activate the Austro-German Alliance of 1879. This incredible commitment transformed Bismarck's Treaty of 1879 from a defensive to an offensive alliance. Further, the German General Staff was concerned that, if the Austrians did not mobilize early against Russia, the common Austro-German Front in the East would be in jeopardy. Consequently, when on 29 July 1914 the news came of a partial Russian mobilization against Austria, Moltke, without informing either the Emperor or the Chancellor, advised the Austrians to counter-mobilize immediately. This was in direct contradiction to the approach of Bethmann, who was actively supporting the British search for peace through direct Austro-Russian negotiations. Moltke informed the Austrian attache that Austria must "reject England's renewed proposal for the maintenance of peace. For the survival of Austria-Hungary, fighting through the European war is the only means. Germany will go along with her unconditionally." Faced with a choice between Bethmann's advice and Moltke's advice, the Austrians followed Moltke. At the same time the German government gave the Russians an ultimatum and when this was, in effect, rejected, declared war on 1 August. "This step, which even some of the soldiers regarded as unnecessary and ill-advised, was apparently due primarily to the urging of Moltke, who by this time had superseded the Chancellor in all but name."

Moltke's next step was to convince the civil authorities of the need to declare war on France and Belgium. The only war plan prepared by the General Staff called for a two-front war. Its initial stage was to be a holding action in the East against the slow-mobilizing Russians, while a crushing blow was being dealt to France through her Belgian flank. The Emperor and Chancellor, shocked at the way diplomacy had been preempted by military solutions, had no choice but to defer. "The student of German policy in the summer of 1914 cannot help but be struck by the fact that the crucial decisions were made by the soldiers and that, in making them, they displayed an almost complete disregard for political considerations. . . ."

The key institutional change of the war years was the final collapse of the Kaiser's influence and prestige. The last appointment made by the Emperor of his own free will was the replacement of Moltke by Falkenhayn as Chief of Staff after the setback at the Marne in September 1914. Subsequently he retired into the background. Formally, constitutionally, he was still Chief of State and Supreme War Lord; in fact, he was a figurehead, with hardly more real power than his British cousin. Thus quietly, almost unnoticed in the storm of war, began the German revolution, with little more than whimpers of resigned protest from the monarch.

With the atrophy of the imperial function after 1914, power moved downward—to the civil and military bureaucracies and to the Reichstag. From the end of 1914 to the summer of 1916 the General Staff was supreme in the military field, the Chancellor, Bethmann-Hollweg, in the political sphere. There was still no military dictatorship; at this time Bethmann held "a political position that no Chancellor under William II had enjoyed since Bismarck was dismissed. However, military dictatorship as a solution for Germany's problems had already been canvassed by Admiral Tirpitz in 1915. Rejected at

the time, the essence of his plan was realized in the following year, when Hindenburg and Ludendorff, the heroes of the Eastern Front, came to the Supreme Command, the latter as First Quartermaster-General and the real power behind the scenes.

Even in pre-war days Ludendorff had achieved notoriety as the advocate of war in its pure Hegelian form, *Krieg as sich*. The scope and intensity of war was no longer to be determined by policy; war had its own "logic" as well as its own "grammar." Given this commitment to "absolute war," it was logical in a way that Ludendorff should follow the French example and concentrate, almost to the point of idolatry, on the factor of numbers. . . . His aim was to throw into the scales the whole physical potential of the German nation. . . .

In 1912 he succeeded in getting Reichstag authorization for two additional army corps and lobbied for three more in 1913. The alarmed War Ministry was convinced "that Ludendorff would end by driving Germany into revolution." It banished him to the provinces as a mere regimental commander for his chauvinism and the increase in the establishment was slowed down.

With the outbreak of war, however, the Ludendorff concept of a true Nation in Arms became a reality. Conscripts were now measured in the millions rather than in the hundreds of thousands. Even the officer corps was inundated with civilians in uniform—the one-year volunteers, bourgeois to a man, who literally swamped the few Junkers that survived the bloodletting of the Marne and the trench warfare afterwards. Thus from top to bottom the army was more representative of society than the pre-war establishment. From the theory of the Nation in Arms, one would assume that this should have curbed militaristic impulses, but when the power vacuum appeared at the apex of society in 1915-16, the army was of almost one mind in its demand that the vacuum should be filled by a military dictatorship. Ludendorff was no usurper imposing his will on a sullen Nation in Arms. He was a man of his milieu, whose domestic program was tailored to fit the anti-civilian prejudices of the frontline soldier, the militaristic civilian in uniform. His essential resource, as Taylor says, was "the confidence of the mass army."

Had Ludendorff confined his efforts to securing military autonomy vis-a-vis the court, this might have been regarded as a step forward. But the militaristic imperative drove him to annex the imperial political function and to apply the command principle everywhere. "Rarely in modern times has a military dictatorship achieved more unfettered license. . . ." Hardly a single sphere of political and economic affairs escaped the detailed interference of the Supreme Command (OHL)—armaments and munitions, raw materials, food, labor and trade union questions, the press, movies, general propaganda.

Ludendorff came out with a number of far-reaching schemes, many of which involved the most radical interference with the private lives of ordinary Germans. There were schemes for raising the birth rate, and for lessening the number of those evading military service, schemes for stopping flight from the land, schemes for making provision for returning soldiers by means of rural resettlement. A *Wehrschulgesetz* was to provide for the pre-military training of youth, and a *Reich-Aufklärungsamt* was to battle with subversive agitation. . . . and the brilliantly directed propaganda of the Allies. Most important of all, Ludendorff urged the introduction of compulsory service for all persons between the ages of fifteen and sixty and the mobilization of female labor for munitions.

This last is typical of Ludendorff, who was a fanatical believer in egalitarian national

service, the conscription of soldiers, labor, capital. He did not get all he wanted in this respect out of the Reichstag but he got enough, despite stiff union opposition. An auxiliary national service law was passed which restricted changes of employment and authorized the conscription of labor for defense-related industries. A long step had been taken toward transforming universal military service into universal national service.

Germany in World War I is a model case to illustrate the dangers of the military trespassing beyond professional boundaries. "It is hardly possible to point to a single instance in which its interference in German internal or foreign policy did not end by bringing about the opposite of what it meant to achieve. In November 1916, in the hope of adding several Polish divisions to the German war effort, Ludendorff forced through the proclamation of an independent Kingdom of Poland. This, "one of the worst political mistakes" of the war, rendered impossible a separate peace with Russia, negotiations for which were then progressing favorably. A few months later, there followed the decision for unrestricted submarine warfare, which made American intervention inevitable.

If Ludendorff . . . had had . . . to consider the arguments for and against a submarine campaign from a purely technical standpoint, his decision would certainly have been other than it was. It was not Ludendorff the Soldier but Ludendorff the Politician who insisted upon the initiation of a ruthless submarine campaign in the hope that thereby he would achieve the victorious peace which was necessary to him for political reasons.

The fact that Ludendorff's decision was taken for political reasons does not mean that politics was in command. The caste isolation of the German army, its maintenance as a self-contained world, now had its counterpart in the pursuit of absolute war, war as a compartmented end in itself, an act of blind passion uninformed by rational ends. The wars of unification from 1864 to 1870 had been limited wars, true instruments of policy, however much the servant had wanted to revolt against the master. World War I, however, became a total war, fought to achieve a total victory, and policy followed submissively in its wake. Germany did not go to war with annexationist ambitions. The German authorities had not wanted war and "they entered into it," according to Rosenberg, "without any distinct political object." As the war continued, however, the Germans developed the most fantastic and unrealistic ambitions, which implied "the virtual disappearance of independent states in Europe. . . ." Thus, war came and policy followed; the order of precedence is illuminating. "The aims had not led to the war but the war, once there, led to the aims. . . ." A war without limit had to have hopes without limit—hence the irrational faith in the submarine campaign. A war without limit had to have ends without limit, to justify the enormous sacrifices—hence the inordinately ambitious war aims.

It was the rigid insistence by the Supreme Command on annexationist war aims which stymied a series of possibilities in 1917 of arriving at a realistic peace on the basis of the *status quo ante bellum*. Total victory or total defeat—these were the only alternatives posed by Ludendorff's strategy. It was ironic that this strategy, which had called into being the politics of unlimited ends, should now find itself frustrated and defeated by its own creation. This was the case with the submarine campaign and with the Supreme Command's absurd Eastern policy in early 1918, which ensured the defeat of the last grand German offensive in the West. After trespassing professional boundaries and committing the nation to absolute war, the

men of the Supreme Command proved to be bad soldiers and worse politicians. In all this the nation acquiesced—as did, even more so, the Nation in Arms.

THE OPPOSITION TO MILITARISM IN WORLD WAR I

Although the Reichstag, too, could not override the Supreme Command, it must not be thought that it remained simply the self-effacing nullity of pre-war days. Like the military establishment it also benefited from the collapse of the Imperial constitution. "There was a trend towards military dictatorship as the only power capable of somehow administering the vast beleaguered fortress. . . . But there was also a trend towards parliamentary government, towards democracy." Since 1915 there had been a significant shift in party sentiment. By 1917 many middle-class and peasant voters had deserted the conservatives and the right-wing National Liberal Party; and within the Center Party the locus of power had shifted markedly to the left. A movement for constitutional reform had also emerged in 1915; suddenly, in March 1917, it broke through as a matter of majority sentiment in the Reichstag. The demand was made for parliamentary government on the British model, with the Chancellor and his secretaries of state responsible to the Reichstag and all army appointments countersigned by the War Minister, which meant that he would have to assume responsibility for them in parliament. These demands were shortly followed by others of similar "impudence," including the reform of the Upper House and of the Prussian suffrage.

In July the Reichstag demanded peace without annexations, making the problem of war aims the central issue of German politics. It was a blow against the military dictatorship and the proponents of absolute war—a "revolutionary action" which pre-saged the democratic republic of 1918, since it meant that a Reichstag majority, against absolutism, militarism and bureaucratic rule, had finally crystallized. The attack of the anti-government bloc, however, was not made on the Supreme Command directly but on the Chancellor, Bethmann, who was compelled to resign. His successor, the non-entity Michaelis, though a candidate of the Supreme Command, later fell afoul of the Reichstag, and his government was dismissed. The truth was being borne in that, if "there could be no Chancellor who did not get on with Ludendorff. . . . neither could there be one who was not at least tolerated by the Reichstag." All this flexing of the Reichstag muscle, though it did not change the essential power relationships, nevertheless was "a notable milestone on the political path of Germany."

In September 1917, after the Pope had addressed his note to the belligerents on behalf of peace, the Reichstag attempted to influence the negotiations by forming an unofficial committee—an unheard-of precedent, though it came to nothing in the end. The overthrow of Chancellor Michaelis in October 1918 was also the work of the Reichstag, which now demanded that his successor consult the Reichstag on all the main problems of domestic and foreign policy. Hertling, a member of the Center Party, was appointed as Michaelis' successor, with representatives of the Social Democratic and Progressive Parties as his deputies; in a formal sense, Germany appeared to have a government reflecting the parliamentary majority. "Viewed from this standpoint, Hertling's Chancellorship forms an interim period between the passing of the Peace Resolution and the Revolution in October 1918."

Nevertheless, if there were formal and even some real gains for the Reichstag, its history during this period has to be treated under the theme of "too little, too late." Had the determined Reichstag majority of 1917 been in existence in the summer of 1916, it could have established a parliamen-

tary regime then and there, two years before the fact. In 1916 the political situation was fluid and power was there simply for the taking. A year later it was too late; the military dictatorship was solidly ensconced and frustrated every Reichstag move. "Until September 1918 General Ludendorff brutally rejected every proposal for the introduction of parliamentary and democratic government into Germany." He was also "an irreconcilable enemy of any reform of the Prussian electoral system," as well as of other reforms—the relaxation of press censorship and of the ban on public meetings, above all, the compromise peace. Even the fall of Bethmann-Hollweg was ambiguous in its implications, since both Ludendorff and the Reichstag had maneuvered to this end. But if there was ambiguity over Bethmann's fall, there can be little misinterpretation of the practical outcome. If it was becoming the Reichstag's prerogative to oust chancellors, it was the Supreme Command's prerogative to appoint and dominate their successors. Michaelis, Bethmann's successor, "adopted all of Ludendorff's views without question," while Hertling's chancellorship "was, in truth, no more than a constitutional cloak thrown over Ludendorff's dictatorship."

And yet parliamentary government, if only in the formal sense, had taken several giant strides forward. The military dictatorship did not have behind it the overwhelming authority of the Emperor; the autocracy had been everywhere discredited and was no longer a decisive factor. The Supreme Command could exercise its dictatorship only because it had behind it the Nation in Arms and the confidence of the civilian sector in ultimate victory. But the support of neither was automatic; it could be sustained for a while by the "success myth" but was ultimately contingent on tangible results. By late September Ludendorff had to concede that an armistice was imperative. The collapse of the dictatorship was then sudden and complete. The Constitution was formally altered in a democratic direction, with the Chancellor responsible to the Reichstag and the appointment and dismissal of Army officers dependent upon the assent of the State Ministers of War, who were in turn subordinate to the Reichstag. The Emperor remained, but as a powerless figurehead; "the German Empire had become a constitutional monarchy of the same type as England." The whole democratization process had been carried out without the direct intervention of the people, much less the Nation in Arms. But that was only for the moment, for the "revolution from above" was almost immediately followed by a "revolution from below," which carried the democratization process further. As we shall see, it was to have totally unexpected consequences for the theory of the Nation in Arms.

If the theme of the Reichstag in World War I was "too little, too late," it was even more applicable to the conscript army. During the war the German forces suffered 27,000 battle deaths per million population, 94 percent of the total during the century from 1815 to 1918. These population-adjusted losses were more than 17 times greater than those of the three wars of unification, considered together, between 1864 and 1871. Yet the troops endured this senseless slaughter with passive stoicism. It is true that, in the summer of 1917, after the problem of peace had been raised and the Reichstag had called for constitutional reform, the Navy was shaken by disturbances "unprecedented in the history of Germany." It is curious that unrest should appear first, not among the troops at the front, but among the sailors of the fleet, cooped up in German harbors by the mightier English flotilla. It is curious, too, that it should appear first in a branch of service, which had traditionally relied more on voluntary enlistment than its land coun-

terpart, and, because of the idleness of the Fleet, probably had not escalated its conscript manpower demands significantly during the war. In any event the unrest in the Navy was quickly suppressed not to make its appearance again until after the fall of the dictatorship.

Even the mass political strikes of January 1918, involving a million or more workers, calling *inter alia* for the abolition of compulsory labor service, found no sympathetic echoes among the echelons of the Nation in Arms. The strike "demonstrated beyond all question that the German governmental system was doomed. The unconstitutional military dictatorship which Ludendorff had now been wielding for a year and a half was opposed at the very least by the entire working class in Germany." Yet the strikers were restricted to a short-lived demonstration rather than a revolt because "it was out of the question, in view of the strength of military discipline and the authority of the Supreme Command, that the troops would take the side of the strikers." The treatment of the workers was severe and the authorities made free use of the conscription power. The strike had to be called off. The Nation in Arms, filled with Social-Democratic workers and Catholic Trade-Unionists, did not waver in its support of the Supreme Command, whose authority was never less contested than during the following six months.

Too little, too late. It was not until after the military collapse had become public knowledge, after Ludendorff's abandonment of the dictatorship, after the legal establishment of parliamentary government on 28 October 1918, that there came the mighty upsurge from the ranks of the Nation in Arms. Again the sailors of the high seas fleet set the example, with their celebrated mutiny of 4 November at Kiel. From one end of Germany to the other—north and south from Hamburg to Munich, east and west from the French front to Berlin—the revolution raced across the land like flames in dry stubble. Sailors' councils, soldiers' councils, workers' councils, combined soldiers' and workers' councils proliferated. What was the aim? Was this explosion only an exclamation point ratifying with emphasis the previous "revolution from above"? The Reichstag majority thought to appease the revolution by sacrificing the figurehead Emperor, replacing the parliamentary monarchy with the parliamentary republic. But appeasement could not be bought so cheaply. The sailors and soldiers wanted to make peace certain by abolishing the authority of the officers, whom they suspected of a desire to continue the war simply to satisfy their antiquated concept of honor. Further, they wanted to smash the hated military system. Hence were formulated the sailors' councils and the soldiers' councils. Discipline was at an end; the ranks confronted the officers as a cohesive unit, negating their authority. Was this then what the soldiers wanted—to make the armed forces a fit place for the democratic Nation in Arms? It would apparently be a mistake of the first order to conclude that this was all they wanted. They had no intentions of staying around long enough to effect a thoroughgoing housecleaning. The authority of the officers neutralized, the men simply went home, the army literally melted away. They did not want to serve; they could not be made to serve. Where was the Nation in Arms? It could not be found; the soldiers had abolished conscription with their feet. This is what the German conscripts, determined democrats for the first time in German history, thought of the "democratic" practice of universal service.

It was a curious phenomenon. After a full century of passive acquiescence, the Nation in Arms was acting in accordance with theory, like a subject rather than an object

of the historical process. And yet its first independent act, in contradiction to theory, was—the abolition of the Nation in Arms!

THE TURN TO VOLUNTARISM, 1918-19

It is an interesting point that in each of the three great revolutions of modern times—the French of 1789-92, the Russian of 1917-18 and the German of 1918-19 when the people for almost the first time set foot in the political arena on their own account, making demands which their rulers were obliged to respect, if only for tactical reasons, the result has been the abolition of conscription and the establishment of voluntary enlistment.

In Russia, by the time of the Bolshevik Revolution of November 1917, the disintegration of the mass conscript army inherited from the Tsar was well advanced and what was left would soon disperse to a hundred thousand rural hamlets. Like the German soldiers of the following year, the peasants had simply abolished conscription with their feet. The Bolsheviks in principle favored a compulsory militia but in late 1917, in the "bourgeois-radical" honeymoon period of the revolution, they realized that "any attempt to carry out compulsory mobilization . . . would have been foredoomed to failure" because of popular opposition. Voluntary recruiting was accordingly formalized in a decree of January 1918, with higher pay and a three-months contract.

For the regime, of course, voluntarism was only a tactical expedient, but the leaders were open-minded enough to recognize its necessity for the moment. Some years later Karl Radek related the early discussions in the War Commissariat, during which the old Tsarist military experts who had agreed to serve the revolution put forward their own plans for the organization of the Army.

"Trotsky listened to their plans for several days . . . in silence. These were the plans of people who did not comprehend the upheaval going on before their eyes. Everyone of them replied to the question of how an army was to be organized on the old pattern. They did not grasp the metamorphosis wrought in the human material upon which the army is based. How the war experts laughed at the first voluntary troops organized by Comrade Trotsky in his capacity as Commissar of War! Old Borisov, one of the best Russian military writers, assured those Communists with whom he was obliged to come in contact, time and again, that nothing would come of this undertaking, that the army could only be built up on the basis of general conscription, and maintained by iron discipline. He did not grasp that the volunteer troops were the secure foundation pillars upon which the structure was to be erected, and that the masses of peasants and workers could not possibly be rallied around the flag of war again unless the broad masses were confronted by deadly danger. Without believing for a single moment that the volunteer army could save Russia, Trotsky organized it as an apparatus which he required for the creation of a new army."

The moment of "deadly danger" did not come until mid-1918, with the outbreak of civil war and Allied intervention. Conscription was gradually reintroduced. It was the story of the French Revolution all over again. Voluntarism as long as there was a popular revolutionary consensus, compulsion when there was a growth in passivity, internal polarization of opinion, and outside intervention.

The German military revolutionists of 1918 were equally determined to avoid compulsory service. The Armistice of 11 November had followed hard on the military revolution, but did not stop it. It was only then that it developed its full sweep, which proves that the soldiers were not concerned solely to stop the war. Nor was it their special concern to establish permanent revolution in the Army, however much the Soldiers' Coun-

cils might formally ape the Soldiers Councils (Soviets) of Russia. According to Craig, "the most pressing desire of most soldiers was for demobilization." The troops of the rear were already taking "French leave." The troops of the front maintained discipline only until they reached the German frontier and then the elemental flood lapped out in every direction. Many took their weapons and there was much senseless disorder, especially from Utopians who wanted to imitate the Bolshevik example. The "Spartacists," who later formed the original nucleus of the German Communist Party, were only a tiny minority of the population, but the disorder had the government and the army at its wits' end, because the conscripts dwindled daily and discipline among the remainder was non-existent.

Almost from the outset of the military revolution a few of the more discerning members of the Supreme Command, including Gröner, who had replaced Ludendorff as First Quartermaster-General, suspected that, if the German army were going to exist at all, it would have to be on the basis of volunteers. Volunteer units had begun to appear throughout Germany in November 1918; they had been largely spontaneous creations, "initially with little or no encouragement from the higher military authorities," who apparently felt it difficult to conceive of an Army recruited without compulsion. It was the success of these units in maintaining order and the despair of the Supreme Command over its own regular units which forced attention to *Freikorps* potentialities. As early as November 24, because of the especially chaotic conditions in the conscript army in the east, the OHL had been compelled to encourage the formation of volunteer border guards in that area. However, this was still thought of as a local expedient without general application.

The OHL did not learn its final lesson until after December 11, the day on which the first units returning from the Western Front reached Berlin. Ten whole divisions had marched to Berlin, but within a week there were less than a thousand men in all formations and within two weeks only about 150. The consternation of the Supreme Command is understandable; nothing like this had ever happened before in German or Prussian history. Conference followed conference at the worried General Staff. Finally, at a meeting on December 20, Gröner's personal aide-de-camp, the young Major Kurt von Schleicher, a flexible Junker who took his cue from the times, went directly to the heart of things and pronounced the dreaded formula: conscription was out; the only way to save the army was through volunteers.

Voluntarism was already in the air. On December 12 the provisional government had authorized the formation of a Civil Guard to be recruited from volunteers sympathetic to the Republic who would choose their own officers. The government's decision was enthusiastically ratified by the all-German Congress of Soldiers' and Workers' Councils on December 17. The hand of the Supreme Command was forced; if the old Army was to survive in any form it, too, would have to woo the population for volunteers. Gröner backed the proposal of his aide-de-camp, but Hindenburg was not at all in favor. It required the support of the Social-Democratic government to get the Supreme Command to try voluntarism as an experiment outside the formal structure of the army. "If the enterprise failed, the OHL would not be compromised because it was the Ebert government which was really responsible for hiring and paying the volunteers. . . ."

Once the example was set, the movement mushroomed, eventually reaching a strength of around 400,000. "The new 'force in being,' the *Freikorps*, were exactly what their name implies—free companies. They were often literally 'stamped out of the earth' by an

officer who felt the urge to form a company . . ." The *condottiere*, *Landksnecht*, "Freebooter" origin of the *Freikorps*, outside of a firm hierarchy of command, inevitably created difficulties of subordination; the *Freikorps* commanders, though successful in enforcing internal discipline, could not always be counted on to obey the responsible military authorities. Nevertheless, they were a mighty step forward in creating a professional force.

The *Freikorps* as such, of course, could only be a transition expedient. Nevertheless, by January 1919 the authorities were convinced that voluntarism was a necessary recruiting principle, whatever might be the other organizational aspects of the new army. In February General von Seeckt of the General Staff submitted to the High Command a rough plan for a new peacetime army of 200,000 troops, voluntarily recruited for two-year terms. Conscription would be resorted to only in case the necessary volunteers were not forthcoming. Behind the volunteer regular army, however, would be a compulsory militia, based on a three months initial training period and annual exercises. In the following month a law for a provisional army (*Reichswehr*) was promulgated. Though it allowed for as many as 400,000 troops—the High Command, anticipating Allied objections, later proposed 300,000—the voluntary principle was retained for the regular army, with compulsion for the back-up militia. However, before the reorganization could be completed, the news of the restrictions demanded by the Allies at Versailles fell like a bombshell. The strength ceiling was set by the peace treaty at 100,000 and, at British insistence, conscription was prohibited. Enlistment terms were unconscionably long—12 years for the rank and file and 25 years for newly enlisted officers. The timetable for the reduction in force, as finally revised, called for the completion of the first stage within three months of the coming into effect of the treaty in January 1920 and of the last stage by January 1921.

Thus, whereas the initial establishment of a volunteer army had been the work of the Germans, its continued existence was the work of the Entente. Had the Versailles restrictions not been in effect, the Germans would almost certainly have reverted to conscription shortly after 1920 when there began the long-term shift to the Right in German political sentiment that was to culminate in the Nazi regime of the thirties. Even in 1918-19 almost no one in the civil government, the Army or the party hierarchies had a good word to say for the volunteer professional army in principle. In the debate over the Permanent Reichswehr Law in 1920, all of the parties, with the exception of the Independent Socialists—and the Communists, who remained silent—expressed regret at the elimination of conscription. The Right in the Reichstag "eulogized the Imperial Army, protesting bitterly at the idea of a 'mercenary army.'" The 1920 program of the new Nazi Party demanded, above all, the "abolition of the mercenary army and formation of a national army," a euphemism for a conscript army, just as "mercenary army" was a universal swear-word for a voluntary standing force. There is, it seems, nothing new in these matters, not even the language.

CIVIL-MILITARY RELATIONS, OCTOBER-DECEMBER 1918

During the 1918-19 period, when voluntarism was an indigenous response and not imposed, there was more civilian control, less militarism in society, more democracy, better treatment of the rank and file, and an increase in military efficiency. The relative superiority of the early Republican Army in these respects has been inadequately appreciated; its achievements even underestimated. Some writers feel that the relationship between Army and regime during this period was not one of servant to master but

ally to ally. Because of this alliance "on the basis of equality" rather than of subordination, "the Weimar Republic was doomed at birth." The evidence suggests, however, that the circumstances, mood and real power relationships of the period all conspired to enforce a large degree of "objective" civilian control.

Completely unprecedented, for example, was the ease with which the Army accepted the principle and the fact of civilian control in October 1918. In the case of Ludendorff, all immodest pretensions were immediately laid aside from the latter part of September; "the once arrogant and masterful First Quartermaster-General was in the grip of panic and despair." The collapse of confidence was so total that the military leadership did not so much accept civilian control as seek it. The army was subordinated to the civil government, the Kaiser's military appointments had to be countersigned by the Chancellor, and the Military Cabinet was placed under the firm control of the War Ministry. The new arrangement was accepted with good grace by the military authorities. Nor was there a ripple of opposition over Ludendorff's resignation on 26 October. His dismissal was "calm and frictionless, the easiest thing in the world. . . . Field Marshal von Hindenburg remained at his post, and thereby demonstrated his readiness to cooperate with middle-class democracy."

Hindenburg's action was merely typical of the general feeling. Had there not been a readiness, a psychological receptivity for the revolution, it could not have been so tame and bloodless as it was. The beneficiaries of the old caste system took the upheaval meekly as sinners. . . .

On 7 November at Spa, when the Center Party leader Erzberger was designated to head the German armistice delegation, Hindenburg observed that this was the first armistice ever concluded by politicians. With this novelty "the field marshal declared himself completely in agreement. The Supreme Command, he laconically explained, had no more political directives to issue."

This was not dissimulation: the army had indeed learned its lesson. In 1924 General von Schoenaich concluded from his study of the war that "we owe our ruin to the supremacy of our military authorities over civilian authorities; and that is the very essence of militarism. . . ." Under the republic this came to be the view of both junior and senior officers—General Gröner, Ludendorff's successor as First Quartermaster-General in 1918-19; General Reinhardt, head of the Provisional Reichswehr in 1919; General Seeckt, head of the permanent Reichswehr from 1920 to 1926; his successor, General Wilhelm Heye. Heye was quite straightforward in his commitment to civilian control. "The Reichswehr," he said, "is an obedient instrument of the State." Gröner was equally blunt. Asked by a friend in 1928 to define the general attitude of the Army, he declared it "a complete mistake to ask where the Reichswehr stands. The Reichswehr does what it is ordered to do, and that's all there is to it." Ten years had not sufficed to reconvert the General from civilian control.

Gröner, indeed, was a fine specimen of the new German Army. He has been described as "a friend of bourgeois democracy" and "a man of principle who was sincerely concerned to put an effective power instrument into the hands of the young republic." Another appraisal is in the same vein. Gröner was "a professional and not just a caste soldier, to whom soldiering and even war was a business with very little romance in it. . . . He was the very reverse of what the foreigner holds to be a Prussian officer. . . ."

Gröner's first test as Ludendorff's successor came at the famous Crown Council of 9 November at Spa. The popular upsurge triggered off by the military revolution had

seized upon the whole of Germany and the new parliamentary government, anxious to propitiate popular anger, had demanded the Kaiser's abdication on 7 November. Gröner had already put the question confidentially to army and army-group commanders on the Western front; would the troops fight for the Emperor against the people? The very fact that the soldiers' obedience had to be investigated showed the amazing transformation undergone by the German Army. The replies to his question came back from the front commanders: only one said the troops would fight; 23 said they would not; 15 were uncertain. It was the unpleasant duty of Heye of OHL to communicate the poll results to the Emperor. Still inclined to resist, the latter made reference at Spa to the duty imposed by the soldier's oath. Gröner had to tell him the facts of life, that under the circumstances the soldier's oath was a fiction. He was backed up by Hindenburg, who "had no intention of doing anything against the spirit of the age." The crestfallen Kaiser went into exile, hurt that his army should have abandoned him, and a republican government was formed, a coalition of Majority and Independent Social-Democrats headed up by Fritz Ebert. On the same day that the new government was formed (10 November), Hindenburg, Gröner, the whole army swore an oath of allegiance.

On the previous evening Gröner had made his famous and still controversial—phone call to Ebert, putting the Army at the Government's disposal, and declaring its readiness to bring the troops home peacefully and to deal with the Soldiers' Councils "in a friendly spirit." Responding to a query from Ebert as to what the army expected from the Government, Gröner said the OHL expected it to help maintain army discipline and to combat Bolshevism. Ebert readily agreed; both the Government and the Army, in this respect at least, had the same basic objectives.

When the details of this "understanding" later became known, it raised a storm and has been raising a storm every since. The problem of whether the Government should have concluded a "pact" at all with the Army, whether it would have been better to raise its own Army *de novo*, seems a point worth debating, but once the decision was made to find a place for the old army in the Republic, all the other objections seem to fall to the ground. The pact has been described as "conditional," but without these "conditions" it was pointless to conclude any kind of pact at all. The agreement to combat Spartacist insurrectionism was not a condition of a particular relationship between Army and Government, it was the condition of any relationship; it was a condition of the very existence of both parties. Strictly speaking, Gröner's "conditions" could just as well have been left unformulated. If the regime did not want to combat Bolshevism, if it intended to placate or ally itself with Bolshevism, then it certainly did not need the army and was, in fact, the army's enemy, since Bolshevism meant the end of the army. The very fact that the regime did want a positive relationship with the army implied as a necessary precondition that it also wanted to combat Bolshevism. And if the regime did want to use the army, then the army had to be in a position to act and it could not act without discipline. Even here Gröner confined the Army's "expectations" to the bare necessities. He did not ask for the disbandment of the Soldiers' Councils; had it wanted to, the regime could not have delivered on that. Gröner promised to treat the Councils in a "friendly spirit," all he asked was assistance from the government in maintaining the minimum discipline required to do the job desired by the government itself.

It is likely the Gröner put his so-called conditions only for the purpose of testing

Ebert's understanding of the facts of life and as reassurance to the officer corps that, in the regime's eyes, it still had a place in the scheme of things; after all, the distinction between Social Democracy and Bolshevism was not very clear in the average officer's eyes. To be sure the sophisticated Gröner himself probably needed no such reassurance, but no doubt he was gratified to have his "suspicions" confirmed in a way that he could report back to the Supreme Command. No doubt, too, he was pleased at the opportunity to let the regime know that discipline was required to enable the army to carry out the tasks which the regime itself wanted to be performed. As military adviser to the new government, Gröner had the right and the duty to inform it of the Army's requirements to do its job.

Was there anything more involved than this? Certainly the Supreme Command had no designs on the Republic. Gröner told Ebert—and no authority has doubted his sincerity—that "as long as the Field Marshal and I are at the head of the Supreme Command, I can give you the binding assurance: we have not the slightest thought of counter-revolution." As for Ebert, all he promised was to "combat Bolshevism in return for the support of the Supreme Command. He did not . . . deliberately deliver up the entire Revolution into the hands of the reactionary army. . . ." His freedom of action was hardly compromised by an agreement to do precisely that which objective circumstances and subjective decisional-ready dictated. The "agreement" between the two men was laconically summed up in Gröner's diary on the following day: "The Supreme Command puts itself at the government's disposal." These are the words of a subordinate, not an ally.

Words and motives aside, the powers of the two groups must also be considered. In its own, civilian sphere, the government had the backing of an overwhelming majority of the population, which in the main was anti-militaristic, if not downright anti-military. There was an almost unanimous revulsion against the Empire and Imperial ways. The only enemy was on the Left—that small minority of Spartacists, without the numbers, the discipline or the stomach for a determined seizure and retention of power. Moreover, Spartacism was as great a threat to the army as to the regime. The army simply had no *point d'appui* from which to maneuver against the government on its own ground. To be sure, the overwhelming authority enjoyed by the regime was moral, but it would not have been too difficult to translate that moral hegemony into physical force, should the officer corps not prove a reliable tool.

In contrast to the government camp, the army was as a house divided. "Some ten thousand soldiers' councils had been created in the Army. At the end of November there came into being a Central Soldiers' Council, a sort of Army parliament, a thing wholly without precedent in the annals of the German Army. . . ." Politically the Central Council was in the pocket of Social Democracy; not even the Spartacist leaders could get elected here, much less a candidate of the officers' corps.

The overwhelming majority of the soldiers . . . wished for a democratic republic, and supported Ebert's government. There did not exist in Germany in those days a single military group worthy of mention either of the Right or the Left which was in opposition to the Government. Hence the Republican Government had an immense military support at its disposal, and any revolt against its authority was doomed to failure from the outset. . . . The Supreme Command recognized this truth. . . .

The Supreme Command did recognize this truth, and it was brought home to it again

on each of the few occasions when, anxious to restore order, it expanded its proper role of adviser to the regime. The army could not control its own troops, much less speak to its "ally" in the tones of equality or authority. In the days following the humiliating Christmas Eve attempt to establish order in Berlin, the "same officers who had been most active in urging the use of force to smash the revolution, now argued that it was useless to fight against fate, that the Supreme Command should dissolve, and that the officers should return to their homes to protect their families as best they could. . . ." It took all of Gröner's determined optimism to dissipate their panic and convince them that help was on the way from the Freikorps, the first of which was then training in Westphalia.

On 4 January 1919 Chancellor Ebert and War Minister Noske were invited to the Freikorps camp at Zossen. "There, to their intense surprise they found a force of four thousand men fully equipped and disciplined, who passed in review on the snow-covered parade ground in impeccable order, according . . . full military honours to civilians." This was the first volunteer unit in German history since the Napoleonic Wars. It was also the first time, as General von Luttwitz informed Ebert at the time, not without a sense of wonder, that a general salute had even been given to civilians by German troops. And what civilians! Both men were Social Democrats, designated since the 1870's as the internal enemy of the Hohenzollern Empire. Yet each member of the parading Freikorps had given a written oath of "loyal service to the Provisional Government of Chancellor Ebert until the National Assembly has constituted a definitive government."

CIVIL-MILITARY RELATIONS, 1919

The formation of the Freikorps was the turning of the tide against disorder. Over the next few months Communist insurrections and disturbances were put down all over Germany. Extremism was quelled and in the elections of January 1919 Social Democracy won enough seats in the National Assembly so that, in union with the Center and Democratic Parties, it was strong enough to draft a democratic constitution.

Under the Weimar constitution, the army was stripped of some of those functions which tended to favor caste isolation, such as a completely separate legal system. The members of the Reichswehr were subject, except in time of war, to civil rather than military courts; the latter—including the courts of honor—being abolished. All military men had to take an oath of allegiance to the constitution, which gave to the democratically elected President (Ebert until 1925) supreme command of the army. All acts of the President had to be countersigned by the Chancellor, who was in turn responsible to Parliament. The actual administration of the army was entrusted to a single Reichswehr Ministry whose chief (the Social Democrat Noske until 1920) was subject to interpellation in the Reichstag. On paper a single chain of command emanated downward from the Chief der Heeresleitung (Chief of the Army Command), General Reinhardt, who was directly subordinate to the Reichswehr Minister. In practice two other power centers developed in quasi-independence from this highest, purely military authority—one headed by General Littwitz who, in effect, had operational control of the field army, and another headed by General von Seeckt, who as Chief des Truppenamts (Chief of the Troops Office), inherited the functions of the old German Staff. Gordon speaks of this tendency to divided command as having a negative effect. This would have been the case under Imperial conditions, when the crying need was for army unity against the irresponsible crown and the court camarilla. Under civilian control, however, it was perhaps wiser to fragment authority below the min-

isterial level, to ensure the hegemony of the responsible civilian authorities.

In any event, the new constitution substantially altered civil-military relations. On the one hand, "the substitution of the civilian President and Reichswehr Minister for the at least quasi-military Kaiser and the military War Minister subjected the army to a greater degree of civilian authority than had hitherto been the case." On the other hand, in its dealings with the civilian government, the army "succeeded in maintaining its essential autonomy in purely internal military matters." This was the professional ideal. The military experts would be encouraged to dedicate themselves to their specialty without outside interference. The very logic of the differentiation process would then prevent the politicization of the military establishment, provided civilian institutions were viable and secure enough in the affections of the population.

The question is whether the German state system was mature enough to support a *laissez-faire* approach in military affairs. Few have believed this to be the case. Even in 1919, it is said, Germany had a problem of polarization in popular views with regard to the Army which we in the United States—and in Britain—have not encountered to the same degree. In the U.S. there has traditionally been a general consensus among broad groups of the population as to the army's mission and basic structure, the gaps between opposing views being relatively narrow. In early Weimar Germany, however, public and party opinion tended to splinter on this question. Many were not simply anti-militarist but also anti-military; others, while granting the necessity of a military establishment, distrusted the old officer corps and felt that the Republic should build its own army with reliable anti-militarist officers and men. A large number of Germans—especially Majority and Independent Socialists, almost half the population—would not enter the army on this account, either because they were pacifists or, especially, because they did not want to serve under "reactionaries." The consequence was that, while the officers and enlisted ranks were represented by all classes of the population, in general it was the more conservative elements of these classes which predominated, even though there was no concerted effort to achieve this result through political tests. It is true that at least 13 Republicans' Freikorps were in existence in 1919, of which at least six (probably seven) can be definitely traced into the Reichswehr as cadre groups. It is also true that in the other Freikorps, there were Jews, liberals and even Socialists. Nevertheless, on the whole conservatives and nationalists predominated, not out of design but because of *laissez-faire* conditions of recruiting.

Criticism of Republican policy toward the army in these matters has not been usually directed at voluntary recruiting *per se*. On the one hand, objections have been made to the failure of the democratic parties—especially the Social Democrats—to stimulate volunteers of the right republican principles and, on the other hand, to the failure of the Republic to control recruiting, leaving to the army itself the right of selecting from the volunteers who presented themselves. Autonomous recruitment made sense in the days of Scharnhorst and Gneisenau, when the aim was to protect the military bureaucracy from arbitrary intervention by an absolute monarch. It also makes sense in mature political cultures, where there are no deep divisions in political attitudes toward the army. But army co-optation, it can be argued, made less sense in a relatively immature democratic society just emerging from its chrysalis, precisely because a consensus over the army and its role had not been reached.

Others would go further and insist that the Republic should never have made its "pact" with the old army. This was the view of the Independent Socialists as a group and of individual Majority Socialists as well. In the opinion of Arthur Rosenberg, himself a former Independent, "it was a mistake to leave the imperial generals at the head of the army. Every serious revolution that has broken out among the masses of the people has created its own particular defence force and produced its own army leaders and military organizers. . . . So it was in the great English Revolution, in the French and the Russian Revolution. But . . . the men of the German Revolution did not even feel that they could bring their army home from the front without the help of the Imperial General Staff."

Thus Rosenberg does not object to the voluntary principle as such. His resentment is aimed at a voluntary army derived from the officer corps of the old Imperial army. The Republic should have made a greater effort to create its own Freikorps, the requirements for which were not large. The cowed Right was quiescent; the only threat was from the Spartacists. Against them, the Government could have held its own with ten thousand republican and democratically minded volunteers in Berlin, and fifty thousand throughout the Reich. . . . Immediately after the end of a war in which millions of Socialist workmen had borne arms, it would certainly have been possible with a little goodwill and a certain amount of energy to raise a republican guard. But the Majority Socialist Government had not the confidence to embark upon a military task of this kind. They believed in the promises made by the officers and thought that only troops of the old type could be really useful. . . .

Perhaps there is something to be said for this view. The quarrel comes when it is advanced as a panacea. Correct civil military relations cannot be conquered once and for all simply by the imposition of an ideal organizational pattern. The decisive factor is the strength of the modernization impulse, the impulse to integration on the basis of differentiation. If it is strong enough, the military will operate responsibly, in spite of tradition and subjective misgivings. If it is not strong enough, then functional boundaries will be washed away, the army will be politicized and society militarized, regardless of the initial structure or composition of the army. In the great modern revolutions—the English in the 1640's, the French in 1789-92 and the Russian in 1917—the old armies were smashed and new ones created more in accordance with the modernizing spirit of the times. Yet what happened? Out of the Puritan Revolution came Cromwell and the major-generals, out of the French Revolution Napoleon, out of the Russian Revolution Stalin. Too, it is not entirely clear in some of these cases that the new revolutionary armies acted as a superior brake on the retrogressive process when it came. In the course of the Russian Civil War of 1918-20, for example, War Commissar Trotsky found that civilian revolutionaries for the most part made poor troop commanders, so that he had to turn to ex-officers of the Old Imperial Army, who ultimately comprised four-fifths of the Red Army officer corps at its peak. Yet it was not from these *voenspetsy* that Stalin later drew his main support in the army; it came from the impeccable "proletarian" elements, those devoted to the Soviet Republic, such as Voroshilov.

The decisive factor was the strength of the impulse to differentiation and the viability of Republican institutions. These conditions seem to have been present in 1918-19; had they continued into the 1920's there is every reason to believe that objective civilian control could have been maintained in spite of the subjective conservatism of the army as

a whole. In party stability, general political maturity, experience and efficiency the Weimar Assembly of 1919 was far above its counterparts of 1848, the New Era and the Constitutional Conflict, or the North German Confederation of 1867. It is true that the Germans were committed to the multi-party system rather than the more stable two-party system of the Anglo-Saxon world, but this is no necessary bar to stability provided ideological divisions are not so deep as to paralyze coalition governments. Even in the worsened atmosphere of the 1920's there was a period (1926-27) when the Germans seemed to be on the verge of an alternating two-coalition system.

In the elections of January 1919 the Majority Social Democrats were the strongest party with almost 38 percent of the vote, a larger percentage than the Nazis received in the last free elections before their assumption of power in 1933 (33 percent). Their abstract Marxism inhibited but did not prevent effective collaboration with the other democratic parties. In its doctrinal antipathy to differentiation Social Democracy represented a lapse into primitivism; but in its action program it was a legitimate heir of the bourgeois liberalism of 1838. Although a labor party, their objective was "to carry through the radical middle-class revolution," and for this reason they could command the support of elements other than the workers. Their leadership meant a further liberalization of state and society—more democracy, secularization, differentiation, social mobility, anti-militarism, urbanization, capitalist vigor, not socialism. For this reason it was possible to work constructively with the progressives (now called the Democrats) and with the Catholic Center, both of which parties had been radicalized (in the classical bourgeois-democratic sense) by the war and the revolution.

The outcome of the elections was resounding victory for political democracy. The three leading parties, which were pledged to unequivocal support of the new regime, accounted for more than seventy-five percent of all the votes cast. This gave the lie to those who doubted the German people's willingness to rally round the republic. The two parties of the Right received between them less than fifteen percent of the total vote. The monarchist cause seemed utterly hopeless. And equally dreary appeared the prospects of left-wing radicalism. The friends of democracy had every reason to rejoice. . . .

The Radical Right was virtually nonexistent in 1918-19, an affair of minute splinter groups without prospects. The German Workers Party of Munich—out of which came the Nazi Party in 1920—had been founded in January 1919 with a membership of about 40 and was the successor of another organization just as obscure which had been established in March 1918, also of about 40 members. When Hitler came across the Party in July 1919, it seems to have had around 60 members and seven marks fifty pfennigs in the treasury. At the beginning of 1920 it had 64 members, which certainly does not suggest any mushroom growth. The party was not even organized on an authoritarian basis; the totalitarian "leader principle," with its cult of personality, was not imposed even in a rudimentary form until 1921. Nothing distressed Hitler more than this inner-Party democracy. The movement, he felt, could never amount to much with an elected committee which "was exactly what it was trying to combat, a parliament on a small scale. Here, too, the vote ruled. . . ." Nor was the party formally committed to anti-Semitism; the chairman of the party, the journalist Karl Harrer, was even opposed to it. "When in October 1919 Hitler spoke for the first time in the comparative publicity

of something over a hundred people, Harrer at the conclusion stepped on to the platform and uttered a warning against noisy anti-Semitism. For at this time the youthful Party still felt itself to be a Party of the Left." It was not until 1920 that Hitler succeeded in inserting an anti-Semitic plank into the new Party programme, and even then it was a "compromise victory" and "very far removed from any advocacy of actual physical ill-treatment of Jews." Hitler himself has frankly recorded the difficulties involved in pursuing a systematic campaign against the Jews in 1918-19. "If one so much as uttered the word Jew, either one was stupidly gaped at, or one experienced the most violent resistance. Our first attempts to show the public the real enemy then seemed almost hopeless, and only very slowly did things begin to take a better turn." Clearly, it is not in the Germany of 1918-19 that one must seek the origins of the totalitarian movement which would eventually sweep away German democracy.

It is also not in this period that one should seek the unbridled chauvinism that accompanied and followed the fall of the Republic. Villard, who was in Germany in 1919, has written that, "never was a majority of men and women of the Reich more ready to hear the voice of reason; to admit their nation's errors; to seek the friendship and good-will of all the world; to make impossible a recurrence of so incredible a catastrophe; to build a new society. . . . No one could mingle with them in the beginning of 1919 and hear any hymns of hate, any talk of revenge, and boasts that thirty years thereafter they would once more turn the tables."

Even in 1924, when the climate had changed considerably for the worse, Coar could still report that "voices are heard in Germany today condemning militarism in terms that were quite impossible before the war. . . ." Only one who believes that the military establishment exists in vacuum can feel that the German army was unaffected by this civilian sentiment. There is a close connection between militarism in the society at large and the abandonment by an army of the "military way."

Nevertheless, the belief is widespread that the Freikorps were an ultra-nationalist precursor of Nazism. However, as Gordon points out, this is reading into the Freikorps movement of 1919 something that developed only after 1920 when some of those hundreds of thousands who had belonged to the Freikorps but had been rejected by the Reichswehr could put down no roots in civilian life and ended up in one or another of the private armies—Nazi, Nationalist, Communist—that contributed so much to the violence and instability of the period. In 1919, however, the ultra-nationalist units formed only a small minority and, "as discipline became more firmly established, most of these men were either forced out of the service or persuaded to adopt a more moderate attitude. By 1926 they hardly constituted a major problem within the Reichswehr." Like the rabid monarchism of a few officers, the ultra-nationalism of another minority was not a practical problem in 1919. Subjectively, they might have been super patriots who loathed the Republic; objectively, they served the Republic faithfully and, in effect, could do no other.

Even Rosenberg had to admit, in effect, that there was objective civilian control in 1919 when he says that, for all of the hatred of the Freikorps for the new rulers of Germany, nevertheless "they were obliged for the time being to serve the Majority Socialists" and to secure the Republic from its enemies. In general, "the troops were ably headed" and not sent on illegitimate assignments. As Pinson says of Defense Minister Noske's use of the Freikorps, "every act of repression that he ordered was forced upon him by a putschist or insurrectionary

act of the Spartacists. . . . What he did was always carried out on instructions from and with the consent of the government." It is interesting that, in 1919, very few Majority Socialists were concerned about republicanizing the army; they suddenly woke up to this need only in 1920, when problems were quite different. Olden, a severe critic of the Social Democratic bargain with the old officer corps, was a firm believer in the notion of "once an Imperial officer, always an Imperial officer." According to him, "whoever looked closely into the army—which the democratic politicians were hardly able to—knew that the officers would use the first opportunity to overthrow the despised Republic." This is an audacious conclusion even for the Reichswehr of the 1920's, but "in 1919," as he himself admits, "the situation was less clear, more disguised and concealed, and it was some time before it revealed itself plainly. . . ."

It is interesting that Hitler himself had only contempt for the volunteer units of 1919. In his opinion, they did not deserve the title of Freikorps because they were not free agents. They had no "free conviction of their own," no "political idea," and therefore they languished "in the mercenary service of the Republic." They were a "servant of the conditions of the revolution," a "complement to the state's instruments of power," objective agents of the international Jew, whose task it was "to protect, and thus for practical purposes to secure," the Republican revolution. "We cannot consider this fact often and closely enough. . . ."

The only serious crisis in civil-military relations in 1919 was the consequence of the dictated Peace of Versailles. At first the population and the parties were unanimously against signing the Treaty because of its unexpected and undeserved harshness, but it was unthinkable that Germany should take up arms again. Had the civilian authorities maintained a united front when the Entente proved obdurate, there would have been no problem with the military. It was only after a split in the cabinet and the referral of the whole decision to the hopelessly divided National Assembly that certain sections of the military were encouraged to intervene against signature. Only the good sense and firm character of President Ebert and General Gröner saved the politicians and the generals from their thoughtless folly. Gröner rejected with heat the suggestion that the Supreme Command lead an insurrection should the regime elect to sign the Treaty, declaring that military resistance was a hopelessly romantic gesture from which nothing but greater ruin would ensue; further, "to think that generals can assume political direction of such a movement is absurd." If the soldiers refused to accept the decision of the lawful authorities, they would lose any semblance of popular support and Germany would be plunged into revolution. "In the end," says Craig, "his cold realism prevailed, for no attempt was in fact made to revolt against the government's decision."

Nevertheless, the internal quarrel over acceptance of the peace terms was not without its scars on civil-military relations. For this historical opinion has been inclined to blame the revanchist spirit of the Versailles Treaty, which placed those responsible for signing it in a difficult position vis-à-vis the intransigent nationalists. No doubt Versailles was a blow at German democracy, but the evidence does not suggest that either the army or the people were prepared yet to displace much of their legitimate grievances from the Allies onto the republic; that type of misplaced aggression belonged to the more pathological atmosphere of the 1920's rather than to the immediate aftermath of the Treaty signature in June 1919. Certainly General Reinhardt, who led the military opposition, bore no grudge against War Minis-

ter Noske. He was apparently still willing, as Gordon puts it, "to subordinate the Reichswehr to the new civil authorities and to accept some civilian interference in military affairs as being a necessary corollary to the Revolution." It is said that "the officers and men of the Reichswehr, including the generals, were solidly behind Noske before the acceptance of the Treaty of Versailles. There were a few disgruntled radicals . . . but they found little support for their views. . . ."

After Versailles the War Minister's popularity was reduced in certain military circles, but the "available evidence indicates that the majority of the Officer Corps, including almost all of the responsible commanders, still supported Noske. . . . Despite his socialism, despite his insistence upon obedience to the new regime, despite his steady reduction of the size of the army, Noske won the respect and confidence of the officers as a group—no mean achievement." It is the relative ease with which Noske was able to carry out initial reductions in strength which suggests that civil-military relations were not irreparably harmed by the Versailles Treaty in itself. The Provisional Reichswehr at its peak contained some 400,000 men, which the Treaty required to be reduced to 100,000. One could hardly deprive hundreds of thousands of men and thousands of officers of their careers and livelihood without creating a good deal of anxiety and ill will. Yet it was not until March 1920, after most of the reductions had taken place, that any of the units revolted which were scheduled for disbandment. But by then there was the beginning of a different political atmosphere in Germany as a whole, and it was this coalescence of military grievances and civilian political disaffection which made for an explosive situation.

What about the treatment of the common soldier under voluntarism? Proponents of conscription have sometimes felt that voluntary recruits would be forgotten men left to the mercy of their officers, who would brutalize them in the fashion of the eighteenth century. This was not true for Germany. In the Reichstag the Social Democrats especially took up the cause of the enlisted men—in matters of pay, living conditions, mistreatment, welfare, professional training. Joined with this external support were provisions enabling the soldiers to stand up for their own interests. The very first Freikorps formed had a system of "Trusted Men" (*Vertrauensleute*), which was subsequently carried over into the Reichswehr as a standard institution. The Trusted Men were elected by the soldiers themselves from their own ranks and were given the right to take part in the formulation of all plans and policies concerned with the enlisted man's welfare—pay, food, clothing, quarters, furloughs. They were specifically forbidden to concern themselves with command matters, but they did have the utterly unprecedented function of furthering the enlisted men's social and economic interests, including the presentation of grievances to the proper authorities, with the right of appeal through Trusted Men at higher-level units all the way up to the Minister of Defense and the President of the Republic. For the rank and file voluntarism clearly paid off. "The pay of the enlisted men in the Reichswehr, whether private or N.C.O., was far better than it had been in the Imperial Army," and this was true of his food, living conditions and general morale as well. The soldier was given "decent treatment . . . more privileges . . . and, most important of all, was no longer made to feel that he was a 'human being, second class.'" This new policy . . . greatly reduced the chasm that separated the officer from his men." Without impairing discipline in the slightest, the internal social relationships of the army "were more reasonable and humane," "understanding and impartial justice became normal," and "soldiers and of-

Officers were probably less antagonistic toward one another than were those in any other European army of its time."

Nor did the quality of the German volunteer army suffer when it could no longer draft the flower of the nation as conscripts for the ranks and "one-year volunteers" for the officer corps. Testimony on this score is again unanimous. Wheeler-Bennett called the Reichswehr "the finest army in the world." Craig says it "had no equal in Europe." According to Gordon, "the Reichswehr reached a state of proficiency which few armies have attained before or since" It was, he says, "a magnificent army . . . more efficient than its predecessors, . . . its organization more compact and rational."

The Reichswehr was that rare phenomenon—a truly professional army. Not merely the officers, but the enlisted men as well . . . were expected to study their profession as they were doctors, lawyers, or academicians. . . .

The shift in the German political and social climate occasioned by the revolution actually helped rather than hindered the new orientation. "No longer the darling of society, the officer was now forced to maintain himself in a world which had little sympathy for his calling or outlook, and he was, therefore, essentially dependent upon the real spirit of his professional tradition." According to Craig, "educational attainments now became more important than they had ever been in the days of the empire or even in the days of Scharnhorst." This was also true for enlisted men, especially since promotion into the officer corps "was far easier than it had been in the Imperial Army," that "democratic" Nation in Arms. As Rosinski says, "the physical and intellectual standards of the rank and file were raised to levels hitherto unknown and unachievable in any force based upon conscription."

The volunteer army provided the setting for a real "revival of military thought, which had suffered a general decline during the latter half of the nineteenth century." Especially since the 1880's, with the emergence of the theory of absolute war, German strategy had tended to place a disproportionate emphasis on the offensive as the only proper form of warfare. In the Reichswehr period, however, the defensive again came into its own, but in a balanced way. The Germans did not swing to the other extreme as did the French, with their Maginot mentality which apotheosized static warfare. Under General von Seeckt's promptings, the Reichswehr returned to the sound tradition of mobility as the key to success.

THE KAPP PUTSCH OF MARCH, 1920

In the course of the year 1920 the signs began to multiply that the Weimar Republic was in trouble. A shift to the Right in the elections of June 1920 seriously impaired the strength of the parties of the Weimar Coalition. In 1919 they had commanded more than three-fourths of the total votes; but in 1920 less than half (43.6 percent). The voters were beginning to move towards the extremes. The two parties of the Right—the Nationalists and the Populists—together received 28.2 percent of the votes, compared with only 14.7 in 1919. On the Left, the Independent Socialist vote rose dramatically from 7.6 to 18.8 percent of the total. More sinister was the first appearance of totalitarian movements, which in 1919 had been non-existent. In 1920 two Communist deputies were returned to the Reichstag; in November 1932 there were to be exactly 100.

The growth of a totalitarianism of the Left was paralleled by the rise of a totalitarianism of the Right—the Nazis. Whereas in 1920 the Party had been too inconsequential to put up candidates for the Reichstag, in the next elections, in March 1924, thirty-two deputies were returned. This remained the high point for some years; in the elections of December 1924 the anti-Semitic deputies

fell to 14 and then to 12 in May 1928. Then came the Great Depression and the complete unravelling of the social and political fabric. In September 1930 the Nazis won 107 seats in the Reichstag and then 230 in July 1932, with 37.4 percent of the vote. Together with 14.5 percent of the Communists, this yielded up a popular majority for totalitarianism of one form or another. By this time parliamentary government had collapsed and Germany was being ruled by decree, with a "substitute absolute monarch" in the shape of the President of the Republic, Marshal Hindenburg. The bayonets of the Reichswehr alone stood between a moribund democracy and National Socialist nihilism.

All during this period the Germans retained a voluntary army, which certainly shows that voluntarism in military recruitment, in itself, cannot prevent a breakdown in modernization. But the Germans did not retain voluntary recruiting of their own free will. Prevented from reintroducing compulsory military service by the Versailles Treaty, they groped for substitutes, disassociating the two elements of compulsory service and military service. As early as 1921, the Center Party leader Erzberger, as part of his doctrine of Christian Solidarity, was advocating an 18 months' period of compulsory labor for all Germans between the ages of 18 and 25, a so-called "national labor service" which would give young people a training in good citizenship as well as provide economic benefits to society. The idea was soon appropriated by Hitler, who was especially impressed by its egalitarian features. "Without any difficulty worth mentioning," he said, "at least half a million men can be called up for this service in a very short space of time," and "there will be no exemptions for university men or other propertied persons. Everyone will wield a spade." When he came to power he transformed the voluntary national labor service of the Republic into a compulsory labor service.

A substitute for state military service was provided by the private para-military formations which proliferated under the Republic. Every class, every party, every interest had universal aspirations; each aimed at self-sufficiency even down to the duplication of the armed organs of the state, clear sign of an emerging differentiation crisis. Allied protests caused the Republican authorities considerable embarrassment. In a note of 1924, "The German government did not deny the existence of groups whose purpose it was to give physical training to the youth of the country. But these groups were acting in the belief that the universal conscription of imperial days had had educational as well as military value. Proper development of the body was the best protection against the dangers which today threatened the German youth. . . . It was wrong to link this with alleged military preparations by Germany. . . ."

The army itself seems to have had an ambivalent attitude toward the paramilitary formations. It resented the weakness of the legitimate armed forces and wished their expansion. But it was one thing to transform every man into a soldier under the control of the Reichswehr; it was quite another to fragment the authority over the "soldiers" and eliminate the distinction between state and subjects. General von Seeckt detested the private armies as undisciplined, useless from a military standpoint, and derogating from the authority of the state. But when General Kurt von Schleicher became the strong man in the Reichswehr after 1930, he reinterpreted the concept of the Nation in Arms to comprehend the new phenomena. To Schleicher, it "no longer means the nation in uniform; it is a conception compatible with a small army, so long as the nation is so solidly behind the army that the civilian feels himself and is willing to be treated as a soldier." It was this notion which in large

part prompted Schleicher's flirtations with the Nazis. Hitler's Storm Troopers were "to him . . . the indispensable nucleus of unwieldy masses of the 1914 type, and the more they were trained, the more they were armed, the better. Everything must be done to bring them into cordial relations with the Reichswehr. . . ." This did not mean capitulation to the Nazis, for whom politically Schleicher—indeed almost the whole army—had nothing but contempt. On the contrary, it meant "taming" the Nazis, getting them to adopt a responsible attitude, thereby adding to, rather than subtracting from, the power of the state.

The major problem of the Weimar Republic was not with the Reichswehr but with the civilians—the emerging class and party egoism and mutual estrangement which made coalition government difficult and finally impossible, the growth of totalitarian and extremist movements, with their politicized private armies, their ideological fictions, their nihilism and cult of violence. To be sure, the army was not immune to this almost universal contagion. The dozen years of gradual Weimar decay was, in fact, ushered in by an army revolt—the Kapp Putsch of March 1920. It was the product of the confluence of two forces: the anger in the army over the disbandment of units as stipulated at Versailles; and the plotting of General von Lüttwitz, the Reichswehr operational commander, against the Versailles Treaty. It is possible that the timing of the Putsch was partly determined by the sudden gust of ultranationalism which began to sweep over Germany in February 1920.

The outcome of the Kapp Putsch, however, revealed that the disintegration of the Weimar Republic had not proceeded very far and that a great deal of the spirit of 1918-19 was still abroad in Germany. Lüttwitz's troops from the suburbs had no difficulty in taking over Berlin, requiring the cabinet to flee to Stuttgart, but this was practically the only rebel achievement. The political program of the rebel "government"—headed up by Wolfgang Kapp, an old nationalist—was merely authoritarian, not totalitarian, but despite its moderation, it was completely isolated politically. Even the Nationalists and Populists on the Right refused support, as did the civil bureaucracy, while the trade unions called a general strike which was one hundred percent effective in paralyzing economic life.

Even in the army the active supporters of the coup were in a minority, and a number of officers advocated using the loyal Reichswehr against the disloyal. Some question whether the failure of the coup ought to be attributed less to the authority of the legitimate government and the awe invoked by the general strike than to "the refusal of the majority of the Reichswehr commanders to follow Lüttwitz."

None of these factors can be strictly separated and weighed in isolation. Gordon finds that "where the population favored the Republic, the Reichswehr tended to be true to the Ebert government; where the Republic was generally disliked, as was the case in East Prussia, the reverse was true. Needless to say, this correlation does not apply in the case of the Freikorps scheduled for demobilization or to the Baltikum, since these units represented a special-interest group."

These special-interest groups—the units to be demobilized or already demobilized (the Baltikum)—were, in fact, the soul of the rebellion. The coup did receive support in the north and east, but even in the Berlin area, the heart of the conspiracy, there was considerable vacillation and pockets of neutrality, while the northwest, southwest and south stood loyally behind the legitimate government. "From the testimony available, it would seem that the bulk of the Officer Corps and of the enlisted men remained faithful to the Ebert government and to the Constitution."

It has been said that the enlisted men of the Reichswehr were more right-wing than their officers. Waite disputes this even in the case of the unruly Freikorps scheduled for demobilization, contending that they became politicized only in the course of and after the Putsch. Their main concern at the time was with their army careers; "they were soldiers and comrades and wanted to be nothing more," says one of their historians. And they blamed the government for the loss of their vocation, not without some justification, considering the government enlistment promises.

Whether the soldiers were right-wing or apolitical, there does not appear to be a single case in which they mutinied against officers who had declared for the legitimate regime; on the other hand, there were a striking number of cases where they turned against rebel commanders, with men of the League of Active and Former Professional Soldiers taking a leading part in the agitation among the troops. The troops, it seems, were impressed with the enthusiasm of the workers in the general strike, proving again the close connection between civilian and military attitudes. The troops had the guns, but the civilians had the morale—and morale won out.

"Dangerous signs of mutiny began to appear in certain garrisons; and, on 17 March, troops in Berlin actually put their officers under arrest. This was enough to convince the officers in the Bendlerstrasse that they must get rid of Lüttwitz before it was too late. On the afternoon of the 17th, Heye—as spokesman for the officers of the Ministry of Defense—went to the general and told him . . . that he must declare the *Putsch* at an end and hand over the command of his troops to Seeckt. A stormy scene ensued in which Lüttwitz threatened Heye with his sword. . . . But after Heye had left the room, even the stubborn general saw that the game was up. Kapp had already fled from Berlin; Lüttwitz and his staff now did the same.

But before he could leave, one final humiliation remained for him—the revolt of his own supporters, both officers and troops. While bargaining with the party leaders over the terms of capitulation, he was interrupted by two subordinates who "informed Lüttwitz in ringing tones that the troops were on the point of actual mutiny and that he must resign." Meanwhile, the Commander in Berlin had called a meeting of his unit commanders in the Reichschancellery, at which a detailed report was presented, "indicating that the troops no longer stood behind their officers nor behind Lüttwitz." As a consequence, the troop commanders declared they would no longer accept his orders.

Despite the miserable failure of the Putsch, it exposed a state of mind among the military leadership which was not present in 1919. The case of General Maercker, who had been responsible for forming the first official Freikorps in December 1918, is an illustration. In 1919 he had, in all sincerity, told War Minister Noske, "for you, Herr Minister, I would allow myself and my troops to be cut to pieces." In July 1919, when Lüttwitz, at a conference of the senior officers of his Group Command, began to discuss the formation of a new government in case of an anticipated revolution over the Versailles peace terms, the General warned Lüttwitz that he would never take part in such an undertaking unless Noske and the Majority Socialists supported it, for politics was not the soldier's business. During the Kapp Putsch, however, he was less resolute, and took over the role of peacemaker, aiming at a compromise solution. He feared civil war and the internecine destruction of Germany's armed forces. By refusing to take sides actively, however, Maercker lost his credit with the government, while arousing the hostility of the rebels.

Surprisingly, General von Seeckt also played an ambivalent role in the crisis, but

whereas Maercker's career was ended by the coup, Seeckt was propelled by it into the highest military post—Chief of the Army Command. There could be no question but that Seeckt opposed a military revolt in principle and had worked actively against previous conspiracies. On the eve of the Putsch he was carefully canvassing all possibilities of easing Lüttwitz out of the army without precipitating the feared revolt.

At the decisive council for war called by Noske on 12 March, however, General Reinhardt was practically alone in arguing that "there can be no neutrality for the Reichswehr. The quicker we act, the quicker the spark will be put out!" But almost all the other military men present deferred to Seeckt, who did not want to fight for Berlin, contending that "When Reichswehr fires on Reichswehr, then all comradeship within the officer corps has vanished." Noske felt betrayed and never forgave Seeckt, though he did not question his loyalty, since he later approved his elevation to the Chief of Army Command.

Seeckt was not neutral during the Kapp Putsch. His was not a wait-and-see policy, which would enable him to side with the winner. He opposed the Putsch, but not with force. He agreed that many of the soldiers would have obeyed the order to fight the insurgents, but in the Berlin area they were too few and too disunited, and the government could not afford to allow the conspirators to win a battle. Seeckt's tactic was passive non-cooperation. After the council of war of 12 March he went home, wrote out his resignation, then went around to the official civil representative of the Ebert government in Berlin and offered his services, which were accepted. Until his resignation was accepted, of course, he was still Chief of the Troops office and, as such, he continued from his home to direct General Staff activities—through his subordinate Heye—in defiance of the conspirators. As Lüttwitz himself declared later, Seeckt was "the soul of the resistance to me."

While Seeckt's course of action may have been more tactically correct than Noske's, as many of the principals believed at the time, this was beside the point. The point is that he refused to execute the demands of the lawful civil authorities. It was, of course, his duty to urge a contrary course, but if they refuse to accept that advice, did he then have the right to follow his own judgment?

"While Seeckt worshipped the ideal of obedience, he also believed in the broad responsibility of a general. The soldier must obey; the general must obey. However, in a case where the final responsibility was his, a general might take upon himself the right of decision. . . . Taken in the face of government orders, it must be followed by his resignation. . . ."

It is difficult to square this reasoning with American notions of civilian supremacy. Craig argues that "there is no disguising the fact that Seeckt had been as insubordinate as Lüttwitz, even if in a somewhat different way," and that he had "placed his loyalty to the army above his allegiance to the republic." Gordon takes an opposite tack, contending that Seeckt "simply exercised his right—and duty—to withdraw rather than carry out a policy which he personally believed fraught with danger to the nation. . . ." His action was "in the highest tradition of German military leadership," a precedent for the behavior of Colonel General Beck in 1938, who resigned rather than assist Hitler in his plans for conquest.

It is doubtful whether the analogy is valid. In Hitler's day there was no real distinction between civilians and soldiers; with civilian ideologists in and out of uniform making military decisions right and left, circumstances cried out for a military leadership which would take responsible political stands.

This was not the case under the Weimar Republic, and there is less to be said for a military man who would assume, as Seeckt did, the responsibility for what is in essence a political decision. Seeckt's main concern was with maintaining the integrity of the army rather than supporting a concrete, legitimate government. He "believed firmly that the survival of the army was a *sine qua non* for the preservation of the Reich because of the serious threats facing it at home and abroad. . . . Governments might come and go, but none of them could endure without the army, nor could Germany itself."

THE REICHSWEHR IN TRANSITION, 1921-27

There were other indications that civil-military relations had altered for the worse in the twenties. As a result of the Putsch, Noske resigned as Reichswehr Minister, having lost the confidence of his party, and General Reinhardt, out of loyalty to Noske, gave up his position, too, as Chief of the Army Command. The Democrat, Otto Gessler, replaced Noske and Seeckt, to his astonishment, was appointed to Reinhardt's post, the two continuing to exercise their functions until 1928 and 1928, respectively. Noske had been no "docile tool of the soldiers," but Gessler does not appear to have been quite as successful in enforcing civilian control, at least down to 1924, although civilian control was certainly more a reality than in Imperial days.

The weakening of civilian control is illustrated in the working relationships of Gessler and Seeckt as contrasted with those of Noske and Reinhardt. Reinhardt "apparently considered himself the chief military assistant of the Reichswehrminister and worked very closely with him in all matters. . . ." Seeckt, on the other hand, looked upon the Minister of Defense in the same way that the army had been accustomed to regard the Prussian War Minister in pre-Weimar days, "as being more the representative and defender of the Reichswehr than the government's appointed director of the military machine. . . ."

"While he recognized the superiority of the government to the army and the obligation of the Reichswehr to obey government orders, General von Seeckt did not accept his superiors, the President and the Reichswehrminister, as military personages *per se*, despite their titular positions as Commander in Chief and Deputy Commander in Chief. In his eyes, he himself was the Commanding General of the Reichswehr."

During the early part of the Seeckt period, too, the army acquired far more influence over foreign and domestic affairs than was healthy. Unfortunately, Seeckt did not always confine himself to exercising influence. On a few occasions his action were in flagrant violation of any accepted canons of military apoliticism. In 1923, a year of great instability and turbulence when the Republic was subjected to sharp internal and external stresses, Seeckt seems to have developed political ambitions of his own. There exists among his papers a draft program for his anticipated regime, the provisions of which "were hardly calculated to arouse enthusiasm among democrats." Although nothing came of these schemes, in their pursuit Seeckt committed actions which, had they been the work of any other military officer, would have been the occasion for severe censure from Seeckt himself. Perhaps he did not exceed his formal competence in urging Ebert to dismiss Chancellor Stresemann or in informing Stresemann, with Ebert's permission, that he no longer enjoyed the confidence of the army, but the encouragement of active attacks on Stresemann from within his own Populist Party "was scarcely in accord with Seeckt's own non-political code and smacks of praetorianism." In 1924, moreover, he decided to run for the Presidency at the expiration of Ebert's term in 1926. He was only saved from his indiscretion by Ebert's death in early 1925 and by the political circum-

stances of the succeeding period, which were unfavorable to his candidacy. It is Gordon's judgment, however, that, on balance, "the government and the military authorities of the Republic worked together with far less friction than has generally been believed, and that—aside from General von Seeckt's two falls from grace—the Reichswehr limited its political activities to vigorous lobbying in favor of its own interests as an organization and of the interests of national defense."

Moreover, while Seeckt may have been indulgent with himself over political meddling, he was merciless on this question with all other members of the Reichswehr. In his first order of the day to the officer corps after the Kapp Putsch, he reminded them that the source of Germany's troubles lay, not with the political authorities of the Republic, but with the Versailles Treaty, and he declared that, in the future, "any kind of political activity in the army will be prohibited. . . . We do not ask the individual for his political creed, but we must assume that everyone who serves in the Reichswehr from now on will take his oath seriously."

Seeckt later demonstrated that he meant what he said, and he had the support of "the great mass of the officer corps," almost all of whom eventually agreed that "party politics was not the army's business and must not become its business." It is true that the officers and men were not without their personal political preferences, which tended to be conservative, but it was to the moderate, rather than the extreme, Right which they looked. The Nazis were neither liked nor trusted, for ideological and also for professional reasons, since they openly avowed the objectives of a politicized army and a militarized civilian society. The point of view of the Nationalists found a more sympathetic echo with the troops but not so much with the more sophisticated leadership. But regardless of their personal political sympathies, Seeckt and Chief of the Troop Office Hasse "were determined not to permit even the friendliest political party to seduce the Reichswehr from its duty or to control it." Within a year of his appointment Seeckt was able to tell the Cabinet that, "Gentlemen, no one but I in Germany can make a Putsch, and I assure you I shall make none." Seeckt was as good as his word. There were no army revolts during his tenure and in 1923, the year of crisis, when a coup and a military dictatorship was suggested to him by the Pan-German Nationalists, Seeckt emphatically refused.

Both Seeckt and the army as a whole had learned a lesson from the Kapp Putsch. Like true professional soldiers, they regarded their primary mission as that of national defense against external enemies and resented the role of domestic policeman, but they also recognized, with reluctance, that the army had to be a domestic force of last resort. The army proved this recognition in the fall of 1923 when it put down a right-wing revolt by certain elements of the para-military "Labor Detachments" (the Buckrucker Putsch) with such resolve that even the Social Democrats were mollified. The army leadership also acquitted itself well during the Bavarian Secession Crisis and the coupled Beer Hall Putsch of Hitler. An important factor was the readiness of the higher officers of the Bavarian Military District to take a firm stand against the racist and separatists, while "among the lower ranks of officers, the majors and captains and lieutenants, von Seeckt's teachings of the value of non-political Reichswehr were beginning to have their effect. . . . To these younger men there came a realization of the responsibility which the Army held as the ultimate guardian of the State and of the inevitable corollary that it must remain above Party. . . ."

When the officers of the Bavarian Military District were asked by their command-

ing general whether they would fire on the Nazis if ordered, the few Nazi sympathizers present were appalled "at the enthusiasm with which the large majority answered in the affirmative." The Nazis were furious with the Heeresleitung and its chief, Seeckt was denounced as a Jew-lover and his wife as an actual Jewess, and Hitler was more than ever convinced that the Reichswehr needed to be replaced by a "trustworthy national army."

It is ironic that the passing of the crisis year 1923 saw the beginning of a decline in von Seeckt's authority over the army and within the state. Extremism was on the wane, the Republic was stabilized, the international climate more relaxed, economic indices were shooting upward; these had their inevitable impact on civil-military relations. Reichswehr Minister Gessler had always resented his exclusion from army affairs by Seeckt and now that their relative power positions had changed, he was in large part successful in making good his claim to be the civilian director of the Reichswehr. Above Gessler, the President of the Republic—Hindenburg after 1925—also regained his authority as Commander-in-Chief of the Reichswehr, in fact as well as in theory. By 1926 in the Reichstag, too, the three parties of the old Weimar Coalition—Center, Democrats, Social Democrats—seemed to be reaching a consensus over the army reform which would make the Reichswehr a more reliable instrument of the state. In the end Seeckt lost his post over a relatively minor incident—allowing a Hohenzollern prince to attend the maneuvers of an infantry regiment in the fall of 1926 without even bothering to check the matter out with the Reichswehr Ministry. There was a public outcry; Gessler saw his chance, dismissed Seeckt and was sustained by the Cabinet.

Seeckt had become expendable but, in retrospect, his tenure had been a success. At all times civilian control was more of a reality than under the Empire, and at no time could it be said that the internal military regime was any less healthy than the civilian sphere. The years of extremism and crisis for the Republic were also the years when the army arrogated more independent authority than is proper, and the years of Republican stability saw a diminution of military influence. It would, of course, be rash to attribute the reasonably good civil-military relations of the period 1920-26 to the voluntary principle, but there is certainly no evidence that voluntarism had a negative impact.

THE POLITICIZATION OF THE REICHSWEHR 1928-33

The downfall of Seeckt at first seemed to offer greater opportunities for civilian control and integration of the army into the Republic on an apolitical, professional basis. Wit. Gessler as Defense Minister, Heye as Chief of the Army Command and General Otto Hasse as Chief of the Troops Office, all favorably disposed toward the Weimar regime, "a new era seemed to have dawned in the relations between the Reichswehr and the Republic."

But it was not to be. The reform impulse dissipated itself in idle talk, and the political system became unstable, paralleling the economic decline of the Great Depression. Germany was slipping into a differentiation crisis of vast proportions, in which the army was necessarily involved. By 1928 Reichstag critics were charging that the army had "a foreign policy of its own, a domestic policy of its own and . . . is beginning to have a financial and economic policy of its own as well." The officers of the Reichswehr had taken to speculating with the money appropriated for the army by the legislature, not for purposes of personal enrichment but to have more for military expansion. As Rosenberg says, "they established businesses like ordinary civilians" and, of course, not being

proficient at that game, they botched it, lost heavily and were found out. The ensuing scandal forced Gessler's resignation, but the political situation had deteriorated so badly by then that the army's embarrassment could not be exploited for military reform. Indeed, no one—not even the Social Democrats—saw a violation of the principle of civilian supremacy in the appointment of General Wilhelm Gröner to replace Gessler. By 1929 parliamentary government was already in great difficulty and power was falling into the hands of the bureaucracy. "While the politicians ranted and wrangled the bureaucrats ruled," and this included the military bureaucrats, who were drawn more and more into everyday politics as the economy collapsed and extremism grew on the Left and the Right.

In surveying this period of German history, one has the impression of a film running backwards, of characters in twentieth century costumes playing nineteenth century roles. No Cabinet could find a parliamentary majority; hence from 1930 on it looked to President Hindenburg, a "substitute monarch," for its authority. "Delegated legislation, emergency legislation, and the virtual immunity of the budget and administration from parliamentary control"—all became normal practice. The Brüning Cabinet of 1930-32 was "above-party," while the Papen Government which succeeded was known as the "Cabinet of the President's Friends." However, even more fundamental policy was made outside the Cabinet, by a small collection of President Hindenburg's intimates, men who had no official standing and no credentials to warrant such confidence. It was the old world of the palace camarilla and personal rule all over again.

And the army did not, could not, avoid being drawn in. General Schleicher was the Manteuffel and the Waldersee of the late Weimar Republic, with consequences far more fateful for German democracy. In 1928 a special division of the Defense Ministry was created for him—the so-called Ministerial Office. This gave him the status of a secretary of state, direct access to President Hindenburg, and charter membership in the palace camarilla. It was Schleicher and his cohorts who first conceived the notion—in 1929-30—of rule by presidential decree under Article 48 of the Weimar Constitution, usurping the legislative functions of the Reichstag. Coupled with this was the idea that the loyalty of the army was due to the President "to the exclusion of any other constitutional considerations." "The President alone could save the Reich, but it was made abundantly clear that the Reichswehr was henceforth the sole source of the President's power and was inseparable from him." It was Schleicher who, in 1930, maneuvered Brüning into the Chancellorship and it was Schleicher who, in effect, deposed him two years later in favor of von Papen. "From being the guardian of the State and its ultimate source of power, the Army descended to the status of political broker and Party boss." In the end, in December 1932, Schleicher dumped von Papen, too, and took over the office of Chancellor himself. It was the high point of Reichswehr power before the generals, too, lost out to Hitler in January 1933.

The Army was able to realize this power because it was the most stable organization in the state, but as a result of its entrance into politics, it too was losing its unity. Schleicher's example of intrigue was followed by other military men—above all, by von Blomberg, who succeeded Schleicher as Minister of Defense in Hitler's first cabinet. The army was going the way it had in all other Prussian and German differentiation crisis. Its influence was "divided and uncertain," which handicapped it in dealing with the totalitarians as it had with the Kaiser and his intimates, however exalted a role

individual military politicians might have played in both cases. Gröner, when he was Minister of Defense from 1928 to 1932, put up a spirited struggle against the Nazis only to be betrayed in the end by Schleicher, his own protégé. Schleicher did not want a showdown with the Nazis; he was fearful that the Army might not prove reliable or effective if it had to undertake a simultaneous struggle against both extreme Left and extreme Right. It is doubtful if the condition of the Army was as pessimistic as Schleicher felt. National Socialism had made its inroads, but the Army seems to have been less rotten in this respect than the nation as a whole. Schleicher wanted to neutralize the Nazis, "party by dividing their inner political councils by taking the more conservative elements into the government, and partly by seducing the SA from its allegiance to the Führer by incorporating it with the Army. . . ." He was never successful. In the end both Schleicher and von Papen were competing with each other for a Nazi Government, not because they favored the movement, but because each thought he could tame Hitler, binding him with the responsibilities of power. In all this the generals acted with no more illusions than the parties.

"When Hitler came to power in 1933 he had the unequivocal opposition only of his fellow authoritarians, the Communists. The Conservatives were his allies; the Army tolerated him; the Centre, whatever its marked reservations, condoned his Government by voting for him; and the Social Democrats sought to gain the best of all possible worlds by condemning his internal programme and supporting his foreign policy, and thereby gained an "ignoble truce" which profited them nothing."

It would be difficult to blame the volunteer German Army alone for the Hitler victory of January 1933.

THE NAZI ERA

Under Hitler the German differentiation crisis attained its full sweep. His so-called government was, in fact, even more of a court than was Hindenburg's, and the Führer and his camarilla respected the boundaries of neither the legislature nor the ministerial executive.

The legislative powers vested in the Reichstag were transferred to the cabinet, but the cabinet also came into disuse. Government by conference of the ministers was replaced by individual conferences and, more frequently, merely by administrative orders from the Führer. Ministers frequently learned only from newspapers or radio of actions taken by the "Reich government" on decisive issues. Later, during the war, the ministers were forbidden by Hitler to confer with one another. . . .

Functional redundancy and confusion of jurisdiction were pursued deliberately as a matter of principle. Before the Nazis came to power, they had already set up a whole series of party departments modeled after the state administration—departments of foreign affairs, education, culture, sports, etc. As for the party elite formations, "their paramilitary character must be understood in connection with other professional party organizations, such as those for teachers, lawyers, physicians, students, university professors, technicians, and workers. All these were primarily duplicates of existing nontotalitarian professional societies, paramilitary. . . . The important factor for the [totalitarian] movements is that, even before they seize power, they give the impression that all elements of society are embodied in their ranks. . . ."

After the Nazis came into power the policy of increasing the duplication of functions was pursued methodically.

"What strikes the observer of the totali-

tarian state is certainly not its monolithic structure. On the contrary . . . many . . . have stressed the peculiar 'shapelessness' of the totalitarian government. . . . Even an expert would be driven mad if he tried to unravel the relationship between Party and State' in the Third Reich. . . ."

"All levels of the administrative machine in the Third Reich were subject to a curious duplication of offices. . . . Better known abroad has been the fate of the old German Foreign Affairs Office in the Wilhelmstrasse. The Nazis left its personnel nearly untouched and of course never abolished it; yet at the same time they maintained the pre-war Foreign Affairs Bureau of the Party headed by Rosenberg; and since this office had specialized in maintaining contacts with Fascist organizations in Eastern Europe and the Balkans, they set up another organ to compete with the office in the Wilhelmstrasse, the so-called Ribbentrop Bureau, which handled foreign affairs in the West. . . . Finally, in addition to these Party institutions, the Foreign Office received another duplication in the form of an SS Office, which was responsible 'for negotiations with all racially Germanic groups in Denmark, Norway, Belgium and the Netherlands.' These examples prove that for the Nazis the duplication of offices was a matter of principle and not just an expedient for providing jobs for Party members."

Hitler cared nothing for the principle of the division of the powers of government, the distinction between the private and the public sector, or the differentiation between civilian and soldier. His ideal was the political soldier, the ideologue in uniform. "The main task of the commander-in-chief of the Army is to educate the Army in National Socialism. . . ." This was an abiding Nazi belief, "Army and politics so act and react upon one another," said Ernst Rohm, the Chief of the SA, "that a separation of one from the other is absolutely impossible." But it was not just impossible; it was undesirable and pernicious. This brought the Nazis into conflict with the Reichswehr, which brought over into the new era, at least in an attenuated form, the Weimar tradition of apoliticism.

It took time, of course, for the Nazis to achieve the desired regime in the Reichswehr. The duplication of civil functions within the Reichswehr began in July 1933 with the abolition of the jurisdiction of the civil courts over the military; the Army now had its own separate legal system. At the same time the absolute authority of the officers corps over the troops was reestablished by eliminating the institution of Trusted Men. In 1935 the old Prussian Cadet Corps, which had contributed so much to caste isolationism in Prusso-Imperial days and which the early Weimar Republic had abolished as undemocratic was revived under another name. The new institution "suffered just as much as the former Cadet Schools from systematic bias and a lack of universally valid intellectual training." The same year a decree was promulgated which obliged every man of the Elite Guard, the SS, to defend his honor with his weapon, even when the attack could be ward off by other means. This was a prelude for the revival—early in 1937—of dueling for the officer corps. Even in the waning days of the Weimar Republic it was doubted that the retreat from reason would be so complete as to allow behavior like that of the officer corps of the Empire, "a class by itself, subject only to its own professional code, with its dueling, its sacred honor and self-asserted right to avenge that honor upon any civilian who was luckless enough to cross an officer's path roughly. That medievalism cannot be restored; it would be laughed out of Germany. . . ."

But it was restored. When Nazism had deeply penetrated the corps of officers, the

German officer was once again a law unto himself.

The duplication of civil functions within the military establishment was paralleled by the Nazi duplication of military functions both within and outside the Army. In 1934 Röhm, the head of the Nazi SA, proposed the coordination, within a single ministry, of all the armed forces, military and paramilitary. The SA was to be the skeleton group for the expansion of the Reichswehr as a mass-conscription army. But Hitler was too committed to the principle of functional redundancy to permit the amalgamation of regular military and party paramilitary organizations under one roof, Röhm was murdered in the "Blood Purge" of June 1934, which the Army thought of as a victory for the principle that the Reichswehr was supreme in military affairs. Nothing was further from the truth.

"The real winner was [the SS Chief] Himmler who, immediately after the June 30th purge, began the expansion of the SS. Eventually the SS became in effect a second army numbering by 1944 twenty-five or thirty divisions. . . . The Luftwaffe under Goring was also independent of the normal chain of command. In 1935 it took over the anti-aircraft units. . . . In 1942, Luftwaffe Field Divisions, eventually numbering about twenty and designed for ground fighting, were created from surplus Air Force personnel. Thus in effect the Third Reich had three armies: the regular army, Himmler's Waffen-SS, and Göring's, varied Luftwaffe units. Hitler also maintained a complicated set of duplicate command relationships. . . . Numerous special organizations and hierarchies were created for special missions. The so-called Organization Todt affiliated with the party and independent of the army was responsible for military construction work. . . . Competition among the intelligence services was encouraged with disastrous results for the accuracy and efficiency of German reporting.

However, most of this was in the future. Before Hindenburg's death in 1934, Hitler knew that the Army would march against him if ordered to do so by the President. After his death, down to 1937-38, he still felt the necessity of treading warily with the Reichswehr. The troops had to take an oath of fealty to Adolph Hitler personally; not to the Constitution as before, and by 1935 all offices at the purely ministerial level were filled either with party members or with generals willing to collaborate; but in most respects, because of the relative autonomy granted by Hitler for tactical reasons, "the army remained an isolated center of health, relatively uncontaminated by the virus of National Socialism. Here the German who wished to escape from the onslaught of the totalitarian state might find refuge. . . ." The generals maintained some semblance of reason and humanity long after it had become extinct in civilian life. From the outset many had been disturbed over the inner condition of the Reich; the Jewish persecutions; the repression of organized Christianity; the general absence of civil freedom. In 1938, when the generals were planning their coup against Hitler, the Chief of the General Staff proposed that their protest to Hitler over the projected war should be joined with a protest against the regime of terror, corruption, suppression of free speech and with the demand for a return to the rule of law and the principle of "Prussian cleanliness and simplicity."

Far from pioneering in barbarism, the German volunteer army became one of the last sanctuaries for human decency. Nazis had to surrender their party memberships when serving in the army, since they were subject to a different authority.

"The authority of the Gestapo stopped at the doors of Benderstrasse. The field-gray of the Army was a protection against the grosser tyrannies and the petty persecutions

to which ordinary citizens of the Reich were subjected. When a member of the Army was suspected of political unreliability, the case had to be submitted to the military authorities before an investigation could be made and, in nine cases out of ten, it was never made. Even the racial laws—the Nuremberg Decrees—were only enforced with the consent of the *Heeresleitung* and then so leniently, and with so many loopholes, that their observance was practically non-existent. . . .

The impetus for German aggression abroad did not come from the Army, certainly not from the senior officials whose views had been framed under the Weimar Republic. Time and again the generals protested Hitler's aggressive plans—the withdrawal from the League of Nations, the decision to rearm and reintroduce conscription, the breakneck pace of army expansion, the remilitarization of the Rhineland, the intervention in Spain, the designs against Austria and Czechoslovakia, the invasion of Russia, the SS proposals to attack Switzerland in 1943.

"Never has a general staff been so little to blame for a war as the German General Staff for the Second World War, and never has it approached its task with so much distaste. . . . The great majority of senior officers viewed the dictatorship with doubt and detached indifference if not with hatred and contempt. . . ."

Hitler returned the contempt in double measure. In 1941 he said that, before he became Chancellor, he "thought the General Staff was like a mastiff which had to be held tight by the collar because it threatened all and sundry. Since then I have had to recognize that the General Staff is anything but that. It has consistently tried to impede every action that I have thought necessary. . . . It is I who have always had to goad on this mastiff."

To undermine the autonomy of the *Heeresleitung* Hitler employed three techniques—the conversion of high commanders to the Nazi cause the inundation of the Army with ideologues in uniform; and the purging of opponents. Each technique was at least partially successful. In 1933 there had been "very few officers regarded as pro-Nazi"; by 1936 there were hundreds. However, the most successful technique was flooding the Reichswehr with men of alien values—political soldiers. The beginning of the end of effective Army autonomy dates from the decision to reintroduce conscription in March 1935. Only after the transformation of the homogeneous army structure into an unintegrated congeries of disparate tendencies could the Nazis proceed with the final technique of the purge.

Hitler was an ardent proponent of universal military service. Page after page of *Mein Kampf* is devoted to praise of the old Prussian and Imperial Armies precisely because of this institution. The old army, he tells us, "was the mightiest school of the German nation. . . . What the German people owe to the army can be briefly summed up in a single word, to wit: everything."

"In the morass of a universally spreading softening and effeminization, each year three hundred and fifty thousand vigorous young men sprang from the ranks of the army. . . . The young men who practiced obedience during this time could then learn to command. By his every step you could recognize the soldier who had done his service."

"This was the highest school of the German nation. . . ."

To Hitler the contrast between the "national army" of the Empire and the "mercenary army" of the Republic was the measure of the degradation of the German nation. The Republic had been founded on "material premises," while what Germany needed was an ideal. It is the gratification derived from a duty fulfilled to the best of one's ability which should actuate men and not the prospect of material rewards.

With the abolition of universal service by the Republic, "the sole institution is excluded which in peacetime compensated at least in part for what was neglected by the rest of our educational system."

"The elimination of universal conscription—which for dozens of other peoples might be a matter of no importance—is for us fraught with the gravest consequences. Ten German generations without corrective and educational military training, left to the evil effects of its racial and hence philosophical division—and our nation would really have lost the last remnant of an independent existence on this planet. . . ."

It was Hitler's task to see that this did not happen. The individual's education "must find its ultimate completion in military service," which "must embrace every individual German." Only then, after fulfillment of his military obligations, will the "right of citizenship" be "most solemnly bestowed on the irreproachable, healthy young man." To Hitler the ideal state is run along the same line as the ideal army.

"The principle which made the Prussian army in its time into the most wonderful instrument of the German people must some day, in a transferred sense, become the principle of the construction of our whole state conception: *authority of every leader downward and responsibility upward.*"

Universal service has a significant contribution to make to that end.

In these passages of *Mein Kampf* Hitler was primarily thinking in terms of militarizing the young civilian. In 1935, however, his problem was reversed; he had to think in terms of politicizing the old soldiers of the Reichswehr. Years later, he recalled how he had avoided a confrontation with the army until he could defeat the generals with the weapon of conscription. Once conscription was introduced, "the influx into the Wehrmacht of the masses of the people, together with the spirit of National Socialism and with the ever-growing power of the National Socialist movement would, I was sure, allow me to overcome all opposition among the armed forces, and in particular in the corps of officers." As Craig remarks, "his estimate of the probable results of conscription was shrewd and was certainly borne out by the facts."

"Any hope that the army could maintain its independence within the state and at the same time exercise a restraining influence on the policies of the Nazi leader rested, in the last analysis, upon the ability of its leaders to maintain the unity and discipline of the officer corps. . . . But, once the inflation of the army got under way, any hope of this disappeared."

In 1935 the conscription period was set at one year and in 1936 at two. By the end of 1938 the army had a yearly class of draftees of well over 500,000 and the overall total of the armed forces went well beyond a million, compared with the 100,000 of 1933. In the officer corps of the army alone during this period about 25,000 new officers had to be added to the 3,000 or so on the rolls at the outset and the number of generals rose from 42 to 400. "When . . . the intake of cadets increased from 120 to 2,000 a year all attempts at isolation broke down, and the older officers found themselves swept along on a massive alien tide"—SS infiltrators. SA and SS men previously rejected by the Reichswehr as undesirable and graduates of Nazi youth organizations.

"Consequently, a marked difference in outlook rose between the junior and the senior ranks, and by World War II the latter could not be sure of the obedience of their ideologically oriented subordinates if they ordered a military move against Hitler. In the Navy and Air Force the corps of officers had to be built up virtually from scratch; consequently, these services were more predominantly Nazi in outlook."

Undermined from below by the political soldiers, the Nation in Arms, the army lead-

ership was ripe for a purge from above, which after 1938 was permanent. The Führer himself arrogated the functions of those dismissed. By 1941 he combined in his own person the political posts of Chief of State, Party Leader and War Minister with the military offices of Supreme Commander of the Wehrmacht and Chief of the Army Command. He had additionally set up a duplicate General Staff by expanding Schleicher's old political office into the High Command of the Wehrmacht (OKW) headed up by loyal political soldiers. In 1943 the Nazis, following the Soviet model, introduced political officers into the armed forces, with a chain of command independent of the regular military hierarchy. After the attempt on Hitler's life in 1944, the Party assumed control of all home defense organizations, and the Chief of the SS became Commander of the Reserve Army. In the Wehrmacht itself the Party had the final word on promotions and demotions and introduced the Nazi salute. "The Army came more and more to resemble the Storm Troopers, the so-called political soldiers, and many of the orders which were now issued to it sounded like those which Hitler had addressed to his brown-shirts in the days of the street fights and beer-hall battles."

In the course of World War II the Germans suffered 46,000 battle deaths per million population, far greater than the entire number suffered in all of the other Prusso-German wars in the 150 years between 1815 and 1965 (28,727.1), including World War I (27,000). In World War I the Nation in Arms had eventually rebelled, only to abolish the Nation in Arms. In World War II, however, the conscripts passively endured. The only fighting opposition came from the upper ranks of the officers corps, whose views had been fixed in the professional army of the Weimar Republic. When, in despair, the Generals attempted a Putsch in 1944, their ranks were decimated: 25 generals and an admiral were either executed or committed suicide and roughly 700 other officers were executed or dismissed. As Huntington says, the senior officers of the Nazi era came off well by comparison with the standards of professional soldiers. "The evil was not in them. It was in the environment. . . ." And one of the ways by which this evil was transmitted to the Army from the environment was—universal military service.

PRESIDENT'S REORGANIZATION PROPOSALS

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. O'KONSKI. Mr. Speaker, there is one aspect of President Nixon's proposed reorganization of the Federal Government that I believe merits close attention. I am referring to his proposal to strengthen the opportunities for voluntary service through the National center for Voluntary Action.

Under the President's proposal two voluntary programs of the Small Business Administration—the Service Corps of Retired Executives, SCORE, and the Active Corps of Executives, ACE—would be strengthened by being consolidated with all the voluntary programs presently scattered through the Federal Government.

However, it is important to remember that, although SCORE and ACE would be consolidated in Action, the status of the two programs would remain unchanged in their relationship with the

SBA and its management assistance concepts.

It is my understanding that there has been an agreement between the new Action agency and SBA that SBA will continue its supervision of SCORE and ACE to provide management and technical assistance at the national, regional, and district levels.

I believe this is important because the two programs are such an integral part of SBA's management assistance programs, including those that provide assistance to minority-owned small businesses.

From the standpoint of its influence on the work of SCORE and ACE, the plan is for Action to be a clearinghouse and to enlist additional volunteers.

The President wants to broaden the use of volunteers who have valuable experience in business that they can pass on to others who are less experienced. The new agency would thus offer projects to SCORE and ACE volunteers over and above their services to SBA's clients, and would plan and budget such projects. They would continue to exercise the right to accept or reject assignments as they do under present operations.

The Administrator of the Small Business Administration is wholeheartedly supporting the President's plan and has pledged SBA's cooperation in implementing it to the advantage of SCORE and ACE.

NEW TOWNS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, it is now estimated that our Nation's population will increase by 75 million by the turn of the century, and a very real problem we face is where to put the people. Will we continue to grow haphazardly through suburban sprawl until nearly all of our population is concentrated in four giant megalopolis along the eastern, southern, and western seaboards and around the Great Lakes? Or will we, through careful planning, seek a more manageable population dispersal?

These are the questions posed by Mr. David Rockefeller, chairman of the Chase Manhattan Bank in New York, in an article which recently appeared in the Chicago Tribune. Mr. Rockefeller suggests that a partial solution to this problem may lie in the building of "new towns" and "satellite cities." The 1970 Housing Act provides various mechanisms for implementing an urban growth policy, and places special emphasis on the new communities concept.

Mr. Rockefeller discusses the potential and problems involved in developing such a policy and in building new communities. At this point in the RECORD I include the full text of the article as it appeared in the March 7, 1971, Chicago Tribune. The article follows:

SOLVING OUR URBAN PROBLEMS WITH "NEW TOWNS"

(By David Rockefeller)

New York.—To keep abreast of the nation's expected population increase—ignor-

ing any replacement of dilapidated homes and apartments—we would have to build a home for two and a half persons every 27 seconds for the next 30 years, according to one government estimate.

This, it is contended, would mean building a city about the size of Yonkers, N.Y. (pop. 204,789), every month.

Figures like these suggest dramatically the scope of the national problem we face if, as conservatively estimated, our population increases by 75 million by the year 2000.

Our acute urban problems are a major concern at all levels of national life—from the White House to the young family that can find no house within its means. They arise from the fact that Americans pour into great urban areas to seek opportunities unavailable in the rural areas they are leaving. This concentrates 70 per cent of the population on 10 per cent of the nation's land.

THE MEGALOPOLIS SPREADS

From this has come the spread of the megalopolis: the Boston-Washington corridor down the Atlantic seaboard; the thrust from Buffalo along the Great Lakes well beyond Chicago; the Los Angeles spill-out engulfing over half the California Pacific; Florida's spread; the Atlanta-Piedmont crescent; the Fort Worth-Dallas-Houston complex.

One need only examine the major cities and their relationship with the suburbs that ring them to realize that such sprawls will hardly accommodate the population growth ahead and provide a social, economic and physical environment suitable for almost 300 million Americans by the end of the century.

Part of the solution may lie in the building of "new towns" and "satellite cities"—communities developed with new concepts, new plans and new material—near, and even in, core areas such as Manhattan.

The Housing Act of 1970 provides for the development of a National Committee on Urban Growth Policy and specifically recognizes the need for new communities for the implementation of that policy. The act identifies the major impediments to the development of new communities on a scale and pace required as financing and land acquisition, together with the coordination of the efforts of all private and public organizations involved in creating new communities. It further provides some extremely useful guarantee and loan programs with a public corporation to administer them.

Sound as this is, more is needed because a National Committee on Urban Growth Policy could well be meaningless without a national land-use policy to guide the physical distribution of the nation's growth. Experience to date confirms that the initiative for this land-use policy can come only from the federal government.

URGES TWO NEW AGENCIES

The various remaining impediments to new community development on a national basis could, I believe, be overcome with two new mechanisms—one a public agency to handle land problems, the other a private or quasi-public organization to provide financing.

The role of the public agency would be new community site selection and acquisition, and coordination of the various federal programs related to development.

A basic premise of any land use policy is that the investment in our existing cities must be conserved and built upon, to include the development of "new towns in towns" as well as to the "satellite" or even more remote new communities.

Most important, the relationship of "new towns" and "satellite cities" to the present core cities would be of primary concern to insure that they were mutually supporting and not competitively destructive.

To be fully effective, this agency, should have the power of condemnation and emi-

nent domain as may be necessary to accomplish the acquisition of suitable new community sites. Despite various political difficulties, such powers appear both necessary and practical if new communities are to be developed consistent with a national land-use policy.

But it should be clearly understood that there are limitations to such powers, possibly subject to veto by the governor of a concerned state or the override of that state's legislature. However, the restrictive power should rest in a body with broad enough perspective to safeguard the public and national interest and prevent unreasonable frustration of the broader public interest by parochial points of view.

BOARD APPOINTED BY PRESIDENT

To be most effective, the federal corporation should be governed by a board appointed by the President of the United States but it should not be a part of the executive office. Its financing would be provided by Congress thru the establishment of a fixed revolving fund. Those sites acquired by this agency for new communities would be freed of zoning, code and other restrictions which could impair the opportunities for innovation in the development of new communities.

For the massive financing needed, a private or quasi-public corporation would be established. It might be termed a National Development Bank. This bank would be a nonprofit organization and would finance the land acquisition and predevelopment costs of new communities.

These costs, which must be incurred several years before a new community can develop sufficient income to sustain itself, represent a major roadblock at present.

For example, one recent study estimates that the start-up costs for a new community of 100,000 population would run close to \$50 million. On that basis, the 100 new communities of 100,000 population and the 10 communities of one million population proposed by the National Committee on Urban Growth Policy in its report would have start-up costs to \$10 billion.

With start-up costs met thru financing provided by a National Development Bank, conventional financing sources combined with various programs at several levels of government are generally adequate to finance the actual residential, commercial industrial and public facility construction.

ORGANIZED ON GEOGRAPHIC BASIS

As I envision it, the bank would be organized on a geographic basis, much like the Federal Reserve Bank, with its equity derived from capital contributions by various member banks. Debentures would be sold to insurance companies, other financial sources and the public. The return of equity and the yield on certain of the debentures would be modest.

The dollar return to investors would be modest, with the rate on the debentures fluctuating with the money market. However, the bank would provide an opportunity for the financial community to channel social-purpose money into a national effort to implement urban growth rather than doing so entirely thru piecemeal lending.

The sale of debentures by the development banks would permit commercial banks, insurance companies and other investors to discharge such responsibilities, obtaining some return while playing a constructive role in improving our society.

To spare the borrower the burden of interest payments until the development had progressed to the point where income could sustain them, the debt service on the bank's loans would be fixed as a percentage of positive cash flow.

From the site-development phase in collaboration with state and county planners, the residential, commercial and public development would progress until the community was a completely viable one with a healthy,

growing mix of the elements required to reach the status of new community.

Loans to the bank would be repaid and the community would be incorporated as an individual political jurisdiction.

OUTLINES FIVE MAJOR POINTS

In total consideration of the problem of population growth I believe we should keep these five points clearly in mind:

First, that because the problems of core cities and new communities are so closely interrelated, they call for the establishment of overall national goals and guidance.

Second, that federal and state assistance must be closely coordinated to stimulate responsible local action and serve the best long-run interests of the overall community.

Third, that the amount of state and local building and rebuilding required is so vast that it will make necessary the expenditure of a steadily increasing share of our total national income.

Fourth, that it is imperative for any new community or redevelopment project to include enough profitable activities—whether in housing, commercial development or industry—to generate tax revenues sufficient to make the project viable with a minimum of public subsidy.

Fifth, that the task of refurbishing our existing core cities and building of new communities can be accomplished if public and private efforts are creatively combined in a manner that will win community support.

HOUSE LEADERSHIP SUPPORTS RESOLUTION CALLING FOR THE RELEASE OF 1971 APPROPRIATIONS IMPOUNDED BY THE NIXON ADMINISTRATION

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. ALBERT. Mr. Speaker, the distinguished majority whip, Representative THOMAS O'NEILL, is today introducing a resolution calling for the release of 1971 appropriations impounded by the Nixon administration. This resolution has the full support of the House leadership, and I am hopeful that the widespread concern expressed to date over these frozen funds will generate broad sponsorship of the legislation.

Mr. Speaker, the House leadership has spoken out on more than one occasion on this matter, challenging both the President's infringement of legislative prerogatives and his failure to recognize the urgent need for some if not all of the \$12.8 billion withheld. Of particular concern to me are the impounded Housing and Urban Development appropriations—\$942 million for low-rent public housing, \$200 million in basic water and sewer facility grants, and \$583 million for model cities. It is unbelievable in light of the deterioration of center cities all over America that any funds at all that might relieve the crisis should be withheld at this time. The crying needs of millions of people trapped in congested cities with inadequate services and deplorable living quarters cannot be coldly shunted aside.

This is far from the realm of political partisanship, Mr. Speaker, for the shortage of housing funds is adversely affecting public agency operations and citizen morale, while disrupting ongoing proj-

ects throughout the Nation. The National Association of Housing and Redevelopment Officials has compiled a report on the deterioration of local efforts at such a time of overwhelming need, and the heartfelt pleas from so many housing officials regarding their plight cannot be ignored. The situation has become so critical that there are pending State suits against the Federal Government, as well as other legislative initiatives to reassert congressional prerogatives and, more importantly, to demonstrate our strong commitment to this administration's forgotten Americans.

I append the full report of the Housing and Redevelopment Association for the consideration of my colleagues and urgently plead that its heartfelt appeal not go unanswered:

FACT SHEET ON PUBLIC HOUSING AND URBAN RENEWAL FUNDS EMBARGO CRISIS BACKGROUND

The Administration through the Office of Management and Budget is currently withholding the use of approximately \$11 billion of funds approved by Congress for expenditure this fiscal year. Of this amount \$150 million is for public housing development and operating subsidy programs, \$200 million is for urban renewal projects.

PROPORTION OF THE CRISIS

In order to evaluate the impact of this embargo the National Association of Housing and Redevelopment Officials conducted a survey of local agencies. Of the over 200 responses from 36 states the following comments relating to the emergency condition were received:

1. *Total community impact:* The embargo has slowed many communities development efforts, placing their physical improvement programs in chaos, and accentuating local economic problems. Timetables have had to be altered, the execution of contracts delayed, potential development sites have been lost, and prospective private sponsors lost.

In areas of high unemployment the embargo has been doubly severe. First, the funding of these projects would mean new jobs, and more money pumped into the local economy resulting in a multiplier effect. Second, unemployment has created an even higher demand for public housing units, a demand which cannot be met because of the lack of funds.

2. *Effect on other public programs:* The withholding has severely hindered the orderly coordination of public programs. Public housing which was to be used as relocation housing for renewal projects, highway construction, school development and the like will not be ready when needed. In renewal, the importance of coordination with other programs such as model cities, assisted housing and public housing is obvious. This coordination process has been jeopardized because of the embargo.

3. *Financial crisis:* The embargo has threatened the very existence of some housing and renewal agencies. They simply don't have the money to meet current expenses. The failure to fund new applications, the refusal to honor past commitments, and, in public housing, the lack of full implementation of the Brooke/Sparkman amendments for operating subsidies is the cause of the crisis. Already, agencies have had to lay off staff, and postpone the payment of existing obligations.

4. *Increased costs:* The delays at the local level prompted by the withholding of funds will be translated into higher costs to developers, localities and the Federal Government. Financial estimates based on purchasing property and constructing improvements made according to a timetable assuming the

orderly funding of an application are no longer valid. Costs have increased and all the participants in the program will have to absorb part of these additional costs.

5. *Confusion of Federal goals:* Many communities ask why there is now an embargo when just months ago the Federal Government was encouraging them to participate in these programs. They prepared applications, obtained the necessary local approvals, initiated discussions with private developers, and now they are told that these applications cannot be funded because of the embargo.

6. *Loss of public confidence:* The lack of money to fund these applications has caused the eroding of public support for the programs. The locality cannot meet the goals it established because there is no money. Now, citizen groups, merchants, businessmen, developers and local elected officials are re-examining their support for these programs.

SAMPLE QUOTES: PUBLIC HOUSING

From a housing authority in Connecticut: "Our entire metropolitan area suffers from a dangerously high level of unemployment . . . we presently have nearly 400 units under program reservation not funded and pending for over nine months . . . we also have a pending application for operating subsidies . . . these programs could both mean additional jobs and economic investment in the area."

From a housing authority in Texas: "This Authority has in active development 466 units of Turnkey family housing which are in jeopardy because of lack of funds. Four different developers are involved on five scattered sites. Proposals were accepted in June, 1970 and thousands of dollars have been invested in land options, architectural and engineering fees, only to find that the Regional Office, as of March 19, can fund only 152 of these units. As a result, valuable sites will probably be lost along with goodwill developed in the community. Extensive efforts were expended in selling the Turnkey program to the community and to local developers who are now disillusioned."

From a housing authority in Iowa: "For the first time our housing authority has operated in the red, because of our inability to get supplemental funds to implement the Brooke amendment (rent reduction amendment) which went into effect on March 24, 1970 . . . these funds are being held up, though authorized."

From a housing authority in Rhode Island: "As of today, our deficit is estimated at approximately \$175 thousand above current reserves. . . . When July 1 comes, the figure could be much higher . . . hopefully, consideration will be given to the release of funds for operating needs."

From a small housing authority in Tennessee: "We have three projects that need immediate attention . . . the preliminary loan contract has been approved for some time now. The sites for these projects have been selected and approved . . . options were signed and will expire in a short time if we do not work fast. As you know, the price of land is growing by leaps and bounds, and it will be impossible to hold this property at our option price for an indefinite period of time."

From a housing authority in South Carolina: "We have a planning grant for a housing development which has received the enthusiastic approval of area residents, as well as the public at large . . . the living conditions in this neighborhood have been a disgrace for 40 years . . . since the beginning of this development, the staff has worked diligently with individuals and families . . . at the last several community meetings, the residents have expressed despair and hopelessness in the lack of progress. . . . They have concluded that they will never live to see actual construction begin on this housing development . . . our housing authority staff has never observed such utter desperation."

SAMPLE SITUATIONS: URBAN RENEWAL

A small community in Texas is planning a large development effort which involves a major overpass over its railroad yards. To accomplish this, the city received commitments from the state highway department and the railroad for over a half million dollars to assist in this project. However, both now express concern that they will not be able to keep earmarking these funds much longer, an action which will prevent this project from ever being initiated. To make matters worse, the agency's operating funds will be exhausted on May 15, 1971 unless its application is approved.

A Rocky Mountain city has a pending renewal application which would provide a site for a shared location to be used by three colleges. The state appropriated \$1.4 million for financial assistance to the project, but this money will revert to the general fund on June 30 unless the Federal application is approved.

One California city submitted a third year application for \$9.7 million, \$4.8 million of which is new funds. The HUD Area office informed it that it could receive only \$1.2 million in new money which "wouldn't even cover interest payments on our project notes."

A large southern city is in similar straits. For its second year NDP activities the city requested \$6.3 million but was informed it should submit a revised application for only \$1.4 million, the amount of its first year grant. The Executive Director notes the implication of this reduction of the application—(1) "the 'life-blood' of our Agency . . . is in severe jeopardy;" (2) "it would be extremely difficult to tailor a \$6.3 million program to a \$1.4 million program and still produce a meaningful and significant impact on the NDP areas;" and (3) "the confidence and support of the residents of the area . . . will be seriously eroded."

A large Texas city in submitting its second year NDP application placed major emphasis on drainage improvements, working out a joint project with the local river authority, the Model Cities program, and the U.S. Corps of Engineers. The city's application for these activities was for \$14 million. Yet HUD has informed the city it will receive only \$3.5 million. The Executive Director comments, "our scheduled second year of the channel improvements alone is \$3.8 million. At the moment, it looks as if we not only have to cut second year actions involving housing sites and rehabilitation (both critical areas of concern in Model Cities) but also have to somehow cut back on what we are committed to do on channel improvements."

One village in New York State is presently completing a renewal project which should be closed out by July of this year. The community has a pending application for an additional project, which if not funded before the termination of the existing project may mean "a good possibility that this agency and the employees will have to be terminated."

A small New England city notes that unless its amendatory application is funded within 60 days "we will have no other alternative but to close down these projects." The agency has already cut staff by 50% and now has a balance of \$500 in the account of one of its projects.

From an upstate New York community: "Our emergency arises from the fact that we have exactly \$1,536.63 in our checking account of this date with liabilities of more than double that amount. Our monthly expenses are about \$3,000. We will literally close the doors unless we receive some immediate action from HUD."

A New England city reports that because it has not received approval of an amendatory

application, it has been forced to borrow more than \$90,000 from other local sources to pay relocation claims and interest charges.

MINIMUM WAGE LAWS DISCRIMINATE AGAINST MINORITIES

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. McCLORY. Mr. Speaker, a most knowledgeable constituent, John A. Renick of the Social Science Department of the North Chicago High School, North Chicago, Ill., has commented on the disservice to minorities and to young people resulting from minimum wage legislation. Mr. Renick knows whereof he speaks and he deserves to be listened to by the legislators, both State and Federal, who should be considering the welfare of those whom they serve instead of currying favor with the special interests which clamor for minimum wage laws and other artificial panaceas.

Mr. Renick's letter to the editor which appeared in the Wednesday, April 21 issue of The News-Sun, Lake County's only daily newspaper follows:

PROTESTS WAGE LAW

I have been out of the Waukegan area in recent days and do not know what recent action may have been taken, but my absence gives me opportunity to write a letter of protest. The Illinois House of Representatives passed, about March 21st, by a vote of 119 to 82, a bill which will cause the loss of many hundreds, probably thousands of jobs, mostly among minority group workers. In its effect, it is the most anti-Negro legislation passed by the Illinois House in many years. It was sponsored by a representative from McHenry.

The reactionary and oppressive bill I am referring to is the proposed Illinois "minimum wage law." It is true that many people, still ignorant of the real economic and social results of "minimum wage laws," support them sincerely as if they really raise wages in general among the poorest workers in the industries covered by the law. This belief, born out of the well-intentioned economic ignorance of the 20s and 30s, has long been proved to be false.

The most powerful effect of such laws is not the forced raising of the money wages of those who manage to keep their jobs, but the losing entirely of their jobs on the part of a multitude of the most vulnerable workers, as employers economize in the face of increased labor costs. Former Illinois Senator Paul Douglas, in his classic work on the theory of wages and employment in 1932, showed that for every one per cent forced increase of wages above what they are in a market situation, two or three per cent of the labor force affected will be disemployed, that is, forced out of work. This has been demonstrated beyond argument in subsequent years as unemployment has immediately shot up in covered industries after introduction of or increases in "minimum wage" levels.

Minority groups, in their common position of "last hired, first fired" (because of cultural disadvantage, poorer education, and/or employer prejudice) are hardest hit by this effect. "Minimum wage laws" are a chief cause of the disproportionately high unemployment levels among blacks, especially teen-agers. If this bill becomes law, the job-hunting and job-holding plight among Il-

linois Negro teenagers will be sadder than ever this summer.

Economists and University of Rochester President W. Allen Wallis has written that "minimum wage laws" are in effect, though not in intention, among the most anti-Negro of laws. Even socialists like Robert Theobald admit that their outstanding immediate effect is increased unemployment, especially among minorities.

How are the state legislators from Lake County voting on this bill? Minority group people of this area, don't let them in their ignorance deprive you or your friends of jobs!

JOHN A. RENICK,
Social Science Dept., North Chicago High School.

TWO WINNING ESSAYS OF EVACUATION DAY CONTEST HELD IN BOSTON, MASS., MARCH 17, 1971

HON. LOUISE D. HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following winning essays of the Evacuation Day contest held in Boston, Mass., March 17, 1971:

WHY I'M PROUD TO BE AN AMERICAN

(By Nancy J. O'Brien)

I'm proud to be an American because of many reasons, first of all because we can live, work and worship as we please. Whatever we wish to do in this world it is our right to seek out what we want to do and work for it. Our God-given talents can be used here in America to the best of our ability, since there are so many schools, colleges and places to improve and better ourselves if we so desire.

Best of all is that here in America the houses and buildings have not been touched by bombs from another nation as so many of our European countries have had. This is because we as Americans protect what we hold so close to us.

I am a seventh grader and don't know too much about politics now, but I do know that as an American I will grow up in a country where I will be protected against wrong doings. I also know that when I am of age I can vote for anyone I feel will help America. This right can not be taken away from me.

I am proud to be an American when I see pictures of other boys and girls my own age without food and clothing and a place to live. I know they live in a country where wars are being fought, but here in America such things are kept from our shores.

This country is also a beautiful place, with its parks, roads and many natural resources. It takes more than one person to keep America beautiful and I appreciate looking at every inch of my land.

I am proud to be American when I listen to stories my grandmother tells me of her young days in a foreign country, and the many hardships she endured. I am happy to see how proud she is to have her citizenship papers to show she is an American. She makes me realize how lucky I was to be born here.

I know that as a twelve year old I don't get a chance to show my feelings toward my country, so I am glad for this opportunity to put down a few of my thoughts. As I grow older I will learn more about America through my school and studying history

from its earliest beginning. The men and women who lived and died to make America what it is today would not be ashamed of its people. We are not perfect but it gives us a goal to work for.

In America all people are created equal, no matter what color or religion or nationality. Everyone has a choice to live as he please under the flag of red, white and blue. Not only under the flag but under our National Anthem. When this song is sung, I know many people as well as I get a nice feeling. If you will just listen to the word, "the land of the free and the home of the brave," tells a lot about my America.

WHAT FREEDOM MEANS TO ME
IN THE SEVENTIES
(By Patricia Fahy)

To be truthful, I have never really evaluated the meaning or depth of my freedom. I have merely taken it for granted and enjoyed it. However after much consideration, I now realize the importance of it, and the effect it has had upon my life.

I receive many privileges from my parents because of the implicit trust they have in me and because I have never betrayed their trust. I am allowed to go to places within reason accompanied by my friends, and I also enjoy a reasonable curew for my age. For example, this summer my friends and I went to Cape Cod, horseback riding and participated in other events which we immensely enjoyed. Even though I have never seen it in such a light before, the ability to participate in activities such as these are aspects of my freedom. At present, I am fulfilling the requirements for obtaining my license, such as driver's education and driving lessons. If I do get my license, it will not only be a state-granted freedom to be allowed to drive a car, but also a family privilege when my father or brothers trust me enough to allow me to take their cars.

On a wider and more impersonal scale, our government bestows numerous freedoms upon its citizens until they disprove their ability to handle them wisely and justly. Because I live in this country, I can freely decide my life's ambition, choose where I want to be educated, and where I will settle down and carry out my life's plans.

During the course of the seventies, I will have lived on this earth long enough to register to vote. This is one privilege I am anxious to obtain and will not treat lightly.

I regard this act of voting as a form of support for a person, issues, and ideals in which I trust and believe. If, because of my support, a person obtains a political office, it gives him the chance to straighten out our problems, and to maintain the freedom we know today for future generations. This means a great deal to me because there are so many current problems obstructing our national ideal. I am not so naive as to strive for or even hope for achieving a utopia because I know this is an impossibility, however, I do feel there are many injustices that could be corrected by a change in leadership, attitudes, and more action on the part of apathetic citizens.

Also before the turn of the decade, I hope to have started raising a family. My freedom will greatly influence this portion of my life. I want to be able to teach my children about the God in whom I believe, the principles and the ideals I feel are important. I want them to grow up in a free country as I did, however, I hope there will not be as many problems and crises for them to encounter.

At this point, I would like to be able to say that because of my freedom, I am now happily finding answers to my many questions about life, but I can not, not yet anyway, because I am still searching. However, I can say that when I find these answers I

am confident that I will be able to pursue my life's goals successfully because I am a free person.

DEMONSTRATIONS—ANTIWAR OR
ANTI-AMERICAN?

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. HUNT. Mr. Speaker, it disturbs me to see and hear the apparently official attitude around this city not to do or say anything that will inflame the antiwar protesters.

Since the large majority of our constituents do not receive the local Washington papers or newspapers from nearby cities, it might be well to point out a few things that have happened during the past few days of demonstrations so that the American people will not be misled into believing that the participants are just another bunch of youthful, fun-loving patriots.

One article, appearing in the Washington Post, blandly notes:

In all, there were 25 arrests Saturday and early Sunday, police said—18 for disorderly conduct, two for crossing police lines and five for burglary after an unsuccessful 3 a.m. attempt to enter the Washington Monument.

Several bottles were thrown at police briefly Saturday afternoon, 82 (American) flags were ripped down at the Washington Monument, and all the seats of the Monument's park benches were burned early Sunday in scattered bonfires used to warm the concert listeners.

But get this observation, as if to add respectability to the whole affair—

The arrest and damage totals were far below those of demonstrations of comparable size here in previous years.

Accompanying the article is a picture showing hundreds of automobiles illegally parked on the Monument Grounds, which was turned into a campsite, and I dare say that none of your constituents could get away with that for a minute even if they only wanted a ringside parking site from which to take in the sights.

An article in this morning's Washington Post reveals that the campsite in West Potomac Park—situated between the Lincoln and Jefferson Memorials and approved earlier by the Justice Department as the staging site for militant protests this week and next—is nothing more than a temporary recluse for drug users, vagabonds, and teenage runaways. From this site of disorganization, the daily bands of dissidents descend upon the Congress and other Federal agencies to say how rotten everything is and supposedly suggest—or demand—how Congress might act more responsibly.

A front page picture in the Sunday issue of Baltimore's The News American shows three demonstrators posed on a statue on the Capitol grounds—with the dome of the Capitol as a backdrop—one perched atop the statue waving the Vietcong flag. The accompanying article reports:

During the march, about 50 persons carried the Red flags of revolution and Vietcong banners and placards reading "Smash Imperialism—Build a Labor Party" and bearing pictures of Marx, Lenin, and Trotsky.

It is unfortunate that those who have sincere convictions against the policy of our President with respect to extricating American troops from the war must be associated with the growing number of misfits who, while professedly antiwar are equally anti-American. It is indeed becoming increasingly difficult to separate the wheat from the chaff as even outright acts of anti-Americanism are given some aura of respectability and legitimacy under the cover of the antiwar emotion. This fact should be obvious to anyone who cares to look and it might again be observed that in all of these so-called peace demonstrations, the American flag is conspicuous only by its absence.

On a related matter, I have repeatedly cautioned that those who are so vociferous against the war are actually prolonging the war by making a just settlement increasingly difficult to achieve. Illustrative of this fact is an article that was tucked away in the pages of the Washington Post of this date under the heading of "VC Offers Aid to U.S. Deserters." Quoting the article directly:

Paris, April 26—The Vietcong today promised help and protection to American deserters in South Vietnam and urged them to step up their antiwar efforts.

The offer came in a Vietcong High Command order to its guerrillas circulated here (Paris) by the Vietcong delegation to the Vietnam peace talks.

The statement urged U.S. servicemen to seek repatriation and "to refuse to go submissively to a useless death in the unjust war in Vietnam and Indochina."

It ordered guerrillas to welcome and reward American deserters and to help them seek asylum in another country or return to the United States. It did not spell out what the rewards would be.

(UPI quoted a Vietcong spokesman in Paris as saying that some U.S. deserters have joined their ranks and are fighting other Americans in South Vietnam.) Emphasis added.

An editorial in the official Hanoi daily Nhan Dan also demanded that President Nixon set a date for total U.S. pullout from Indochina.

Mr. Speaker, when are we going to wake up?

MAN'S INHUMANITY TO MAN—
HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

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

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

How long?

THE CONVERSION OF A SKEPTIC

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, Columnist James J. Kilpatrick was at one time a self-confessed skeptic when it came to the Peace Corps. Like some other critics at the time the Peace Corps was conceived, he saw it as "a gaggle of adolescent do-gooders, bearing ideological Rinsos to the great unwashed"—at best they would be "innocents abroad," and at worst, "meddlesome Melvins, bound to make trouble."

Well, all that has changed, and the hard-nosed conservative columnist has admitted to the error of his ways, and is now a newly won convert to the Peace Corps cause. The conversion may be attributed in part to 36-year-old Peace Corps Director Joe Blatchford and the new directions he has charted for the agency in response to third-world needs. Mr. Kilpatrick also makes favorable mention of the Action Corps which would bring together the Peace Corps, VISTA, and other Federal volunteer programs under one roof.

At this point in the RECORD, Mr. Speaker, I include the full text of Mr. Kilpatrick's column as it appeared in the April 22 edition of the Rockford Morning Star:

PEACE CORPS GETS NEW LIFE AMONG VOLUNTEER AGENCIES

(By James J. Kilpatrick)

WASHINGTON.—What ever became of the Peace Corps? The question crops up now and then, generally when an observer of foreign affairs senses that something has dropped out of the news and realizes the Peace Corps is it.

On inquiry, one learns that the Peace Corps leaped into lively existence under Kennedy, peaked off its own momentum in 1968 and then lapsed into slow decline. Now that decline has been reversed. Applications from prospective volunteers once more are flooding in, and the Congress is about to take up Nixon's plan for bringing half a dozen volunteer agencies, including the Peace Corps, under a single tent to be known as Action.

Let an old skeptic confess, in part at least, the error of his ways. When the Peace Corps first was conceived, many a conservative critic, including me, saw the outfit as a gaggle of adolescent do-gooders, bearing ideological Rinsos to the great unwashed. At best, we supposed, the volunteers would be innocents abroad; at worst, they would turn into meddlesome Melvins, bound to make trouble.

The estimate, in fact, was not wholly in error. Some of the volunteers, equipped with little more than a liberal arts degree and a few stars in their eyes, proved to have little of value to the host countries where they worked. In Latin America, some of the activist types, working to organize the campesinos, and instruct them in their civil rights, achieved little but new disillusion. In the course of time, the Peace Corps formally was invited out of half a dozen countries. And as the novelty wore off, applications declined from 45,600 in 1964 to 19,000 last year.

Yet the picture, viewed as a whole, was much better. The Peace Corps volunteers proved themselves, by and large, as excellent emissaries of the United States. They taught in schools where there had been no schools before; they performed some ingenious mira-

cles here and there in agriculture, in sanitation and in public health. They caused little or no embarrassment in U.S. foreign policy, and they made a host of friends in people-to-people diplomacy. Barry Goldwater's enthusiastic comment that the corps is "the best thing we have going in the field of foreign relations" probably is close to the mark, though it tells us something of what else we have going for us in the field of foreign relations.

Under Director Joseph Blatchford, sidburned and blue-eyed, the Peace Corps is steadily being revamped. The new emphasis is on recruiting volunteers with specific skills—plumbers, carpenters, especially farmers. In 1969, barely 2 per cent of the requests reaching the Peace Corps from host countries were for farmers. This year the figure is 18 per cent. Meanwhile, requests for "generalists" have dropped in half, from 60 per cent to 29.

Recruiting efforts are being altered in other directions also. From its inception, the corps has encountered great difficulty in attracting black and Chicano volunteers. Vigorous programs are in motion to change this picture. Formerly the corps took married couples, but none with children. Now whole families are being recruited. In 1969, only 6 per cent of the applicants were over 28; the figure this year is 21 per cent.

Blatchford has a highly carbonated optimism about the road ahead. The new Action agency—unless Congress disapproves—will bring such agencies as VISTA (Volunteers in Service to America) and eventually the Teachers Corps under his wing. He foresees all kinds of possibilities for men and women with a sense of dedication to volunteer service—for example, one year of teaching in some troubled spot in the United States, followed by two years of teaching abroad. A number of universities are working out plans to grant academic credit toward master's degrees in return for volunteer service.

Not everyone is so enthusiastic. Many of the VISTA people, suspicious of change and hostile to Nixon, are dragging their feet. But Blatchford is warmly convinced that plenty of Americans still possess the old volunteer spirit, and he is ready to welcome them aboard his refurbished ship, for duty at home or abroad.

MAY 3—THE POLISH NATIONAL HOLIDAY

HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. COTTER. Mr. Speaker, on May 3 people of Polish descent from all over the world will be celebrating the 180th anniversary of the Constitution of Poland. It is indeed an honor to take this time to commemorate this noteworthy event. It deserves recognition in the House of Representatives.

The freedoms and liberties that the people of the United States enjoy stem from the ideals set forth in our Constitution. It is little known, but on May 3, 1971, these ideals were set forth in the Constitution of Poland. Today, however, they are powerless to enjoy the benefits they so rightfully deserve because of the ruthlessness of Communist domination. This, however, is not the first time that the people of Poland have been subjugated; her history has long been tragically marred by the presence of foreign powers or undemocratic governments.

I ask that this distinguished body recognize this important holiday in the hope that it will bring renewed faith and courage to the citizens of this oppressed land. And I pray, as they do, that the future will bring the independence and freedom embodied in their Constitution of 180 years ago.

KENDALL IS THE MAN TO HANDLE RAILPAX

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. CHAMBERLAIN. Mr. Speaker, as the Members of the House are aware, Amtrak, the new passenger train service, formerly known as Railpax, begins operations on May 1. It would be hard to find a more challenging or more difficult assignment than establishing passenger train service on a financially sound, efficient, and satisfying basis to all those throughout the country who desire this mode of transportation. It is, indeed, a Herculean task. The Jackson Citizen Patriot in an editorial on Wednesday, April 7, 1971, recited some of the many fine qualifications that the chairman of the board of the National Railroad Passenger Corp., David W. Kendall, possesses for this almost impossible task. I am pleased to join the Citizen Patriot in saluting Mr. Kendall, formerly an Assistant Secretary of the Treasury and later Special Counsel to the President under the Eisenhower administration, for his willingness to once again lend his considerable talents in service to our Nation and commend the editorial to the attention of my colleagues:

KENDALL IS THE MAN TO HANDLE RAILPAX

David W. Kendall, the former Jackson attorney who now heads Railpax, the nationalized passenger train service, has made it plain that he will not yield to urging that the service be expanded.

Mr. Kendall, testifying before a Senate committee and hearing complaints from senators concerned about limiting of service in their own states, said that the new system "represents our best judgment."

He also described the Railpax plan, which goes into effect May 1, as a solid base on which rail passenger service can be expanded if business warrants it.

As we understand the Railpax concept it is to provide passenger service where the passengers are and to eliminate the costly, inadequately patronized trains which have been kept running only because people in the areas served want them retained.

Giving in to political and regional pressure would, of course, defeat the very purpose of the Railpax system and run up a bill for the taxpayers for millions of dollars to subsidize trains which only a few persons want to use.

Jacksonians who know Dave Kendall understand that he is the kind of a man who will follow what he interprets his orders to be and will withstand political pressure to change them.

We have seen Mr. Kendall in operation as a practicing attorney, a school board president, a leader in the Republican party and an assistant secretary of the treasury under President Eisenhower. (He started his work-

ing career as a young man as a reporter on the Citizen Patriot.)

In every position he has held, Dave Kendall, the politician, also has been a practical man who does what he thinks is right no matter how hot the flack may get.

He is an excellent choice to head Ralpax as he knows the railroad business from his days as a counsel for the New York Central.

Moreover, he has nothing to prove and no political ambitions of any kind. He retired from his private career when he stepped down as vice president in charge of legal affairs for Chrysler Corp. He answered the summons to head Ralpax because he thought he could do one more public service. Thus he is about as invulnerable to pressure as any man can be.

If Ralpax is to preserve, and possibly expand, rail passenger service in this country instead of being the last gasp before the coroner is called, it will have to be operated along the lines laid down by its advocates and implemented by Mr. Kendall and his associates.

If politicians and prideful civic interests insist on maintaining service where the traffic does not justify it, Ralpax either will fail or become a terribly costly federal boondoggle.

We say that even though we know that many areas of Michigan are left off the new rail system and the drum beating for saving some of the trains is loud, indeed.

Although Jackson is on the Detroit-Chicago main line and will be served by Ralpax, it will lack some of the present connections to population centers such as New York.

If, however, the drastic surgery is necessary to save the patient, so be it.

And we wish Dave Kendall luck in making the plans stick. If anyone can do it, he can.

AN OIL SPILL ON TROUBLED WATERS

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BOLLING. Mr. Speaker, Vietnam as another Golconda with vast natural resources, to be exploited by U.S. interests, is exposed as a "synthetic bogey" by former Under Secretary of State George W. Ball in the following column which appears in Newsweek, May 3:

AN OIL SPILL ON TROUBLED WATERS
(By George W. Ball)

Recently, on three college campuses, not only students but even some young faculty members have confronted me with a startling assertion. America, they have announced, has embroiled itself in Vietnam not from misconceived purposes of strategy and politics but from motives as ugly and elemental as greed. South Vietnam, they say, should better be named Golconda. Just as someone once described Britain as an island founded on coal and surrounded by fish, Vietnam—these young men assure me—is a land founded on vast ore bodies and surrounded by oil. Thus our adventure in that wretched terrain of paddy and jungle—that General de Gaulle once described to me as "rotten country"—is not, they confidently assert, a misguided effort of containment, but instead a textbook example of economic imperialism, gunboat diplomacy and nineteenth-century-style filibustering.

When I have countered this thesis by declaring that in more than six years' involvement at the highest level of our government I never heard even a whisper that America

had a significant economic interest in Southeast Asia, my student interlocutors have regarded me with incredulity, implying that I was either gullible or a tool of the interests. Even my modest suggestion that they might profitably take a course in economic geography was not enthusiastically received.

SYNDICATED BOGEY

Obviously, all talk of vast reserves of copper, molybdenum and other valuable metals reposing in the subsoil of South Vietnam is moonshine. Yet it is bad luck that now, in this tenth year of our Vietnamese agony, the whole continental shelf of Southeast Asia should become the focus of an oil search. Though the South Vietnamese Government has, as yet, granted no drilling concessions, the mere fact that offshore Vietnam is now regarded as geologically—though not politically—a "good risk," should be quite enough for the revisionist historians with a Marxist bias. Up to now they have had a lonesome hunt in Vietnam, since the only devil they have found to chase is that synthetic bogey "the military-industrial complex." But the merest whiff of oil puts them on a new scent. Since it is part of our folklore that even the most nebulous vision of potential gushers arouses the beast in man, to link the word "oil" with South Vietnam triggers a Pavlovian reflex in all those who light up with moral glow at the venality of others.

Of course, it is a fair question why we are in Vietnam, since our national interest in that area seems so hard to identify, and most citizens have found only the foggiest answer. For them the workings of government still remain a dark mystery, and, as with any drama, acceptance of the action depends on a tenuous suspension of disbelief. When, as has now occurred, disbelief is no longer suspended, we must brace ourselves for a bizarre season of nonsense.

NO ARMAGEDDON

To counter the current mood will not be easy, and no one can do much to help except the President. His most urgent task is to persuade a justifiably skeptical public that, at long last, we are getting fully out of South Vietnam and will not again be seduced by tactical diversions that expand the combat theater. Beyond that, he needs to reformulate our objectives, as he has already tentatively begun to do, while rigorously abjuring political hyperbole. The point to be made is that Vietnam is not really Armageddon after all, and that we should never have guaranteed that the country (if it is a country) would be made safe for democracy. The most we should ever have undertaken was that the South Vietnamese would be given a "reasonable chance" to determine their own destiny, leaving ultimate success or failure in their own hands. That is, after all, the totality of the promise that President Eisenhower made to Diem in 1954, when we first started down this tortuous road. If we now retool our public declarations to emblazon that point for all to see, we will not only minimize the political damage to our position around the world in the event that the Saigon regime crumbles under the pressure of progressive withdrawal, but we will condition the American public to withstand the wild and windy nonsense which is certain to mar life on the home front in the months ahead.

HON. JACK A. LIPARI

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. CARNEY. Mr. Speaker, I wish to express my sincere congratulations to an

extremely knowledgeable and energetic gentleman, Jack A. Lipari. At this time, however, I should refer to him as Judge Lipari. His great interest in the justice that our Nation guarantees has provided him with the opportunity to dispense this justice as judge of the county court.

Socrates said:

Four things belong to a Judge; to hear courteously, to answer wisely, to consider soberly, and to decide impartially.

I am confident that these four things belong to Judge Jack A. Lipari.

ABOLITION OF HOUSE COMMITTEE ON INTERNAL SECURITY LONG OVERDUE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. DIGGS. Mr. Speaker, the American public in recent months has witnessed long overdue outrage expressed against spying by various Government agencies. It seems any citizen's, any Congressman's, any Senator's ideas and actions are deemed "questionable."

It saddens and alarms me that while the public has placed its trust in Congress to take steps to protect the freedoms and rights of an unjustifiably scrutinized citizenry that the legislative branch is nonetheless negligent in fulfilling its functions as watchdog of Government agencies and protector of individual and public rights.

What would our citizens think of Congress if more were aware that one of the House committees is providing, with enthusiasm, information of these Government snoop agencies and that citizens placed in these files number in the thousands. I am speaking of one of the last vestiges of the Joe McCarthy era in the legislative branch—the House Committee on Internal Security, formerly called the House Un-American Activities Committee.

There is no justification for funding this committee, yet some in this body are seeking increases in HISC's budget, above the outrageous \$850,000 HISC budget during the 91st Congress. In spite of the fact that HISC's legislative record during the entire 91st Congress amounted to consideration of only seven different bills, three of them reported out, one reaching the floor of the House, and none becoming law—in spite of this, the HISC budget was sixth among all House committees. The legislation considered by this committee should instead be placed under the jurisdiction of the House Judiciary Committee.

With \$850,000 at its disposal, and yet such a meager legislative record, HISC is obviously using these funds to maintain its library of data on citizens and then distribute this data to every snoop group which makes a request—and the requests are enormous.

Congress should be questioning whether the old HUAC files are perhaps the basic source of dossiers which Government agencies are assembling on these

so-called un-Americans. We should be asking where this committee gets its authority to maintain and distribute personal information, even income tax records, on the citizens in its files.

The resolution which authorized this committee contains no reference to the rights of this committee to distribute gossip about Americans under the name of the House of Representatives.

None among us wants to share the blame for furthering police-state tactics. Yet as long as this House appropriates these outrageous funds to HISC, thus allowing it to continue its abuses, then the House and its Members who vote for such appropriations are to blame.

Why, I ask, is not Congress asking whose names are in the file? How many? How are they selected?

And who decides who will be selected for HISC's Who Is Who in Un-America?

The proposed increase in this committee's budget will serve to permit further abuses by HISC. Unless we are willing to share the guilt of spying on the American citizenry, something we legislators have so self-righteously criticized in the executive branch, then we must vote against further appropriations for this ignominious committee.

DOMESTIC PROGRAMS, YES;
FOREIGN AID, NO!

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BARING. Mr. Speaker, in the House of Representatives this week, on April 22, I voted for two bills which are major in importance, I believe, in order to strengthen this Nation.

The bills are designed to spur the economy on one hand and to fill in financial gaps in three other public programs on the other.

These are good bills for America and certainly will put a brighter glow on potential strong gains for America than the \$13.5 billion thankless foreign aid program proposal for the next fiscal year—1972—which the administration insists on throwing away again.

American taxpayers must be told that again, on one hand, the administration is asking for the \$13.5 billion for foreign aid while on the other hand the administration has locked up, at this very moment, \$12.8 billion, which was duly appropriated by Congress for fiscal year 1971 expenditure, and which is all for domestic programs solely.

The inequity is apparent in the administration's philosophy of economic balance and that is why the House of Representatives passed the first bill April 22 to accelerate homefront public works projects and another to "fill in those financial gaps in three other public programs," to quote from above.

First of all, I voted for the \$5.5 billion accelerated public works program, mainly devised to create jobs with a \$2-billion shot in the arm for local communities to

go ahead and build public works projects already planned.

Another \$2 billion would be used over the next 2 years to assist communities to attract industry and the remaining \$1.5 billion would be for the Appalachian regional development program to open the area for further industrial development through road construction and other aids.

This public works program, which passed 319 to 67, is similar to legislation passed in 1962 to correct American economic ills.

That ill today mainly is unemployment—ranging at about 6 percent at the moment.

This bill should help turn the economy around and get America working for America again. This is what is wanted and needed.

One of the most serious of our economic problems today is also a human problem and that is unemployment. I will quote from the House Public Works Committee report on this bill which stated:

No one who has walked the streets seeking gainful employment can think otherwise.

The other major bill in the House April 22, which I supported and which passed by a voice vote, was the urgent supplemental appropriations bill of \$1 billion to augment three public programs threatened with a shortage of cash.

This bill included \$736 million to sustain mandatory veterans benefit programs which are lagging financially due to the increased number of veterans applying for benefits this year. This funding covers almost every program under the Veterans' Administration.

The other two public programs receiving aid under this urgent supplemental appropriation bill are the occupational safety and health program for \$12 million and the Disaster Relief and Small Business Administration Disaster Loan Fund with a figure of \$290 million.

These are funding levels to help America domestically. These are American taxpayers' dollars working for Americans.

Now, these bills make better economic and human sense for America and the use of her taxpayers' dollars than the billions proposed to go for foreign aid.

I feel it was fitting that on the day after the President announced one of the administration's many "spigots" of giveaway foreign aid programs, the one for \$3.3 billion, that the House judiciously approved the two money bills to infuse public works action into the 50 United States.

Furthermore, I was galled to read in the Washington press—Washington Post, April 22, 1971—that:

White House officials said that the \$3.3 billion aid request is only about \$100 million more than that appropriated for (fiscal year) 1971.

Only? Good grief. If the administration has \$100 million extra that it assumes will be laying around, then I believe that the administration, as well as the Congress, should plan to channel it into the new National Rail Passenger Corporation, Railpax, for example. This

would help expand rail passenger routes into cities such as Las Vegas, Nev., which were left out in the cold by Railpax.

And, by increasing the routes of Railpax, that certainly would aid the fight against unemployment.

FLETCHER THOMPSON REPORTS
TO YOU

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. THOMPSON of Georgia. Mr. Speaker, I insert my most recent newsletter in the RECORD in order that it may be made available to all the Members who receive the CONGRESSIONAL RECORD and are not on my mailing list:

FLETCHER THOMPSON REPORTS TO YOU
LT. WILLIAM CALLEY

Drafted into the Army—worked hard and became a 2nd Lieutenant—was taught to kill in warfare—sent to Vietnam—in March of 1968 was ordered to lead his outfit into My Lai, a known Viet Cong village on an official Search and Destroy Mission—destroyed the village and killed all the people, young and old, armed and unarmed alike—brought to trial by the Army—convicted of murder—appeal now pending—President Nixon will be the final appellate authority.

NORTH VIETNAMESE MASSACRES

One month before My Lai, during the Tet Offensive at Hue, the North Vietnamese herded 4,000 old men, women and children into ditches, shot them, bulldozed dirt over them. Except for the number of people, this was not an unusual or isolated event. The Viet Cong and the North Vietnamese had conducted hundreds of massacres of loyal South Vietnamese before. This was the way they fought the war, through terror and repression. School buses full of children were blown up—bombs put in cafes—more than 30,000 South Vietnamese village chiefs and council members along with their families had been brutally tortured and assassinated by the Viet Cong and North Vietnamese—Will the North Vietnamese ever try their own soldiers for such massacres?

WAR ON TRIAL

Never before have so many people spoken out with such dismay as did the public after the Calley trial. Why? Can we condone the killing of old men, women and children? Of course not! But we must judge based upon motivation. What motivated Calley? Did he act because of the way the other side was fighting and due to emotion, battlefield pressures and unclear orders, or is he a murderer without mitigating circumstances? Frankly, I believe the Calley trial has placed war on trial even more than one man, and all society, Communist as well as Free, shares part of the blame.

It is not right to kill unarmed women and children either by bombs from airplanes or bullets from rifles. In fact, war is not right, though sometimes necessary, but whether killing in war is murder or not depends upon the motive of the individual. Because I believe a confused and misdirected Lt. Calley thought he was doing his duty as a soldier in a dirty war, I have introduced a resolution in the U.S. Congress calling on the President to pardon Lt. Calley.

THE PRESIDENT SPEAKS

In response to the public outcry, President Nixon has assured the Nation that, although Lyndon Johnson was President when My Lai

occurred, he, Richard Nixon, as President, would not shirk his duty, but will, as the final appellate authority provided by law, make the final decision in the Lt. Calley case.

THE BROAD CASE

I believe President Nixon will judge not just the act of killing, but unfortunately this does occur in warfare, but rather what motivated Lt. Calley. In my opinion, Lt. Calley was at the time an emotionally confused soldier engaged in combat who believed it was his duty to do what he did. He did not consider this wrong because of the way the war was being fought by the other side when they massacred loyal South Vietnamese and My Lai was a Viet Cong village.

THANKS FOR YOUR HELP

By your telling me directly how you feel, I do not have to rely on others for information. Your answers to the last questionnaire:

[In percent]

| | Yes | No | Undecided |
|---|-----|------|-----------|
| 1. Do you think President Nixon's efforts to curb inflation are working? | | | |
| His..... | 22 | 58 | 20 |
| Hers..... | 20 | 70 | 10 |
| 2. Do you favor stronger laws to control pornography? | | | |
| His..... | 72 | 15 | 13 |
| Hers..... | 80 | 13 | 7 |
| 3. Would you favor the Federal Government's sharing tax revenues with State and local units of government? | | | |
| His..... | 59 | 28 | 17 |
| Hers..... | 59 | 17 | 24 |
| 4. Should Federal funds be denied to colleges which do not take steps to control violent demonstrations? | | | |
| His..... | 84 | 12 | 4 |
| Hers..... | 89 | 9 | 2 |
| 5. Do you favor the administration's welfare proposal (the family assistance plan)? | | | |
| His..... | 27 | 45 | 27 |
| Hers..... | 31 | 44 | 25 |
| 6. Do you favor weakening the laws against abortion? | | | |
| His..... | 64 | 27 | 9 |
| Hers..... | 64 | 30 | 6 |
| 7. Do you favor Federal subsidies to revive the railroad industry? | | | |
| His..... | 50 | 40 | 10 |
| Hers..... | 44 | 44 | 12 |
| 8. Are you satisfied with President Nixon's policy of troop withdrawal and "Vietnamization" of the war in South Viet Nam? | | | |
| His..... | 55 | 33 | 12 |
| Hers..... | 60 | 35 | 5 |
| | His | Hers | |

9. Please rate on a scale of 1-10 the priority you think the following areas should receive in the Federal budget. (No. 1 indicates highest priority while No. 10 is your lowest preference.):

| | | |
|----------------------------|----|----|
| Crime control..... | 1 | 3 |
| Defense..... | 2 | 1 |
| Drug control..... | 4 | 2 |
| Education..... | 3 | 4 |
| Environmental quality..... | 5 | 5 |
| Foreign aid..... | 10 | 10 |
| Housing programs..... | 8 | 7 |
| Medical research..... | 6 | 6 |
| Poverty programs..... | 7 | 8 |
| Space program..... | 9 | 9 |

UNFAIR TAX APPRAISALS

Fulton County and the City of Atlanta recently hired an Ohio firm for over \$1 million to tell them how much to assess taxpayers' property. My office received hundreds of complaints about the assessments being unfair. Generally, the homeowners' taxes were increased whereas many downtown business properties were decreased. My father, Standish Thompson, a retired tax attorney and former Tax Commissioner, represented five South Fulton property owners in contesting assessments as being unfair and unconstitutional. With the help of

Houston White, prominent Atlanta attorney, he succeeded in winning the case which means that the tax assessment you received earlier has been ruled by the Court to be invalid. It's good to have someone looking out for the small homeowners even if it's a retired Tax Commissioner who feels they're not being treated fairly.

WHO WILL CONTROL?

The State of Georgia has brought suit to require the National Democratic and Republican Parties to base delegates to the next Presidential conventions on population. This is critical to Georgia Democrats because if the State does not win, liberal elements will have more power than ever before. The reason is that the National Democrats have accepted the recommendations of Senator George McGovern to give those liberal areas that supported Hubert Humphrey more delegate power than in the past. Since Humphrey carried only 27% of the vote State-wide, but, by getting 98% of the Black vote, carried the Fifth District, the Fifth will have more Convention delegates than will other areas that did not go for Humphrey. You can understand why the other Georgia Democrats do not like the National Party recommendations because there will be a shift in power which will make the Georgia Party more like the National Democratic Party.

It is a high honor for me to serve you in Congress.

UNEMPLOYMENT BENEFITS FOR VETERANS

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BINGHAM. Mr. Speaker, a recent feature article which appeared in the New York Post, April 24, 1971, concerned itself with the job crisis facing many veterans returning from the Vietnam war. The article states that these veterans are "twice victimized by Vietnam. The war they helped fight—sometimes even sacrificing an arm or a leg—has created the very inflation that now denies them civilian jobs."

On Wednesday, April 28, I will introduce a bill to provide special unemployment benefits to Vietnam era veterans similar to those provided in the past for World War II and Korean veterans. This will be the first introduction of what I believe to be much needed legislation. If any Members of the House want to join me in cosponsoring this bill, they should contact my office as soon as possible.

I would like to include the full text of the New York Post article at this point:

HOME FROM NAM AND OUT OF A JOB

(By Barry Cunningham)

When people ask Ptl. Gerry Simpson why he walks with a strenuous limp, the Staten Island cop tells them he "sprained an ankle" playing basketball. Former Army Sgt. Simpson would rather lie about an artificial limb than reveal that his left leg was blown off by a mortar in Vietnam.

Black veteran Gilbert Pew has an aching kidney infection that keeps him quarantined in a Veterans Administration hospital one month out of every four. The former Army private suffers in silence. The pain would be worse, he says, if friends knew he contracted the disease on combat patrol in Vietnam—drinking stagnant water from a contaminated jungle trench.

Photographer Walter Putrycz politely

changes the subject when his Brooklyn neighbors ask where he's been keeping himself for two years. "I'm not proud of being a Vietnam veteran," he says of his 19-month combat experience on a DMZ outpost.

"I'm ashamed of myself for not questioning the morality of my actions in Vietnam. I feel as though I cheated or betrayed somebody. In a way, I'm afraid people will praise me for what I did when what I did was wrong."

The gnawing self-doubts and passion for anonymity in each of these three former soldiers typifies the forgotten man of the Vietnam War—the returning veteran. Silent, unnoticed, and confused, thousands of young "Vietvets" are returning home from the war to discover, often bitterly, that society has turned its back on them.

Their low self-esteem is a consequence of the political ambiguities of the war. "The doves call us fascist pigs just for being veterans and the hawks call us Commie freaks if we protest the war," laments a Brooklyn veteran stranded in the argument over the morality of the war. City College business student John Saladyga, a former Signal Corpsman and one of the few Vietvets to take advantage of the GI bill and go back to school, would have been a hero in another war, at another time, in another place.

Instead, he feels that he was a feckless victim of White House politics, asked to sacrifice his life in order that the Nixon Administration could "buy time" at the Paris conference table. Although he feels his CCNY classmates lack a knowledgeable basis for their inner convictions against the war ("You have to experience the killing, the black market corruption to know why you're really against it"), their influence has transformed Saladyga from a hawk to a dove.

"As a result of Laos and Cambodia," he says, "the veteran doesn't believe what his government is telling him any more than the student does."

Perhaps that sort of understanding made possible the vanguard of this weekend's anti-war march in Washington—a contingent of "Vietnam Veterans Against the War," including wheelchair amputees, who bivouacked at the base of the Washington Monument and got the gates to Arlington Cemetery slammed in their faces when they went there to place a wreath at the Tomb of the Unknowns.

Even a small number of vocal anti-war veterans can make themselves into eloquent political symbols. But most Vietvets remain as stoic and apathetic out of uniform as they were when still in jungle fatigues. Despite the fact that 85 per cent have had high school diplomas (compared to about 50 per cent of World War II vets and 70 per cent of the Korean veterans) the Vietnam veterans are the least inclined toward further education or job training. Only one out of five even bothers to apply for health or insurance benefits.

At the offices of the New York City Division of Veterans Affairs, 300 West 43d St., a preponderance of the Vietvets who drift in for job counseling are black and Puerto Rican ex-infantrymen, many in the 15 per cent category of low IQ, ill-trained high school dropouts. They are twice victimized by Vietnam.

The war they helped fight—sometimes even sacrificing an arm or a leg—has created the very inflation that now denies them civilian jobs.

The struggle not only to find a job but to hang onto one during a recession period of frequent lay-offs has left black veteran Gilbert Pew feeling that "people don't give a damn about you being a Vietnam veteran." The former tank driver has been laid off from three truck-driving jobs since marching home from the war in April, 1969.

At age 23, his service-connected kidney ailment is a problem in holding down a good job. Another problem is a young wife who

drifted into heroin addiction while her husband was away at war. That leaves him supporting a 4-year-old son without help from relatives. Pew himself is an orphan who was reared in various New York children's shelters.

Pew is acutely aware that the better jobs have already been filled by civilians his own age who stayed home from the war. Prospective employers, he says are wary of hiring a Vietvet: "They think you're going to be shell-shocked or mentally unbalanced. They'd much rather hire a draft-dodger. In fact, they do hire them. The boss feels that the draft-dodger is at least smart enough to stay out of Vietnam."

Only about one of every 10 non-veterans in the 20-to-24-year-age bracket is out of work today, according to federal labor statistics. But one of every eight Vietnam veterans cannot find a job.

Furthermore, there are many complaints of "dead-end" jobs, whether the job-seeker veteran is well-educated or lacking even basic skills.

Axel Mehrle, a City College dropout who became an Air Force mechanic at Saigon's Tan Son Nhut airport, signed up for GI educational benefits after his discharge in 1967.

He attended a civilian flight-training school in Clearwater, Fla., arriving back home in Queens last September with a commercial pilot's license and a flight instructor's certificate. Both are worthless scraps of paper as far as the airlines industry is concerned. Mehrle hasn't been able to land a job since graduation.

"I made the round to all the airlines at Kennedy—just looking for a mechanic's job," he said. "The airlines told me their personnel offices weren't even open . . . people just don't give a damn about us."

Society's indifference to the Vietnam veteran is reflected in the Cold War GI Bill, which one out of every three veterans used to return to school after World War II and Korea. Today, only one of four applies for benefits and the reason seems to be fewer benefits. In the old days, educational payments were \$120 a month for a single vet and Uncle Sam picked up the tab for books and tuition separately. Today, a single man who wants to go back to school gets \$175 a month. Period.

Former machine gun sergeant John Saladyga, for example, works part-time as a stevedore on the Brooklyn docks to afford books and tuition at CCNY.

Unlike veterans of earlier wars who found work through federal "hire-a-vet" campaigns, today's homecoming soldier is indistinguishable from hundreds of other men waiting in employment lines across the country. He feels that his Class A uniform would mark him as a "sucker" or an object of pity if he wore it to job interviews after mustering out of the ranks. He often complains that the 70 or so "assistance centers" set up by the VA around the country are foot-dragging agencies, at best offering him manual labor jobs out of the daily "help-wanted" columns.

Even a successful local agency like the Division of Veterans Affairs is having its staff slashed in half because of the city's recent budget cuts. The counseling center found jobs for 5,106 veterans last year in addition to providing advice on medical payments, home loans, insurance benefits and education.

By contrast, the State Employment Service received 4,000 applications for jobs from veterans and found jobs for only 1,400. Almost twice the number of veterans were placed by the state in the previous year.

Similarly, the Vietnam veteran can expect little help from private groups like the Veterans of Foreign Wars.

"I joined up when I first came back," Mehrle recalls. "But I found out there's a generation gap in the VFW. It's run by a bunch of old guys still talking about how they fought at Anzio and Normandy beach-

head. They don't care about us any more than anybody else. They're just a bunch of old guys lobbying for themselves . . . drinking 15-cent beers and showing stag flicks for the chance to get away from their wives."

How much permanent emotional damage has the war done to the "Vietnam Generation" of veterans? Has their difficult transition from the nightmare landscape of war affected their ability to weave themselves back into the economic fabric of the nation?

"I was over there fighting when I should have been home working for my people in the ghetto," says Gilbert Pew. "I came back with shrapnel in both legs and my kidneys ruined. I find out my wife is on drugs. She's ripped up all my clothes and thrown them down the incinerator. I get fired from one job for telling the boss I think Lt. Calley should get the chair for what he did. The boss gets mad because he thinks Calley's a big hero. I gotta admit it: I feel a sense of revenge towards the system."

Several influential psychiatrists, notably Yale University's Robert Jay Lifton, have prophesied that the new breed of veteran may one day revert to the violence he knew on the battlefield, taking out his hostilities and frustrations on the civilian populace.

There is no evidence that Professor Lipson's prediction is coming true.

But the casualty lists obviously do not end in Vietnam. The toll bears witness not only to their economic beating from an ungrateful republic, but to the inner turmoil and helplessness of most veterans.

The Viet vets who led the home front war-peace in Washington this weekend have broken out of that emotional bind.

At least a few hundred of them seem fed up with their role as whipping boys for the country's doubts and misgivings about the war.

STRANGLING THE PRESS IN CHILE

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. SCHMITZ. Mr. Speaker, at this point in the RECORD I would like to insert information concerning the fast-diminishing freedom of the press in Chile. This study was prepared from a survey of Chile's press by a Latin American organization known as the Society for the Defense of Tradition, Family, and Property.

It became clear that Chile is taking the same road that Cuba did under the Communist dictator Fidel Castro and, in fact, the same road as that taken by all Communist states. Freedom of the press is inimical to a one-party dictatorship and so the free press, after first being used to help seize power in this case, is eliminated by incorporation into the state apparatus of coercion.

The Marxist-Leninists with their "scientific" approach to despotism approach differences of opinion in the same fashion as the father of sociology and positivism, Auguste Comte, did. As Comte said:

If we do not allow free thinking in chemistry, why should we allow it in morals or politics?

Along with this interesting study I would like to include an article by Paul D. Bethel which appeared in the May 1, 1971, edition of Human Events magazine dealing with the recent municipal elections in Chile.

The articles follows:

SITUATION OF THE PRESS

Since the time of his election, the main concern of Allende's government has been the control of the Chile's media. (1) To this effect, the government did not dictate special laws, but resorted to other forms of action, trying to maintain as far as possible a double game. That is, on the one hand, to make boisterous declarations about the freedom of the press (2) and to accuse those who say the contrary of making a defamatory campaign. On the other hand, he is using all kinds of methods to put a definitive end to the liberty of the press, what is, moreover, being achieved.

Let us describe Allende's actions on this field:

1. Immediately after the election of the President, communist deputies call on all of the means of communication, urging them to line up with the Unidad Popular (UP) and uttering threats. Several radio stations and daily papers—submit to these pressures. (3)

2. A committee of UP journalists was formed to develop intense activity to defend Allende's triumph. (3a)

3. The workers, controlled by the UP, of the biggest Chilean publishing house, Zig-Zag, go on strike on the 4th day of the new government, a strike that causes an economical crisis in the company (4). The government intervenes, demanding wages that are unbearable for the company (5). Finally it was "purchased" by the government. The company possesses the most modern printing machines in Chile (7).

4. The government always begins by threatening oppositionist—and thereupon it has most of the state published there, in order to exert further pressure in these organs (8). So, many broadcasters cancelled their programs because of threats (9). A communist journalist watched maliciously the silence to which are reduced Otero, Valdez, Gonzalez, . . . all of them conservative newspapermen of renown (10).

5. There was an intervention in the second-biggest publishing company: "Lord Cochran", for supposed economic offences that were later proved nonexistent.

6. A campaign of discredit is started against one of the most influential papers of the country: "El Mercurio". This campaign is headed by Allende and the whole leftist press. First this company was accused of violating the currency laws in force when they settled a loan from a North America Bank. As this accusation was proved to be unfounded, an ostentatious commission was appointed to examine lengthily the book-keeping in order to find at any cost a tax defraudation (11 and 12), which was not found.

7. The whole leftist press, radio and television are conducting a clamorous campaign against the opposing press, calling it rebellious and subversive. Both their newspapermen and managers are being slandered. This creates an atmosphere for blackmail, interventions, expropriations, etc. (13).

8. The government closed down the important Radio Minería for 48 hours for "not wanting to remit a program not broadcasted and made before November 4th". Later the government imposed the following choice: or the director (Gonzalez-Alfaro) goes away, or measures would be taken against the station. The director went out . . . (14).

9. The conservative weekly papers PEC and SEPA had each two issues suspended, besides a lawsuit against their directors (15). The director of SEPA is prosecuted for the third time for absolutely invalid reasons. One of them: Allende sues him, adducing offences against his person in a letter the mentioned director sent him. The text of this letter is the same as the one Allende some time before had sent to former president. (16).

Footnotes at end of article.

10. Another issue of the magazine SEPA was seized without any serious reason. (17)

11. The government intervenes in the broadcasting stations—Portales and Balma-ceda, both in Santiago, the latter for reporting the rumour that there would be a change in the Ministry.

12. The State television suddenly alters its line, repeating constantly Marxist slogans. It transgresses the law by refusing to transmit the programs of the opposition, even making difficulties for the transmission of news from the Congress, to what it is bound by law (18).

13. The daily paper "Austral" of Temuco suffers government interference. (19)

14. Some newspapermen still react. At the election of the "Colegio de Periodistas" the marxists are defeated obtaining only one of the five disputed officers. (20)

15. The Board of Directors of the Federation of Journalists of Chile adheres to the CIP (International Organization of Journalists), agency with its head office in Prague at the service of International Communism. (21) All this has happened during only three months and a half of Allende's Marxist government, that thus achieves its designs step by step, carrying out the totalitarian program of the UP, attacking the freedom of the press and striving at its complete elimination. In spite of all this, Allende goes on repeating tirelessly for the foreign countries that "Chile enjoys the most complete freedom of the press..." (22)

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CHILE'S RUSH TO MARKISM—RECENT MUNICIPAL ELECTIONS HOLD LITTLE OPTIMISM FOR FREEDOM IN THAT COUNTRY

(By Paul D. Bethel)

The MAPU party (*Movimiento Acción Popular Unitaria*) of Marxist President Salvador Allende made some important gains in the April 4 municipal elections. The only national seat up for grabs—that of senator—went to Socialist Adonis Sepulveda. However, that was Allende's old seat and the victory came as no great surprise.

The administration in power and thus in control of the bureaucracy, generally, if not invariably, comes out well in the first elections following that of the presidency (Allende was inaugurated last November). For example, the Christian Democrats made enormous gains in March 1965; President Eduardo Frei's party gained a majority of the Chamber of Deputies that year, a first for any Chilean ruling party in this century.

The official count in this year's elections gives the MAPU (Communists, Socialists, radicals) just about 50 per cent. The major opposition party, the Nationalists, received 22 per cent. The Christian Democrats (who often vote with the Communists on major issues) received 25.5 per cent. Two years ago, the CDs got 31.1 per cent in national

elections while the Nationalists garnered 20.9 per cent.

The real importance in this year's municipal elections is not, as an April 6 story in the *New York Times* has it, that Allende's party was given a "mandate by vote." What is important is that the MAPU is now in a stronger position than before to continue on a path of bypassing congress through plebiscites directed to the public. Allende's avowed purpose of letting congress die on the vine has been pursued with a single-mindedness seldom seen in Latin politics.

The MAPU learned a lesson when congress refused to approve its neighborhood "popular tribunals"—groups of informers patterned after those in Communist Cuba. So the MAPU simply went ahead anyway, but through another channel. Using the party's control of the machinery of government, MAPU pressed on to organize 1,500 cellular groups throughout the country.

Now that the MAPU, by virtue of the April elections, controls a large portion of municipal government it may be predicted that its functionaries at that level will advance the work of their cells at an accelerated rate.

As government control widens—through expropriation and intimidation—these MAPU cells will most probably emerge as the very "popular tribunals" which were struck down by Congress. Congress (which MAPU does not control) will be used only in instances where CD support is assured—as in the nationalization of copper—or when embarrassment to Congress would ensue through turning down a cleverly worded bill or amendment.

In fact, the MAPU should have lost strength in the April elections. That it did not and may have gained a great deal is cause for worry, since it demonstrates how an administration in power is able to mask from public view its shortcomings as well as its goal—a totalitarian state.

When the elections were held, unemployment had jumped from 90,000 last November to over 300,000 in March. However, the MAPU had a goat to belabor, telling the workers that business enterprises (about to be expropriated and therefore moribund) were "depriving Chileans of jobs." Chile's major labor federation, CUTCh, is controlled by the Communist party—which is to say the MAPU—and of course supports Allende in his allegations.

To woo labor (one-third of the population comprises Chile's labor force), Allende raised wages of the worker by a whopping 45 per cent and clamped a tight lid on prices. The inflationary pressures which are bound to come out of this policy will not be in evidence for some time and therefore were not a factor in the election.

Allende granted legal status to CUTCh, assured Chile's workers of "worker participation in management of state and mixed enterprises" and has even allowed CUTCh the right to participate in changing labor legislation now on the books. This is not surprising, since the minister of labor in Allende's cabinet is a member of the Communist party.

The government, moving on another front, has given what amounts to tacit approval to illegal and often violent occupation of farm lands by workers.

This is a safety valve of considerable importance to Allende, for though ex-President Frei promised the agricultural worker that he would be given land from properties expropriated by the state, as of this March fewer than 2,000 had received titles making them landholders. The balance were heeded onto state cooperatives, a project which has turned out to be disastrously wasteful of public funds and unproductive to boot.

In a sense, the farm workers now taking the law into their own hands were doing so because of the frustrations which came

about when the CDs failed to make good on their promises.

Another factor, then, in the April 4 gains by MAPU was the carrot held out to the largely ignorant agricultural worker.

Minister of Interior Jose Toha said all farms in excess of 80 hectares would be expropriated. Luis Corvalan, secretary-general of the Communist party, went Toha one better, saying that 40 hectares were sufficient for a farm. The poor peasants are led to believe that they will receive the surplus land expropriated from big estates. They will not.

However, the MAPU is moving quickly to organize the countryside as it has already done in the cities through the CUTCh. It is organizing peasant leagues to uphold present government policy. The obvious hope is that the MAPU will be in a position to control the rural workers by the time they discover that they have simply exchanged the private employer for the state.

There has been a drastic reduction in food production as a result of the chaotic conditions existing in the countryside. It is estimated that Chile, which has more arable land per capita than the United States, will be forced to import more than \$200 million in agricultural products when, in fact, it should be an exporter of those products. But this, like so many other events happening in Chile, was not apparent to the voter on April 4.

The numerically largest opponents of the MAPU are the CDs, and they are on the horns of a dilemma. They go along with the expropriation by the state of major business enterprises (indeed, expropriation commenced when they were in power—1964-1970). But they are also concerned that in the end small and medium enterprises may also fall to the government. This most likely will occur because as the economy develops under MAPU, it will become impossible for individual enterprises to compete with an industrial community ruled by the government.

Expropriation of businesses is a means of doing away with private property. It is also a tool to control the press.

Chile's press (like ours) is free precisely because the source of that freedom is in the form of revenues through advertising of a free business community. With the expropriation by the state of the business community, the source of income is now shrinking. So is freedom of the press.

With the means of production and distribution firmly in the hands of the state, the remaining source of income will come in the form of government advertising (in Latin America, the government is traditionally a great advertiser). One need not be a crystal ball gazer to understand that such advertising in the hands of Allende's MAPU will go chiefly, or solely, to those news organs which owe to the government line.

Thus, Allende may be able to take over the press with no outward appearance of intimidation. Just in case, however, he still has the press unions which are controlled by the CUTCh.

There can be little doubt that President Allende's MAPU is willing to spend Chile's financial resources to consolidate political control. And the technicalities involved in administering government today have served as an effective instrument to mask the MAPU's intentions from the public.

Take, for example, how President Allende is managing to take control of all credit facilities, which is to say absolute control of the economic life of the nation. Private banks are a major target of his administration. Control there means control of credit to those businesses still not expropriated.

Consider that in less than five months the MAPU has obtained 26 per cent of the bank's shares, controls five of 28 private banks and has "intervened" another four. Still others are subjected (as are businesses and the news media) to irregular and often irresponsible

inspections with the purpose of intimidating bank owners to sell out their shares.

Allende launched, with government funds of course, a massive media campaign to purchase the shares of private commercial banks ("return ownership to the people"). He is using every trick in the book to acquire bank shares in such a way as to prevent the legislature, the congress, from studying and passing a law which would better measure up to the standards of a democratic Chile.

There is little question that the MAPU intends to take over the banks through private manipulation and negotiation outside the purview of congress (another example of bypassing the legislature with the aim-letting it die on the vine).

Thus, while some media in the U.S. may short-sightedly praise President Allende's observance of the "traditional democratic practices" (New York Times editorial, April 6), they are obviously overlooking Allende's patently illegal ends.

These sophisticated maneuvers by an able and single-minded chief executive are not immediately apparent to the relatively unsophisticated public. They are apparent to thinking Chileans, however, including the unpleasant fact that Allende's present amendment to permit nationalization of copper is largely confiscatory and offers little real compensation to the owners. Since the CDs know this, it is a tragedy that they are so committed to an ideological hatred for the Nationalist party that they go along with the Communists. We find the CDs reacting strongly when they feel that their own party interests are at stake.

In this connection, the average Chilean voter is unaware that the government's budget is fixed on the assumption that the price of copper will not go below 46 cents a pound, as the government creates "workers' councils," authorizes parallel management strata in the business and, generally, indulges in "featherbedding."

The inflationary pressures which are bound to come from artificially controlling prices while "rewarding" labor for political purposes, pegging the escudo at 14.3 to the dollar while the free market places it at 35 and similar short-run manipulations, are obviously aimed at political control. Eventually, such fiscal nonsense (time and space precludes a full listing) will result in government resort to the printing press, a drop in Chilean exports and the like. The hope of the MAPU is that it will have full control of the populace by the time this occurs. When the voter wakes up, it may well be too late. This brings us to the final point.

If one doubts the Castro-Communist orientation of President Salvador Allende's Socialist party, it should be erased by an announcement last January 27 from Tass, the Soviet press agency.

"A CPSU delegation led by Sharif Rashidov," said the dispatch, "arrived in Santiago today." Rashidov, noted Tass, "is a candidate member of the Politburo of the CPSU Central Committee," and arrived with his delegation "at the invitation of the leadership of the Socialist party of Chile to take part in the work of its 23rd Congress."

This very important announcement seems to have been missed by most U.S. news media.

It is important because that same Sharif Rashidov headed a delegation of 44 Russians to Havana in January 1966, where the Soviet Union official organized the Tricontinental Organization for the purpose of waging guerrilla warfare against the United States.

That organization today funnels Soviet money through one of its branches, OLAS, the Latin American Solidarity Organization, to guerrillas operating throughout Latin America. Both President Allende and his foreign minister Almeyda, are committed to the objectives of OLAS and Tricontinental and attend their meetings in Havana. In fact, President Allende has appointed a mem-

ber of his own Central Committee, Marta Melo, to sit on the executive board of Tricontinental in Havana.

It would appear from the evidence that our news media, and our government, can ignore, excuse, or sanction what is going on in Chile only at our peril.

WYOMING'S GEORGE GUY

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. RONCALIO. Mr. Speaker, I would like to call to the attention of my colleagues this excellent article which is based on an interview with one of Wyoming's most distinguished attorneys, Mr. George F. Guy. George Guy was one of six military lawyers assigned to defend the commander of the Japanese forces in the Philippines after World War II, Gen. Tomoyuki Yamashita.

In this article which appeared in the Casper Star Tribune, George Guy takes the stand that there is little comparison between the Yamashita and the Calley cases, and asserts that the two are quite different in fact and in theory.

George Guy points to the dangerous precedent the Yamashita case set—the concept that ultimate guilt rests with the high echelons of the military structure. He discredits the opinion that in the Calley case the entire chain of command right up to the President shares guilt for My Lai.

The article follows:

GUY SEES LITTLE COMPARISON IN YAMASHITA, CALLEY CASES

(By Joan Wheelan)

CHEYENNE.—A Cheyenne attorney who helped defend Gen. Tomoyuki Yamashita after World War II finds little comparison between that war criminal trial and the case of Lt. William Calley.

George Guy, one of six military lawyers assigned to defend the commander of Japanese forces in the Philippines, said the two cases are different.

The Calley case, said Guy, "appears to be an isolated instance. As far as we know it's the only one of that magnitude that has occurred."

"In the Philippines there were atrocities of similar nature committed all over the Philippines."

In the Yamashita case, the defense tried to show Japanese troops in Manila who committed most of the atrocities were technically outside the general's command.

But the military tribunal hearing the case found Yamashita guilty of failing to stop his forces from committing atrocities and slaying 25,000 unarmed civilians, and sentenced him to be executed.

Guy said the practice of killing civilians, particularly during the waning days of the war "became pretty much the rule rather than the exception." However, there was no proof Yamashita ever issued such orders "and no proof he even knew about them."

"Poor old Yamashita was holed up in a dugout on Luzon and had no chance to control anybody," Guy said.

"I still think the Yamashita case was bad law."

Although similar incidents have been reported in Vietnam, the My Lai massacre is the only one of "that gravity," he noted.

Asked his personal reaction to Calley's conviction and life sentence, Guy said he felt the

27-year-old Lieutenant "was given every consideration."

Calley's chief defense counsel, George Latimer "is an old friend and probably one of the best informed military lawyers in the United States," he pointed out.

Guy disagreed with criticism of President Nixon's intervention in the case. "After all, he is the commander-in-chief" and has that right, he said.

Regarding the contention that if Calley is guilty then so is the entire chain of command right up to and including former President Lyndon Johnson, the attorney remarked, "I'm not prepared to accept that."

This concept of the ultimate guilt resting with the high echelon set legal precedent in the war crimes trials in Japan and Germany following World War II, but Guy said it is "a little difficult to make comparisons" between those trials and the Calley case because the facts are not the same.

"I'm old enough to remember the rise of Nazism and there was no question but that Hitler and his boys deliberately planned what occurred."

Guy said he would prefer not to comment on Maj. Gen. Samuel Koster, who was commanding general of the American Division when My Lai occurred in 1968 since he was not fully informed about his involvement. He noted however, that in military situations, "the person nearest the incident is most likely to become involved and responsible."

Yamashita's case was unfortunate in that he was tried shortly after the war in Oct. through Dec. in 1945 and before a U.S. military board. Subsequent war crimes trials, such as Gen. Tojo's were before international courts as were the Nuremberg trials.

The Yamashita case, said Guy, established a "very dangerous precedent," a feeling shared by two U.S. Supreme Court Justices who dissented from the majority opinion upholding the Japanese general's conviction and death sentence.

Justice Frank Murphy wrote at the time, "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."

The Calley case and its related dilemma of moral responsibility and where it lies "will be subject to discussion for years to come," Guy predicted.

HON. NICK BEGICH

NATIONAL LIBRARY WEEK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BEGICH. Mr. Speaker, April 18 through April 24 communities of our Nation observed National Library Week.

The rich traditions of our culture are preserved and passed on to future generations largely through our ability to store and catalog large amounts of information. In many instances, future scientific and social advancements depend on the large storehouse of research information housed in our libraries.

Our communities, schools, and universities depend on library services for extending their knowledge as well as for recreation. Clearly, the foundations of intellectual and social advancement depend on our libraries to stimulate, restore, and regenerate new ideas that evolve from our past efforts.

And yet President Nixon has failed to recognize the necessity of expanding and building library facilities across the Nation. The President, upon submitting

his budgetary requests for education and library facilities, has asked for less money for next year than was appropriated in 1968-69, 1969-70, 1970-71. In 1968, we spent \$100 million on school libraries, while this year, despite the fact that the cost of constructing and maintaining libraries has risen 9 percent the President has reduced the budget 15 percent.

I am particularly concerned about this situation, because upon reviewing budget requests that would expand and stimulate our libraries, I find President Nixon's proposals lacking both in depth and perception.

The President has strongly urged the Congress to approve the Library Service Act. Close examination of the funding sections reveal that he has requested the same amount of money in 1972 as in 1971, and he has added three new programs. It seems obvious to me that new programs require substantial funding to insure their success.

Other programs suffer from the same type of budget slashing. The College Library Act appropriated enough funds for only 750 college libraries rather than the 2,250 that badly need this type of Federal aid. I am particularly concerned because the two colleges in Alaska that have received Federal assistance for their libraries in the past will no longer receive such aid. The long list of library budget cuts includes a reduction in the Library Training Act from \$3,500,000 last year to \$2 million this year.

While the picture across the Nation is very bleak, I am sorry to say that the people of Alaska are now awaiting word whether seven library construction projects that would have been funded under the Library Construction Act, will be built. Presently, the \$500,000 to meet these construction grant applications is unavailable.

Many authorities believe that if funds for library programs are not increased immediately, it will be 10 years before we will be able to recover our momentum.

It is my hope that the President will take the initiative and give our students an opportunity to explore and investigate the many facets of educational growth afforded by well staffed and up-to-date libraries.

TRUMAN BOLINGER ART SHOW

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. RONCALIO. Mr. Speaker, I am pleased and proud to call to the attention of my colleagues a one-man show of Western art being displayed this week in the Agra Galleries here.

The work of Truman Bolinger embodies the finest tradition of Western art. He has been hailed as one of the most outstanding sculptors in this genre and I highly recommend a viewing of his work for its excellence, its realism, and its dramatic and honest spirit.

This young man, the son of Mr. and Mrs. Claud Bolinger of Buffalo, Wyo., was born in Sheridan, Wyo., in 1944 and grew up on the family ranch at Ucross.

He received his art training at Sheridan Junior College in Sheridan, Wyo.; the Colorado Institute of Art in Denver and the Art Students' League in New York City.

His works have been displayed in the Historical Sheridan Inn, in Sheridan, Wyo.; the Main Trail Gallery in Scottsdale, Ariz.; Big Sky Gallery, Billings, Mont.; the Hunter Gallery in Aspen, Colo.; the Kennedy Galleries in New York City, and the Agra Galleries in Washington and Palm Beach, Fla.

During this week, the residents of the Washington area have a unique opportunity to view some of the bronzes which critics have described as reminiscent of the most famous early Western sculptors. There is a sensitivity of purpose, excellence of execution, and, as Mr. Bolinger describes it, an effort to portray realistically and authentically man's struggle for identity and freedom.

A visit to the Bolinger showing would be a rich and rewarding experience.

"MANHATTAN'S DROPOUTS"—
THANKS TO LINDSAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. ROONEY of New York. Mr. Speaker, the April 26, 1971, issue of Time magazine contains an article stating that—

Long exposure has inured New York City dwellers to daily outrages of high cost and crime, filth and crowding, discourtesy and inconvenience. Increasingly, the traumas of life in Manhattan are becoming more than many major companies are willing to bear. In the past four years, 22 large firms have moved their headquarters out of the city, and at least eleven more have made definite plans to depart.

The following list captioned "Manhattan's Dropouts" contains the names of the companies, their 1970 sales in millions and their new locations:

MANHATTAN'S DROPOUTS

Since the beginning of 1967, these large companies have moved their headquarters out of Manhattan:

[Company, 1970 sales (in millions), and new location]

- American Can, \$1,838, Greenwich, Conn.
- Avco, \$758, Greenwich.
- Bangor Punta, \$342, Greenwich.
- BASF (U.S. Division), \$56, Parsippany, N.J.
- Columbia Gas System, \$823, Wilmington, Del.
- CPC (Corn Products), \$1,376, Englewood Cliffs, N.J.
- Flintkote, \$355, White Plains, N.Y.
- Foster Wheeler, \$391, Livingston, N.J.
- Hooker Chemical, N.A., Stamford, Conn.
- Howmet, \$250, Greenwich.
- ICI America, \$67, Stamford.
- M. W. Kellogg, N.A., Houston, Texas.
- Lone Star Cement, \$265, Greenwich.

¹ Figure not available.

Lummus, \$192, Bloomfield, N.J.
Metro-Goldwyn-Mayer, \$171, Culver City, Calif.

Microdot, \$155, Greenwich.
Olin, \$1,125, Stamford.
Panhandle Eastern Pipe Line, \$419, Houston.

PepsiCo, N.A., Purchase, N.Y.
States Marine International, \$123, Stamford.

Union Camp, \$462, Wayne, N.J.
U.S. Tobacco, \$86, Greenwich.

The following major corporations are in the process of moving their headquarters out of Manhattan:

[Company, 1970 sales (in millions), and destination]

- AMF, \$636, White Plains.
- Chesebrough-Pond's, \$261, Greenwich.
- Combustion Engineering, \$957, Stamford.
- Continental Oil, \$2,964, Stamford.
- Gen Tel & El, \$3,439, Stamford.
- Great Northern Paper, \$355, Stamford.
- Ingersoll-Rand, \$766, Woodcliff Lake, N.J.
- Kraftco, \$737, Chicago.
- Richardson-Merrell, \$381, Southern Connecticut.
- Shell Oil, \$4,299, Houston.
- Stauffer Chemical, \$483, Westport, Conn.

BUDGET CUTS AT THE UNIVERSITY
OF CALIFORNIA

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. WALDIE. Mr. Speaker, I am deeply concerned with the 1971-72 budget for the university and State college system in California proposed by Gov. Ronald Reagan.

Across the board financial reductions will critically affect the quality of education in all aspects of State-supported higher education. The total amount of State support funds allocated by the Governor to the University of California has remained at approximately \$337,090,295 for 3 consecutive years.

This marks the third year in a row that no State funds were provided for planning or construction of a single major building. Moreover, the budget reverts to the State \$9.5 million approved by the legislature and the Governor in prior years for badly needed facilities.

Several thousand students from urban and rural California ghettos will not be able to return to the campuses next fall, due to a 50-percent reduction in Governor Reagan's proposed budget for the controversial economic opportunity program.

The once rapidly growing EOP enrolled approximately 8,000 students. The new proposed Reagan budget reduces their first-year support from \$400 to \$100 and eliminates all support after the first year.

The budget requires an across-the-board 20-percent reduction in counseling and tutoring, and four rural campuses are to eliminate all EOP services.

The reduction in State support will result in the loss of an equal amount of Federal matching funds. Dr. Kenneth Washington, statewide coordinator for the State college EOP, stated:

It appears that several hundred students at each of the campuses will find they do not have sufficient funds to meet their needs. They will have no choice but to discontinue their education.

It is expected that a \$1 million reduction in the community college EOP budget will reduce current enrollment of more than 18,000 students on 70 campuses. Plans to expand the program to an additional 15 communities next fall will have to be abandoned. EOP students will face cumulative financial stress, cutbacks in welfare and medical budgets, coupled with a continuing tight job market, all mean difficult times ahead for students from poor backgrounds.

The University of California faces another crisis in respect to faculty salaries, which have declined rapidly in comparison to similar institutions as judged by the coordinating council and the legislature. The 5-percent recommended increase in faculty salaries that was denied last year will increase the difficulty of retaining and hiring a distinguished faculty. University of California president Charles J. Hitch feels that this is a top priority issue. He will call upon the Governor and the legislature to give extraordinary consideration to this most critical matter.

The expected enrollment increase of 4,300 students, coupled with the elimination of all increased funds will result in the decline of enrollment-related State support per student—this time by 2.5 percent under 1970-71. Within the past 4 years, per-student expenditures have declined by approximately 20 percent in constant dollars.

Governor Reagan's proposed budget will have a catastrophic effect on the University of California. Overcrowded classrooms will become even more overcrowded. The termination of more than 500 teachers and researchers, and staff personnel will sharply increase the student/faculty ratio, thus reducing the quality of education in the university. The student/faculty ratio which was 14.4 in 1966-67, will increase to 17.4 in 1971-72.

The inadequacies of the Governor's budget will prevent the implementation of the 10-year health sciences plan. It falls short of providing for existing health science programs, and it denies adequate support for teaching hospitals. State support for the new expanded university medical schools were sharply reduced over a 4-year span, causing the citizens of California to lose over \$50 million in Federal funding, plus additional facilities that would train large numbers of badly needed physicians.

California, of course, is not the only State being affected by such austerity measures. Budget cuts are becoming a fact of life for a growing number of institutions.

At the University of Colorado, president Frederick P. Thieme has informed the university community that a tight budget appropriation, demanding expenditure curtailment, has made it necessary to cut back in the hiring of new faculty and staff. New positions and existing positions now vacant will not be filled unless offers were outstanding.

In Pennsylvania, the Governor's 1970-71 budget proposal for Penn State was the same as a year ago. The University had sought \$80,100,000 earmarking in advance to anticipated increase in funds for administration of more disadvantaged students, increases in wages and salaries, launching new research and instructional programs, and offsetting the cost of inflation. The budget proposal by the Governor was \$69,163,000.

Iowa State University reported program deficiencies resulting from a lack of funds. The unmet needs during the 1969-71 biennium totaled \$18 million for operating expenses and \$25 million for construction. Iowa State had sought an appropriation of \$69,159,000 for the university's general 1970-71 operations. The State appropriated \$51,268,000 leaving a deficit of \$17,981,000.

Mr. Speaker, today about 70 percent of all college students are enrolled in public institutions of higher education, including community colleges. As more and more people attend college, it costs more and more to provide for their instruction and for the facilities for that instruction.

In California the budget crisis is rapidly approaching the acute stage, sustaining the quality of a great university is at stake. If State-supported higher education in America is going to continue offering opportunities to its people, increased support is needed.

Mr. Speaker, I would like to place in the CONGRESSIONAL RECORD two articles regarding the crisis at the University of California and the higher education system in California. I believe that they will serve to further inform the Members of Congress as to the serious nature of this crisis.

The articles follow:

[From the San Francisco Examiner]

EOP CUTS TO SHRINK STUDENT RANKS

(By Carl Irving)

Several thousand successful students, brought out of urban and rural California ghettos onto the state college campuses, are expected to become unwilling dropouts.

They probably won't be back next fall, because they will not have enough financial support from the state, owing to a 50 percent reduction in Governor Reagan's proposed budget for the sometimes-controversial Economic Opportunity Programs.

Some 8,000 students are enrolled in the EOP, a once rapidly growing effort to break ghetto barriers.

BELOW GRADES

Under the EOP, high-school graduates who don't have the grades to qualify, but show sufficient potential and desire, are enrolled after careful screening at each of 19 state college campuses.

There they have been given special tutoring and counseling, plus sufficient funds to help them meet their bills. But the proposed Reagan budget reduces their first-year support from \$400 to \$100, and eliminates all support after the first year.

The budget requires an across-the-board 20 percent reduction in counseling and tutoring, and four rural campuses are to eliminate all EOP services.

At San Francisco State College, EOP administrator David West says half the 1,000 students enrolled will become dropouts, because the campus EOP budget will be reduced from the current \$150,000 to \$28,000.

FEDERAL FUNDS

Federal matching funds will be lost in proportion to the reduction in state support, and two full-time EOP counselors are being discharged, because of the cutback in the general state budget for San Francisco, West says.

Dr. Kenneth Washington, state-wide coordinator for the state college EOP, says, "It appears that several hundred students at each of the campuses will find they do not have sufficient funds to meet their needs. They will have no choice but to discontinue their education."

COMMUNITY COLLEGES

A \$1 million reduction in the Community College EOP budget also is expected to reduce current enrollment of more than 18,000 students on 70 campuses. A spokesman for the system says services will have to be reduced on a scale similar to that in the state colleges. Plans for expanding the program to an additional 15 community colleges next fall will have to be abandoned.

At the state colleges, all counseling and tutoring will be halted at the Stanislaus, Humboldt, San Bernardino and San Fernando campuses. The state department of finance says these relatively rural campuses have less need for this kind of support.

LOANS IMPRACTICAL

But Mike Gonzales, director of the EOP at Stanislaus, contends that the four campuses are important to many Mexican-American, American Indian and poor white students.

He is opposed to provisions that students seek bank loans in place of aid:

"Provisions for such loans require students to have had bank accounts for six months. How many poor kids from barrios, reservations or slums can qualify? And if they could, how many can face debts that may reach \$5000 to \$8000?"

Gonzales and the EOP officials interviewed list a number of reasons they claim show the program has been a success:

Grades of EOP students are close to the state college average, and above average on some campuses. Most of the EOP students major in basic subjects. Only half of 1 percent major in ethnic studies, which some critics claim are less useful and in some instances permit more lenient grading.

EOP dropout rates are around 3 percent, compared with the overall rate of 8 percent at the State Colleges. After the first year, there are almost no EOP dropouts.

EOP students are setting examples for younger students in their neighborhoods. This generates ambition and hope, and helps break cycles of ghetto life.

Although the EOP is only in its second year, many already are going on from undergraduate studies to useful occupations or professional degrees.

PRESSURES FROM POOR

EOP students are admitted under a provision that up to 4 percent of the enrollment does not need qualifying grades. No middle class students with the necessary grades have been shut out by any priority for EOP, state college officials say.

But they are fearful there will be increasing pressures among the poor students, as money sources dry up. West foresees "emotional struggles for funds."

The EOP students, he says, are being "squeezed on all sides." He says cutbacks in the welfare and medical budgets, along with a continuing tight job market, all mean difficult times ahead for the young student from the slums.

"The parents won't be able to feed him, he won't be able to get medical care, and he will be the last to be hired," says West.

Washington adds that since priority must be given those at the bottom of the income

scale, those who need to bridge smaller financial gaps will be hardest hit.

"Many of these students get some money from part-time work, some from families, some from Federal programs for loans. There is no way for them to make up the remaining gap if State support is taken away."

[From the University of California News, Mar. 9, 1971]

SOME "CERTAIN RESULTS" AND "SEVERE RESTRICTIONS" OF THE GOVERNOR'S PROPOSED 1971-72 BUDGET FOR UNIVERSITY OF CALIFORNIA

(President Hitch explains "grim implications" for the nine-campus University of California and the people of California if funds are not restored.

(President Charles J. Hitch presented this report on the 1971-72 Governor's Budget to The Regents of the University of California at the meeting of the Board on February 19.)

The Governor's budget which has been sent to the Legislature for the University of California in 1971-72 is much the most austere so far. The State would provide the same level of operating support as in the current year—\$337 million—and, apart from salary increases appropriated last year for non-academic staff personnel, the same level for the third consecutive year. Also, this would be the third year in a row that no State funds were provided for planning or construction of a single major building. Moreover, the budget reverts to the State \$9.4 million approved by the Legislature and the Governor in prior years for badly-needed facilities.

FACULTY SALARIES

I am particularly dismayed that no allowance has been made in the Governor's Budget for general academic salary increases despite the fact that salaries at the University have fallen seriously behind those of the comparison institutions used by the Coordinating Council and the Legislature as a basis for setting salaries. The failure even to provide the 5% increase recommended by the Governor last year constitutes a grave threat to our ability to retain our distinguished faculty. I will call upon the Governor and the Legislature to give extraordinary consideration to this most critical matter. This is my top priority.

Below is a comparison of The Regents' request for State funds for current operations, capital outlay, and salary increases (in millions) with the amounts proposed in the Governor's Budget.

SUPPORT PER STUDENT DECLINES

The elimination of all increased funds requested by The Regents along with an expected enrollment of 4,300 more students will result in the decline once again of our enrollment-related State support per student—this time by 2.5 percent under 1970-71. Since 1966-67, per-student expenditures will have declined by about 20 percent in constant dollars. During the same period, total State support for the University has fallen substantially behind the growth in State General Fund Revenue and California personal income, as shown on Chart 1.

The University's share of General Fund Revenue is 10 percent below 1970-71, 20 percent below 1966-67. Since 1966-67, and including projected enrollment for 1971-72, the University will have accommodated 34 percent more students with a mere 6 percent increase in budget, in terms of constant dollars. (See Chart 2).

SOME RESULTS

The results of the Governor's Budget are certain: already overcrowded classes will worsen; student/faculty ratios will rise sharply; academic programs must be curtailed; more than 500 teachers, researchers, and staff personnel will have to be terminated.

MORE STUDENTS LESS FACULTY

For the general campuses, the budget not only fails to provide the 281 faculty positions we requested, but also it eliminates 100 faculty positions which we now have. The reduction in faculty means that the University must operate in 1971-72 with about 500 fewer faculty than we projected in our 1968 Fiscal Program. I can assure you it will be next to impossible to improve undergraduate education under this budget.

In 1971-72, general campus enrollments are expected to grow approximately 4 percent, while the number of faculty will decline almost 2 percent and instructional supporting funds by about 5 percent. The student-faculty ratio which was 14.4 in 1966-67, increased to 16.5 in 1970-71 and will increase to 17.4 in 1971-72. (Chart 3.)

HEALTH SCIENCES WILL SUFFER

The health sciences fare only slightly better, with a 9.6 percent increase in students and a 1.4 percent increase in faculty—124 fewer faculty than we proposed. The Governor's Budget does not permit us to begin implementing the 10-year plan for the health sciences, it fails to provide the faculty needed for current health science programs, and it denies adequate State support for teaching hospitals.

FEDERAL FUNDS LOST

Six years ago the University responded to California's need for large numbers of additional physicians and other health professionals by starting new medical schools at Davis, at San Diego, and later at Irvine, and by expanding classes at San Francisco and Los Angeles. After initial encouragement and financial support, the new schools were able to open with small enrollments, mostly in temporary quarters, but the ability of the University to carry through with these plans has now been stymied. Continued State support has not been forthcoming, and over \$50 million in matching Federal funds—funds which rightfully belong to Californians—have been irrevocably lost over the past four years.

RESEARCH EFFORTS WILL DECLINE

The University's organized research effort has been severely restricted over the past four years. On top of this, the State budget for next year proposes, quite aside from the six percent loss from inflation, a further over-all cut of eight percent. California's competitive position with other states and with the nations of the world depends heavily on research conducted in all of the universities—public and private—located in this State, and that is important. But even more important is the general health and well-being of our people. If this budget is approved as proposed, approximately 200 skilled scientists, technical and administrative staff will need to be laid off, a loss of effort which in this time of mounting environmental and social problems we can ill afford to sustain.

OTHER CUTS

One-third of our State-funded expenditures supports libraries, administration, services, and buildings and grounds. In 1970-71, these supporting programs received virtually no increase in State funds, and as shown on the table in 1971-72 over-all support for these will be reduced. Library acquisitions

will be 70,000 volumes below the 1969-70 acquisitions level and no new staffing is provided to serve expanded enrollments. For physical plant, funds are provided only for cost increases of utilities and refuse disposal. Janitorial staff will be required to cover 20 percent more space than in 1968-69, and grounds maintenance personnel must cover 10 percent more area. There are no additional funds for building maintenance. On the older campuses, major maintenance needed to arrest deterioration has been deferred, with a backlog now standing at \$6 million and growing rapidly. Efficient use of existing facilities is prevented in many cases because we cannot carry out necessary alterations to restore or convert outdated classrooms, laboratories, and libraries. The alteration backlog now stands in the tens of millions. In addition, this budget provides no funds for the recently-approved increase in employer group health insurance contributions, requiring our already high budgetary savings target to be augmented by \$1.4 million.

NO CONSTRUCTION FUNDS

I want to emphasize that our capital outlay situation is no less than critical, and this budget would have the State provide no assistance whatever for our construction needs on the general campuses. Indeed, the State administration is attempting to take back \$9.4 million in prior years' appropriations of State funds which the administration has prevented the University from using. Compounding this would be the resultant loss of \$2.5 million in Federal construction grants which have been awarded to the University. Next year's budget would be extremely serious even if it were a one-time occurrence, but in fact it would be the third year in a row that no State funds were provided for construction of a single building, or even for working drawings for one. (Chart 4.)

STUDENT FEES

For 1971-72 the Governor's Budget includes capital improvements of \$23.9 million for both health sciences and general campuses financed from student fees. The Educational Fee income alone cannot be expected to finance expansion of the health sciences as well as to meet the needs of the general campuses. I am urging the Governor and the Legislature in this present session to provide funds for the 1971-72 health sciences program and to approve a health sciences bond issue to be placed on the ballot in 1972.

GRIM IMPLICATIONS

I know that the State is in serious financial difficulty and I sympathize with the Governor and the Department of Finance in coping with it. It is my obligation, however, to illustrate as clearly as possible the grim implications for the University if this budget is approved as proposed. Decades of effort by many dedicated people have built a great University. We, together, must find the means to obtain the financial support required to preserve quality education for future generations of Californians. It is threatened.

I am not asking the Board for action today. The Regents have approved an operating budget request, a capital budget request, and an academic salary increase. I consider it my responsibility to obtain from the Governor and the Legislature as much of these budgets as I can; I propose to do so.

COMPARISON REGENTS' REQUEST AND GOVERNOR'S BUDGET

| | 1971-72 | | | Difference |
|-------------------------------|---------|-----------------|-------------------|------------|
| | 1970-71 | Regents' budget | Governor's budget | |
| Current operations..... | \$337.1 | \$375.0 | \$337.1 | \$37.9 |
| Salary increases: | | | | |
| Academic salaries..... | | 19.4 | | 19.4 |
| Academic fringe benefits..... | | 9.6 | | 9.6 |
| Capital outlay..... | 2.8 | 35.1 | -9.4 | 44.5 |
| Total..... | 339.9 | 439.1 | 327.7 | 111.4 |

UNIVERSITY OF CALIFORNIA 1971-72 BUDGET FOR CURRENT OPERATIONS—STATE FUNDS ONLY

| | 1971-72 | | | Difference |
|---|------------------|-----------------|-------------------|------------------|
| | 1970-71 budget | Regents' budget | Governor's budget | |
| Instruction and Departmental research: | | | | |
| General campus..... | \$132,733,471.00 | \$8,513,367.00 | -\$4,554,604.00 | -\$13,067,971.00 |
| (FTE faculty)..... | (5,752.02) | (281.35) | (-100.00) | (-381.35) |
| (FTE teaching assistants)..... | (1,648.03) | (120.50) | | (-120.50) |
| (Support per FTE faculty)..... | (7,915.00) | (7,919.00) | (7,664.00) | |
| Health sciences..... | 40,832,578.00 | 4,737,290.00 | 299,822.00 | -4,437,468.00 |
| (FTE faculty)..... | (1,306.60) | (142.93) | (18.90) | (-124.03) |
| Total instrument and departmental research..... | 173,566,049.00 | 13,250,657.00 | -4,254,782.00 | -17,505,439.00 |
| Teaching hospitals..... | 12,221,271.00 | 2,728,788.00 | -671,271.00 | -3,400,059.00 |
| Organized activities: | | | | |
| General campus..... | 827,557.00 | | -63,557.00 | -63,557.00 |
| Health sciences..... | 869,749.00 | 219,738.00 | 219,251.00 | -487.00 |
| Organized research: | | | | |
| Agricultural..... | 2,108,947.00 | | -1,700,000.00 | -1,700,000.00 |
| General campus..... | 34,035,472.00 | 1,370,828.00 | -1,181,419.00 | -2,552,247.00 |
| Health sciences..... | 1,821,704.00 | 64,221.00 | -144,704.00 | -208,925.00 |
| Libraries..... | 26,291,366.00 | 2,492,816.00 | -765,366.00 | -3,258,182.00 |
| Campus public service..... | 8,442,752.00 | | -674,752.00 | -674,752.00 |
| Maintenance and operation of plant..... | 31,967,461.00 | 3,679,054.00 | 999,539.00 | -2,679,515.00 |
| General administration..... | 23,475,010.00 | 1,115,068.00 | -366,010.00 | -1,481,078.00 |
| Student services..... | 5,771,541.00 | 323,465.00 | -849,541.00 | -1,173,006.00 |
| Staff benefits..... | 29,611,666.00 | 3,521,523.00 | 1,000,334.00 | -2,521,189.00 |
| Institutional services and general expense..... | 9,345,442.00 | 938,972.00 | 17,461.00 | -921,511.00 |
| Student aid..... | | 1,500,000.00 | | -1,500,000.00 |
| Provisions for allocation: | | | | |
| Price increase..... | 671,938.00 | 2,000,000.00 | 651,000.00 | -1,349,000.00 |
| Merits..... | 989,039.00 | 6,351,000.00 | 6,351,000.00 | |
| Other (e.g. overhead, fee exemptions)..... | 1,590,851.00 | 330,000.00 | 171,422.00 | -158,578.00 |
| Budgetary savings: | | | | |
| Base target..... | -11,280,100.00 | -1,390,000.00 | 480,100.00 | 1,870,100.00 |
| Supplemental target..... | | | 1,400,000.00 | 1,400,000.00 |
| Funding items: | | | | |
| Overhead receipts applied..... | -9,931,159.00 | -3,045,474.00 | -3,045,474.00 | |
| Prior year general fund balances..... | -4,928,662.00 | 2,791,293.00 | 2,791,293.00 | |
| Change in general fund income..... | -377,599.00 | -364,524.00 | -364,524.00 | |
| Total increase..... | 337,090,295.00 | 37,877,425.00 | | -37,877,425.00 |
| Academic salary increases..... | | 29,047,300.00 | | -29,047,300.00 |

CONGRESSMAN MURPHY OF NEW YORK OUTLINES HIS BILL, H.R. 6242, TO BENEFIT THE AMERICAN CONSUMER

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, my good friend and colleague, the Honorable JOHN M. MURPHY of New York, has long advocated revision of existing transportation law in order to stimulate competition, improve service, and hold down costs in the small-shipment freight market. Such objectives are shared by all of us since they directly benefit the American consumer.

Mr. MURPHY outlined his bill, H.R. 6242, and gave his views on the problem in a speech to a small-shipment conference in Chicago, April 13, 1971. This subject is of such importance that it merits exposure before the Congress. I thereby submit Mr. MURPHY's speech for the RECORD:

REMARKS OF REPRESENTATIVE JOHN H. MURPHY

Every American is affected by the chaotic condition of our transportation system. Public transportation is a morass in countless major cities; commuter rail service is nearly dead; intercity rail service is dead; and, lo and behold, the United States government is now treating the public to a scenario entitled "Resurrection via Rallpax."

Maladies beset our ocean carriers and our air carriers, and you will go sunblind looking for SST. Our highway problems—from the carnage of highway deaths, to the increasing perils of pollution, are dwarfed only by the billions of dollars we spend each year paving the nation in concrete ribbons. But do not despair—it can get worse.

It will get worse if the Congress of the United States does not act to correct our transportation ills.

Congressional action need not come in the form of grandiose schemes, and omnibus bills. Rather it must come selectively in the form of corrective legislation—legislation designed to attack the myriad problems that exist, and provide effective remedies.

One such remedy is the Small Shipment Improvement Act of 1971—a vital step in the direction of progress.

The bill, H.R. 6242, is designed to unleash the domestic freight forwarder industry as a meaningful competitor vis-a-vis the railroads, the trucks, and the airlines in the small shipment freight market.

It is a genuinely non-partisan bill aimed at correcting an ill that affects every region, city and town, and virtually every small business in America.

The bill is a major part of my Consumer Action Program of 1971—a collection of legislative measures to aid the beleaguered buyer of goods and services. H.R. 6242 is designed to increase the viability of the regulated freight forwarder business, revitalize railroad freight activities, and benefit the small shipper, the local businessman, and, I emphasize time and again, the consuming public.

Every time you buy something—from a package of chewing gum to an automobile, you pay for the transportation of that good from origin to self, from manufacturer to showroom.

Shipping costs have, like everything else, gone up. But there is an inverse proportion here. The smaller the good, the greater the increase in its transportation costs, so that small merchants now pay greater and greater shipping costs. The result: increasing difficulty in maintaining solvent businesses. Can you remember the corner delicatessen or the neighborhood haberdasher? The appliance dealer? Thousands of these merchants fold up every month, and a major factor has been the transportation costs associated with the shipment of small quantities of freight.

Long-haul truckers may fight this bill. So called "non-profit" shipper associations will do the same.

They will call it a freight forwarder's bill and try to knock it out of the box. However,

I hope to persuade them to join me in this effort because it is my firm conviction that they really do not want, and are not likely to handle, the kind of business historically in the forwarder's domain.

And the railroads, in spite of what they may say to the contrary, would sit by while small shipment rail service perished, without tears, as did passenger service. Apparently, they regard small shipments as they regard small people.

The freight forwarders will fight for H.R. 6242 because they believe it is a freight forwarders bill. But it really is not.

When forwarders can innovate and expand and relieve the current small shipment crisis as a result of this bill, I hope they can make money as well. But it is the public—the shipping public and the buying public—that will profit most by this bill. In some cases, indeed many cases, enactment of this legislation may make the difference between bankruptcy and solvency for the corner merchant.

I am not alone in my crusade. The Attorney General of the United States, the Department of Defense, the Department of Transportation, and the Federal Maritime Commission have endorsed the ICC recommendation for this legislation.

That's right: The ICC recommendation. Because it was the Interstate Commerce Commission which studied the crisis in small shipments and recommended this legislation in Ex Parte 266 early this year. After 28 years of stolid opposition!

Why this change in position? Last year the House Committee on Interstate and Foreign Commerce, on which I serve, directed the ICC to find out all they could about the problem. We directed the ICC to produce recommendations for concrete corrective steps.

After seven months of intensive study, encompassing the broad spectrum of surface transportation considerations, the ICC moved decisively in an 8-3 decision, and made the following recommendation:

"We are now convinced that a changed status is necessary for forwarders to remain viable and to perform an even more important role in the transportation of small shipments. We believe the public will benefit from this type of legislation through expanded forwarder service and lower rates."

Further, the ICC said:

"Those parties supporting this legislation believe it will enable the forwarders to provide more service to more shippers at more points. We see no reason to deny them the opportunity to try. That freight forwarders are small shipment carriers has been clearly established on this record; the vast majority of forwarder shipments weigh under 500 pounds and more than half weigh under 300 pounds."

I am convinced that forwarders, as specialists in small shipments, should not be denied the opportunity to try. I need only quote one additional finding from the Commission's investigation to drive home the ICC position as it applies to the discouraging viewpoint taken by the truck, rail, and water common carriers with respect to small shipments:

"Traditionally, the transportation of small shipments has not been a desirable source of income or traffic for most carriers. Those who haul this type of traffic must maintain substantial pickup and delivery equipment and platforms or docks where the numerous small shipments can be consolidated into or broken down from one or more truckloads or carloads.

"Additional labor costs are necessitated and the extra handling results in larger loss and damage claims from shippers.

"Because a greater number of shippers are to be served, the various bookkeeping expenses are increased.

"When joint-line service is used, most of the above problems and sources of delay are at least doubled. Moreover, shippers often complain of the difficulty of tracing the loca-

tion of a given shipment while it is in transit.

"The result is general dissatisfaction and frustration among shippers and varying degrees of unwillingness to handle small shipment traffic among carriers.

"We do not mean to ascribe this feeling absolutely to all modes of transportation. Clearly, however, almost all rail carriers appear to be of that opinion. And although motor carriers do handle most of the small shipments, it cannot be said that there is a large number of motor carriers desirous of this specific type of traffic.

"Railroads, once virtually the only source of any intercity transportation, have almost completely discontinued their LCL service.

"Water carriers have done little to attract this traffic and, while their revenues from such transportation are generally static, the volume of small shipments traffic handled by the water carriers decreased by almost one-third from 1950 to 1964."

You have heard the case for the Small Shipment Improvement Act of 1971.

WHO IS IN TENNIS SHOES NOW?

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. MICHEL. Mr. Speaker, with all the flights of fancy and hyperbole we have heard in this House lately with regard to Mr. Hoover and the FBI, I am happy to bring to the attention of my colleagues an imminently sensible and forthright editorial which appeared in the Peoria Journal Star on April 20:

WHO IS IN TENNIS SHOES NOW?

Once upon a time, the Democratic "liberals" use to ridicule the "little old ladies in tennis shoes" who saw Communists lurking in every shadow and hiding under every bed.

Today, it is somewhat amazing to see the self-generated climate, reminiscent of the McCarthy era, out now boiling among the congressional hopefuls of the other party, instead.

Who would have believed that an Ed Muskie would join the gaggle of administration critics who now seem to see the FBI lurking in every shadow and J. Edgar Hoover hiding under every bed!

They have fallen prey to the "little old ladies in tennis shoes" psychology themselves.

And why?

They have apparently talked themselves into it!

When Joe McCarthy went headline-making about the pervasiveness of Red Agents, at least, one Red agent had been caught in the highest levels of the State department and his presence proven in court.

The Wisconsin McCarthy's noisy and prejudicial headlines always petered out, but they usually petered out into the discovery that his "evidence" was the claim of some ex-Communist reporting what he had heard at a cell meeting 25 years ago, or some such.

Not even that much basis is supplied for the current splurge of accusatory headlines—and these people aren't even embarrassed.

I have no evidence, they say, but "there is a widespread feeling" or, in one headline case, a senator had received AN ANONYMOUS LETTER!

This is ridiculous!

They gave Joe McCarthy hell because he made charges without investigation.

That made sense to us.

But the panic over there BEING investi-

gations is quite the opposite—accompanied by unsupported charges!

There has not been a single example or even allegation that investigators of the Army or FBI have misused information the way McCarthy did—by methods of scarey and unfair publicity seeking.

Instead, for fear that somebody MIGHT, a nervous group is doing just what Joe McCarthy did—making such lurid publicity charges themselves WITHOUT investigation and without evidence against the FBI and Army. It's a sort of "preventive McCarthyism."

That seems pretty Alice-in-Wonderland until you realize that a sizable segment of the Democratic-liberal community has panicked into silliness far beyond anything the "little old ladies in tennis shoes" ever managed.

We have some experience of our own, also testified to by Harrison Salisbury of the New York Times (who is one of them) in a recent book, that this "intellectual" group was peddling the most absurd rumors to each other and getting worked up about them—such as weird tales the secret construction of concentration camps "in the West," and diabolical plans to foreclose there being any election in 1972, imposing dictatorship instead!

Salisbury testifies that these unwholesome "rumors" persisted in some circles (which circles are obvious!) long after they became demonstrably ridiculous.

Joe McCarthy created a dangerous climate of excessive suspicion.

These people of the "left" have busily created a most unwholesome climate among themselves, and are now trying to create a dangerous climate of absurd suspicion across this land.

It marks the lowest mental health status in Washington in 20 years, if we equate it to the "little old ladies in tennis shoes."

It marks the lowest moral and ethical standard in 20 years if we equate it to Joe McCarthy and assume that these people are doing it not out of a paranoid rumor climate but out of vicious political calculation.

In either case, it sure isn't healthy.

Four years ago, it would have been hard to believe that these supposedly cool, intelligent, educated "leaders" in politics would go so far into the tank.

Apparently, they persuaded themselves about "Tricky Dicky" so many years ago, and repeated it to themselves for 20 years, until they believe an absurdity.

They have certainly forgotten that Nixon-haters pegged him with that title on the basis of a couple of remote activities at the outset of his political career far LESS "tricky" than the stunts these people are pulling against him right now!

What did he do, besides nail ONE Communist agent, Alger Hiss, with specific investigation, specific charges, specifically proven in federal court?

He compared Helen Gahagan Douglas' record with that of a pro-Communist congressman and pointed out how closely they seemed to tally! Today that would be TAME politics.

And he made a brilliant but sentimental appeal to the American people when opponents leveled charges against him as a candidate for Vice President, which staggered opponents, and which for years after they tried to turn into a "trick" performance.

The debates with Kennedy should have demonstrated for all time that the Nixon "Checkers" speech was so effective because it was largely off-the-cuff and from-the-heart.

The clear fact is that Nixon doesn't possess the ACTING skills to BE "tricky" in that fashion. A good many "charismatic" leaders HAVE had both the talent and the inclination to use it, but not Nixon.

Yet for 20 years a certain clique has built this up in their heads to the point where they actually had conned themselves into all

sorts of ridiculous fears, without other foundation, far beyond the wildest dreams of those "little old ladies in tennis shoes" that they used to ridicule for just such.

It's time they straightened up and quit kidding themselves lest they make yet more colossal boners and obvious fools of themselves in future.

Sen. Mansfield, who dismissed this latest nonsense as "a tempest in a teapot," as Democratic majority leader, seems to be a rare example of one "who keeps his head when all about you are losing theirs and blaming it on you."

His fellows would do well to emulate him.

SENATOR JACKSON ON THE SOVIET THREAT

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. SCHMITZ. Mr. Speaker, it is heartening to find at least one of the men contending for the job of Commander in Chief of our Nation who is interested in adequately responding to the massive growth of Soviet strategic offensive power.

Senator HENRY JACKSON in a speech before the American Society of Newspaper Editors, which was reprinted in the main by Barrons Weekly of April 26, 1971, gives a comprehensive outline of the growing threat to our survival posed by the fast increasing Soviet strategic forces.

Senator JACKSON points out that there is scant evidence to support the current administration's hypothesis that we are leaving an era of confrontation and entering an era of negotiation. On this point all reasonable people not confusing desires with realities would have to agree.

As the supplemental report of the presidentially appointed Blue Ribbon Defense Panel pointed out about the current SALT talks:

THE OBJECT OF SALT

There are obvious reasons for seeking to halt the escalation of nuclear weapons. The logic of the situation—at least on the surface—calls for a "freeze," which seems such a facile and popular solution. In simplest terms, the object of SALT is to agree upon a limitation—and perhaps a gradual reduction—of strategic nuclear weapons. An effective agreement to this end which does not leave either side at the mercy of the other, which does not in itself alter the balance of power, and with procedures to assure compliance, would be welcomed by most of the world. SALT therefore deserves the most careful attention, as all avenues toward a more peaceful world must be explored.

But whatever the hopes and opportunities of SALT may be, there is no precedent in history of effective disarmament being accomplished by agreement between major powers with divergent national interests. Nor has U.S. experience been reassuring. There is nothing new about our seeking disarmament through negotiation. This has been the most consistent element in American foreign policy since the beginning of the nuclear age. Few seem now to remember the U.S. offer to prevent an atomic arms race by delivering its stockpile to the United Nations—an offer rejected by the USSR. Periodically since then various efforts to slow

or halt the arms race by negotiation have been frustrated in every instance by the intransigency of the Soviet Union.

It is true that three negotiations have been successful in the sense that limited agreements were reached on important issues. Yet none of these agreements has slowed the pace of the Soviet armaments or its manifest quest for superiority. Indeed, we may have magnified and perhaps even misconstrued the significance of such agreements.¹

All Americans would like to think—despite the absence of convincing evidence—that the Cold War is over and that we have indeed entered a new era of negotiation. Our desire for peace is so strong and our national inclination to assume reciprocal friendliness and rationality so genuine, there is danger that we may assume without justification a similar spirit on the part of the Soviet leaders.²

But it is prudent to remember that the Communist concept of negotiation is radically different from ours. They view it as a component of conflict, with the objective of gaining an advantage without conceding anything.

Our leaders, however, continue to reject the weight of the available evidence and chase after the will-o'-the-wisp of peace through palaver. This profound confusion on the part of men with great responsibility is nothing new. As Alexander Hamilton pointed out in *Federalist Paper No. 31*:

Men, upon too many occasions, do not give their understanding fair play; but yielding to some untoward bias, they entangle themselves in words and confound themselves in subtleties.

While there is nothing unique or original in this confusion of rhetoric with reality, it has reached the point where the long-term survival of the Nation is being called into question by the extent of Soviet military preparations.

If we will recall the fact that the probability of nuclear war is directly related to the probability of a successful Soviet disarming strike on the United States, Senator JACKSON's coverage of the growing Soviet strategic capability takes on added significance.

Senator JACKSON's speech before the American Society of Newspaper Editors as reprinted in *Barrons Weekly* of April 26, 1971 follows:

NEW MISSILE GAP: FREEDOM'S FUTURE HANGS ON RESTORING THE STRATEGIC BALANCE

For more than two decades a central objective of American defense policy has been

¹The first of these, the Test Ban Treaty of 1963, halted nuclear testing in the atmosphere. The Soviets only agreed to this at a time when their test program, involving high-yield weapons with both offensive and defensive (ABM) capabilities, was well ahead of America's. We had previously been duped during the late 50's into the cessation of testing similar weapons on the specious theory that the Soviets might follow a good example. The second agreement was the United Nations' ban on the use of outer space for military purposes, an agreement which the Soviet Union appears already to have violated in spirit. The third of these limited agreements is the Nonproliferation Treaty, recently approved, which leaves a number of non-signing nations free to develop nuclear weapons.

²One may recall the disillusionment after the hopes engendered by the "spirit of Geneva" and "the spirit of Camp David" were dashed by Soviet duplicity.

to prevent a nuclear war by deterring any potential adversary from launching a first strike against us. In accord with this policy, we have foresworn development of a capacity to wage preemptive war. We have deliberately sought a defensive, deterrent, second-strike posture—relying on a protected nuclear capacity to launch an overwhelming retaliatory strike against a nuclear aggressor. We have built a mix of strategic forces—land-based and sea-based—so that the exposure of any one element to neutralization or destruction would not negate the entire deterrent. We wanted to permit no doubt as to the certainty and severity of our response in the event that an attack against us should be contemplated—or made.

I believe the American people today are confident that the United States is overwhelmingly superior in military power. Most Americans believe that the military balance leans heavily in our favor, and that in strategic nuclear weapons we have unchallenged supremacy. Unfortunately, what was once true is no longer so. The United States is slipping. The overall strategic balance is tilting in favor of Moscow.

Our deterrent force is only as persuasive as its ability to survive a first strike in sufficient numbers, and to respond effectively. But the capacity of our strategic force to survive is now coming into question. The relentless Soviet strategic and naval build-up poses a serious threat not to just one, but to all three of the elements of our strategic deterrent—ICBMs, bombers and Polaris/Poseidon.

This adverse shift in the strategic equation can hardly help having far-reaching effects upon world politics. A more confident Soviet Union can be expected to throw its weight around more vigorously on behalf of its great power interests, and to raise its bargaining price at the negotiating table. Thus new elements of risk and turbulence will be introduced into international relations, enhancing the dangers in crisis situations.

If present trends continue, the Soviets will achieve a preponderance of strategic power that will leave our security impaired by doubt and uncertainty and our friends and allies exposed and vulnerable. If present trends continue, there will be an increasing risk of miscalculation of the sort that could result in war . . .

To counter the dangerous shift in the strategic balance, we require first a forthright and unvarnished assessment of some unpalatable military and political facts. Caught in all the current crossfire about "hawks" and "doves," too many politicians are acquiring the protective habits of the ostrich.

The hard fact is that if we are not to be pushed into a whole new buildup of strategic offensive weapons, we must give our most urgent attention to two priorities: (1) The protection of our deterrent forces; (2) The achievement of an arms control agreement on offensive and defensive nuclear systems that will stabilize the strategic balance and not upset it further in Moscow's favor.

In the space of five years—from 1966 to 1971—the overall strategic balance has moved markedly in favor of the Soviet Union. In 1966 we had more than 700 long-range bombers, about 600 submarine launched ballistic-missiles, and more than 900 Minuteman intercontinental ballistic-missiles. At that time the Soviets had about 150 long-range bombers, less than 100 SLBMs, and about 250 ICBMs.

Today the United States bomber force is less than 600, our sublaunched missiles have numbered 656 for four years, and our land-based missiles have totaled 1,054 for four years. During this time the Soviet bomber force has remained about constant, but their submarine missile force has grown to almost 400 launchers and is expected to overtake ours in two to three years. And the Soviet land-based intercontinental force has risen to over 1,440 operational launchers—with

more on the way. Thus, while the Soviets are gaining and will soon exceed us in missile weaponry at sea, we have already fallen distinctly behind them on land.

Over this same period, the actual destructive power of the U.S. forces has continually decreased, while the Soviets' destructive power has greatly increased, until the total megatonnage that the Soviets could deliver against U.S. targets is several times our own.

The only strategic area in which we are staying ahead is in the number of individual warheads, and we are doing that only by going to small-yield multiples. Even here, however, the Soviets could in time overtake us, since their missile forces have considerably greater payload than ours.

The United States has been relying on a mix of strategic forces—ICBMs, bombers, and Polaris/Poseidon missiles—in order to maintain confidence in our strategic deterrent and to assure against it being neutralized or destroyed. A mix provides insurance that a technological breakthrough against any one element would not negate the entire deterrent, and gives protection against serious failures of performance of any one element due to unexpected circumstances, such as unanticipated weapons effects or insufficient prior warning. But the Soviets are increasing their capacity to pose a serious threat not to just one but to all three elements of our strategic force.

Threat to ICBM Minuteman Force: We have watched the number of Soviet ICBMs climb steadily since 1966, in spite of four years of American restraint. Our ICBM total is 1,054, compared to the Soviet total of over 1,440, which includes 300 of the mammoth 25 megaton SS-9s now operational or under construction. Most recently, there is disturbing evidence of Soviet construction of a new offensive missile system equal and perhaps superior to the SS-9 capability. We do not yet know exactly what the new system is, but we know it involves missiles not less destructive than the 25 megaton SS-9, and it could mean missiles that are far more destructive than the SS-9. Moreover, the Russians have an ability to deploy between 60 and 70 of these huge new missiles this year. And if they do deploy 70 of the new missiles, they would be adding in this one year alone more megatonnage (or destructive power) than the United States has in its entire land-based Minuteman ICBM system.

Since the SS-9 has characteristics that could be well adapted to destroy hardened missile silos in a first strike, but is not at all an efficient weapon for retaliation against cities, one is tempted to conclude that the Soviets are not really committed to deterrence only. For the purpose of retaliation, the Soviets have available more than 900 SS-11 and SS-13 missiles similar to our Minuteman and perfectly adequate as a deterrent force. The continued Soviet deployment of their mammoth offensive missiles is a forbidding fact that places our ICBMs at great risk—unless we continue to deploy ABM defenses around our Minuteman silos and take our prudent measures for their security.

Threat to SAC Bomber Force: The growth of the Soviet submarine force poses a severe threat to the second element of our land-based deterrent, the SAC bomber force. The Soviet Navy can now deploy long-range missiles in submarines hidden underwater along our Atlantic and Pacific coasts and in the Gulf of Mexico. By mid-1971, the Soviets are expected to have operational more than 20 Y Class nuclear-powered ballistic-missile submarines and they are producing them at the rate of about eight a year. By stationing these Yankee Class submarines off our coasts, each capable of submerged launching of 16 ballistic missiles with an estimated range of 1,300 nautical miles, the Soviets can blanket practically the entire United States. When the Soviets have the much longer

range missile they have been actively testing, they will be able to do this from either ocean.

The threat to our bombers arises from the extremely short flight time from a submerged submarine off our coasts to our bomber bases. Thus a large fraction of the bomber force would be vulnerable to destruction before it could become airborne. Furthermore, the Soviets have deployed a massive system of air defense which would be arrayed against any reduced numbers of U.S. bombers that survived a missile bombardment and did manage to reach the borders of the Soviet Union. Thus, the effectiveness of our bomber fleet as a deterrent can be seriously downgraded.

Threat to Polaris/Poseidon: The third element of our deterrent, the 41 Polaris/Poseidon submarines, has not escaped Soviet developments that raise doubt about its long-term survivability. Our nuclear submarines are potentially vulnerable to Soviet nuclear attack and cruise-missile submarines, of which the Soviets now have over 60, and are producing at the rate of six to eight a year. At the same time, they are developing more advanced nuclear submarines—including attack submarines that are faster than our own Polaris-types. The Soviets now have the largest and most modern submarine building yards in the world, giving them several times the nuclear submarine construction capacity possessed by the United States.

Moreover, the Soviets are making a massive research and development effort to improve their detection capability of our nuclear submarines. This is especially disturbing, because the chief means of defense of the Polaris force is its ability to remain hidden under the seas. If they can be detected, they will have lost much of their protective value.

Threat to U.S. Attack Carrier Forces: I should add that the Soviet Navy's general purpose forces are no longer just for coastal defense. They now operate on a continuing basis in the Mediterranean and in the Indian Ocean, and periodically in the Caribbean. With these forces built around attack and cruise-missile submarines, surface ships armed with ship-to-ship missiles, and land-based naval bombers, Moscow has a formidable capacity to attack our carrier forces and disrupt our sea lines of communication—and this Soviet capacity continues to grow.

Finally, some facts about the Soviet research and development program need attention. The massive Soviet R&D effort on offensive and defensive nuclear systems has continued to increase for the past several years. The number of offensive missile testfirings has likewise increased substantially. In the last 12 months, the Soviets have conducted extensive tests of various new ABM components, including advanced improved ABM radars.

This huge research and development program, carried out by a country with a gross national product only half our own, gives some sense of the dynamism and direction of the Soviet military effort. The central fact is that the Soviet Union has continued to support, at great cost, a comprehensive, forward-moving program of strategic and conventional weapons procurement that is now slowing down. On the contrary, the hopes of those who predicted the Soviet build-up was tapering off have been bitterly disappointed—several times.

The Administration has made the claim that we are leaving an "era of confrontation" and entering an "era of negotiation."

I see scant evidence to support such a sunny forecast concerning our relations with Moscow. The massive Soviet weapons build-up does not suggest to me that with greater

strength they will be more wary of confrontations.

It does suggest that they will be better equipped to pursue the tactics they have employed ever since World War II—confrontation and negotiation together as partners in advancing their interests. Indeed, to the Kremlin, confrontation tactics are "bargaining" as much as formal talk can be, and the Soviets are experts at deeds and displays to influence the outcome of a negotiation.

Even before the improvement in its relative power position, Soviet leaders periodically pressed a policy of "opportunistic expansion." I have likened the Soviet Union in its foreign relations to a burglar walking down a hotel corridor, trying the door-handles. When he finds one unlocked—in he goes.

In past Soviet probings, the strategic equation has set limits to the extent of the risks that Moscow was willing to run. Khrushchev's backdown in the 1962 Cuban missile adventure is a classic case in point. Now, however, the Kremlin can be confident of overall nuclear equality with the United States—it is ahead of us in some nuclear weapons areas—and it can count on a growing capacity to project naval forces and other elements of its military power into many parts of the world.

In this situation, we would be prudent to assume that the Soviet leadership will be more vigorous in the assertion of what it regards as Soviet interests, and will accept greater risks in order to advance them, thus introducing harder Soviet bargaining at the conference table and new elements of danger and turbulence into international affairs.

Leonard Schapiro, one of Great Britain's most respected Soviet scholars, puts the matter this way: ". . . The Soviet Union derives increasing confidence from the sheer quantity and size of the weapons which it possesses . . . as the numbers and strength of Soviet weapons of all kinds, nuclear and non-nuclear as well, increase, so one should expect them to become bolder in their policy and more prepared to take risks."

One would look for such increased Soviet boldness, especially in those areas that are without formal defensive ties with the United States, for it is in such areas that the Soviets would be tempted to conclude that the risk of a direct confrontation (perhaps escalating to the nuclear level) is not great. However, in trouble spots like the Middle East, where the Soviets have already invested vast sums of military and economic aid, supplied sophisticated weapons, sent military personnel and taken losses in combat, local instabilities are vastly aggravated with a considerable risk of great power confrontation.

The motto of the Kremlin today is very likely: "No more Cubas." The Soviets may relish the prospect that in future crisis encounters, we, and not they, will back down and accept diplomatic defeat.

A foretaste of the future could be the brazen and contemptuous Soviet violation of the American initiated standstill agreement in the Mideast, in the summer of 1970, a violation executed from the very day of the agreement's signature, and encouraged, I might add, by the agitated efforts of some high Washington officials to turn their backs.

Looking ahead, it is difficult to escape the conclusion that our interests and those of our friends and allies would suffer in a strategic environment in which the American power position was widely questioned, even though the Soviet Union may not have achieved a clear preponderance. We could expect Soviet intransigence in negotiations, and efforts at blackmail and intimidation across a broad range of foreign policy issues, with a consequent rise in the incidence of dangerous situations. Moreover, the element of un-

certainty in crisis encounters could become much more severe.

Beyond that, if present trends in the strategic balance continue, we could find ourselves in a situation that encouraged Soviet brinkmanship, with a resulting risk of accident, miscalculation and nuclear war. . . .

One final word: The United States is experiencing a wave of hostility to the military at the moment, a hostility that makes fair and objective discussion of defense issues a difficult thing to achieve. From the belief that we have been doing too little to solve our domestic problems—a view that I share with many in this country—it is all too easy to pass to the belief that what we spend on defense is wasted.

The strategic budget is a small fraction of the defense budget and an even smaller fraction of our gross national product. About 1% of the goods and services we will produce this year is allocated to the procurement, maintenance and operation of our strategic deterrent.

That 1% is an essential investment. To fall in the job of strategic defense is to fall in all our aspirations for better housing, health, welfare, education and the environment. I believe that this country is rich enough in moral and material resources to provide for the security of our people and resolve our domestic problems as well.

DALE SMITH

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. REES. Mr. Speaker, on May 31, Dale Smith will retire as postmaster of the Beverly Hills Post Office. For the past 31 years, Dale has won promotion, honor, and acclaim through his service to the Government as a part of the U.S. Post Office Department. He entered postal service in August 1940, as a carrier-clerk at the South Gate Post Office. By 1946, he had been transferred to Beverly Hills and promoted to a position within the Postal Inspector's Office. Continuing to work diligently and untiringly, Dale Smith was confirmed by the U.S. Senate as postmaster of Beverly Hills in 1965.

While postmaster, Dale has brought praise to both his office and himself. Under his tutelage the Beverly Hills Post Office received the Nationwide Improved Mail Service Award. As a result of his leadership, the office was also awarded a certificate for outstanding contribution to the improvement of Federal civil service, particularly because of Dale's support of a program to increase employment for the handicapped. Dale, himself, was the recipient of the community's distinguished service award, which is issued by the Beverly Hills YMCA.

Though his work has been overwhelmingly demanding, Dale has managed to find time to be active in community affairs. As a Boy Scout leader, a member of the board of directors of the Beverly Hills YMCA, and a member of the Beverly Hills Rotary Club and Chamber of Commerce, Dale has devoted much of his private life to the betterment of his community.

Even with such an exhausting career and active community life, Dale has managed to fulfill ably the duties of family life. He is the husband of the charming Rosemary Sheehy Smith, the father of four children—Sheila, Duane, Brian, and Kevin—and the grandfather of five children.

Mr. Speaker, because Dale Smith has given such outstanding service to both the Government and his community, it is difficult for us in Beverly Hills to accept his retirement. But it is also as a result of his distinguished record as both a public and a private citizen that we wish him the best of health and happiness, and the maximum amount of joy in his new life.

SOJOURNER TRUTH

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. FISH. Mr. Speaker, about a year and a half ago, the State University of New York College at New Paltz, N.Y., which is located in my congressional district, asked for and received approval from the board of trustees to name its new library after a black woman and former slave who was born in Hurley, Ulster County, N.Y., and who lived in the New Paltz area a century and a half ago.

This woman's name was Sojourner Truth. Even though she could neither read nor write, she became in her lifetime one of the truly great speakers for liberty and justice. One of the most memorable personalities ever to come from Ulster County, Sojourner Truth won nationwide fame as an evangelist and civil rights crusader during the mid-19th century.

To commemorate this remarkable woman's life and work, a library called the Sojourner Truth Library has now been established on the university campus at New Paltz, and by unanimous action of the Ulster County Board of Legislators March 12 of this year was set aside as a day to honor the memory of this unique and far-seeing woman.

Mr. Speaker, in words far more fitting than anything I can say, an editorial in the Kingston Daily Freeman, commemorates this fighter for freedom and justice under God which I include in its entirety:

SOJOURNER TRUTH

Kingston City Schools Consolidated will observe a legal holiday March 12 in tribute to Sojourner Truth, a Hurley native and nationally-famous mid-nineteenth century evangelist, civil rights crusader and champion of freedom of black people.

It is fitting and proper to so honor a local illustrious American, born in slavery, who became one of the most remarkable personalities ever to come from Ulster County, by closing the schools as is done for other distinguished national figures.

A new library on the campus of State University College, New Paltz, also will be named for Sojourner Truth, who spent part of her life on a New Paltz farm.

The Ulster County Legislature, during Black History Week, passed a resolution paying tribute to Sojourner Truth. The resolu-

tion reflects great credit upon the legislators and their understanding of the need for bringing into historical perspective great Americans of every race.

An unfinished statue of the famous evangelist, which was found at Woodland Camp near Phoenicia, was displayed in The Daily Freeman booth at the Lions Exposition at the New York State Armory some years ago.

A courageous woman of strong convictions, a persevering worker for freedom, she has long merited these tributes in the county of her birth.

This dedicated citizen has been honored nationally down through the years including the Sojourner Truth Room at Prince George's County Memorial Library at Oxon Hill, Maryland. And in her lifetime, she was honored by President Lincoln, who received her in the White House. Though she could neither read nor write, she spoke with a power and conviction that commanded the attention and respect of other national leaders.

Sojourner Truth could not have looked back with fond memories of her life as a slave in this county of her birth. She witnessed and experienced the cruelty and injustice which was a mark of the times, yet she held her faith in God and in the ideals of her country. For more than a quarter of a century she traveled throughout the country exhorting her fellow-citizens, black and white, to live up to their own dreams and to make God a part of their daily lives.

Sojourner Truth has earned a place of honor here and throughout the country.

A TRIBUTE TO THE FUTURE HOMEMAKERS OF AMERICA

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BEGICH. Mr. Speaker, over the past 26 years, millions of America's young people have been members of the Future Homemakers of America. The association has organizations in all 50 States plus Puerto Rico and the Virgin Islands. As of 1970, the organization had 602,000 members all of junior or senior high school age.

Today, when all of us are constantly bombarded with news about young people who seem intent on dropping out of society, it is especially encouraging to find that so many of our young people are interested in learning how to contribute to their own families and to the general life of their individual communities. The goal of the Future Homemakers of America is itself a very heartening statement of principles.

The organization seeks to help individuals improve their own standard of personal, family, and community living. For the most part, it is something of a self-help effort with the youngsters themselves planning much of the program for improvement. To obtain their goal of improving human relations, the youngsters seek to develop their own potential abilities and to increase their contributions toward making their families a happier and more satisfactory part of the total community. In the process, they hope to strengthen their education for future roles so that they may help launch good citizenship through home-making.

Organizations like the Future Home-

makers of America are invaluable in any society since almost everyone does live in a family unit. The organization, however, has a specially great benefit for those youngsters who have come from less privileged backgrounds. It is through clubs of this type in the junior and senior high schools that many youngsters can learn skills that they, perhaps, do not acquire at home.

There is no way of actually measuring the good influence that the Future Homemakers of America has had on the millions of youngsters who have been members. The goals that the organization espouse, however, are of great benefit to all of us. Our country is, indeed, fortunate to have such an outstanding example of leadership for our youngsters.

The proclamation follows:

PROCLAMATION: FUTURE HOMEMAKERS OF AMERICA WEEK

The Future Homemakers of America, the national organization for home economics students in junior and senior high schools of the nation, is celebrating its 26th anniversary this year.

The future of our Community, State, and Nation depends to a large extent upon the strength of our homes, and the Future Homemakers of America is an organization concerned with building strong foundations for future homes and developing leaders for our communities.

The week of March 28 through April 3 has been designated as National FHA Week to be observed by the 604,000 members of the Future Homemakers of America;

I, William A. Egan, as Governor, therefore proclaim the week beginning March 28 as Future Homemakers of America Week in Alaska, and urge all citizens to acquaint themselves with the activities of the Future Homemakers of America organization, to show interest in it and to give help and encouragement to the members who are working hard to achieve knowledge that will make outstanding homemakers and leaders in our communities.

WILLIAM A. EGAN,
Governor.

FEDERAL FUNDS AGAINST CANCER

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, a close friend and constituent of mine, whose young son died last year of leukemia, and who was instrumental in forming a new organization of parents whose children had cancer or had died of it, has called my attention to a most eloquent plea for more Federal funding for cancer research, contained in the Wall Street Journal on Wednesday, April 14, 1971.

As I believe all who read this RECORD would benefit from the knowledge of the magnitude of this problem and the urgent need for its solution, I insert the article in full at this point in the RECORD, as well as a Wall Street Journal editorial concerning it, which appeared the same day:

FEDERAL FUNDS AGAINST CANCER

We are normally skeptical of pleas for increased federal money for most purposes, but the case made on this page today for

higher spending on cancer treatment and possible cures seems reasonably persuasive.

While it's hard to know whether additional funds really would be constructively employed, at least the writer is not asking for a moon-shot-type crash program in cancer research. That has been suggested by others, and it would almost certainly be wasteful. Our own preference would be to see more private spending on cancer research, but we suppose many of those sources have been largely exhausted.

In any event, it is not easy to argue against federal spending for presumably useful purposes. The trouble is that the government spends so much pursuing programs that are dubious and sometimes disastrous. If some of those efforts could be curtailed, everyone could feel better about spending on things like cancer research.

CANCER RESEARCH—ONLY \$1 PER PERSON (By a Parent)

When the doctor told my wife and me 16 months ago that our five-year-old son, Scott, had leukemia, we were plunged into numb agony. In the preceding days, as Scott went through a series of diagnostic tests, we had begun to fear the worst—but hearing the worst was still a terrible experience. We endured constant heartache and shed many tears in the weeks that followed. Life just didn't seem worth living.

It still doesn't. But we have learned to live, after a fashion, with the knowledge that Scott will die in childhood, perhaps very soon. Out of a passion to find out all we could about the disease—before, leukemia was, to us, only a remote malady—we've also learned some other things: how widespread cancer is; how hard it hits children (no other disease kills more of them); what remarkable strides cancer researchers are making under severe handicaps, in prolonging victims' lives and bringing a cure closer to reality—yet how much more they could do, and how surprisingly little we spend on this high-ranking national problem.

The final fiscal 1971 figure to emerge from Congress, lately accepted by the administration, provides an annual spending rate of \$230 million—that's \$1 per year per American, compared with \$10 on foreign aid. Or, looked at another way, it's a bit less than two-thirds the \$361 million the government allocates for outdoor recreation.

Dr. Solomon Garb, a respected Denver cancer researcher, said a consensus of researchers was that \$300 million would represent "an austere compromise between the needs of the 40-plus million Americans now living who will get cancer and the financial stringencies imposed on health expenditures. It is by no means even close to a 'full speed ahead' budget."

Others think much more than \$300 million makes sense; indeed, many people probably assume that much more is already being spent. As Mrs. James W. Cox, a mother of a Fairfax, Va., boy with leukemia, said, "Ask almost anyone . . . and they will say a billion or a billion and a half are being spent each year. They base their opinion on the fact that life and health are two of America's most important commodities."

Frustrated by the lack of funds for research, we joined last April with other Washington, D.C.-area parents of children who have cancer or have died of it, in an effort to do what we could to generate more support for a vigorous cancer-research program.

We knew it was too late to save Scott. Even the most hopeful research results would take too long for that. But maybe we could help hasten the day when other lives wouldn't have to be snuffed out by cancer. Our group, called the Candlelighters, pressed its case with key appropriators in Congress and with Nixon administration men, and will keep doing so. Our name was taken from the saying, "It's better to light one candle than to

curse the darkness." Our goal is a coordinated nationwide assault. Even before our group was formed, similar research-minded parent groups were active in Orlando, Fla., and San Rafael, Calif. Since then we have helped spur the creation of about a dozen new groups elsewhere. We have had inquiries from 40 cities in 16 states, and more are coming in.

MONEY AND ANSWERS

One cancer research scientist told us, "A number of important research questions are becoming answerable now. With enough money available, we could identify the people who should work on these questions, assign them to do the work and the questions would be answered."

We have tried to be hard-headed, and discount statements by researchers that seem to be simply self-serving. Our conclusion is that cancer research has been seriously crippled by a prolonged hold-down, in spending. Just lately, funding has turned up, and President Nixon promises to ask Congress for \$100 million more in fiscal 1972. This improvement is definitely welcome, but the research level is still pathetically low and the effects of previous cutbacks—in scrapped projects and prospective scientists not being trained—are still being felt.

In the last three years spending by the government's National Cancer Institute, which funds most cancer research in the U.S. leveled off while research costs climbed. (The government pays for 80% of all cancer research in this country; the American Cancer Society funds most of the balance.) The result was that, over the three years, the amount of research that could be paid for fell by one third. Particularly disheartening was the fact that the administration returned unspent to the Treasury nearly \$10 million of a \$190 million appropriation in fiscal 1970.

Because of the hold-down, the cancer institute has rejected many grant applications that it considers promising, funding only half of previously approved projects and approving just a fifth of new ones; this continued a grant decline in force since 1965. The President's fiscal 1971 budget request of \$202 million (later augmented by \$28 million by Congress and released for use by the administration in recent days) left a number of areas, such as chemotherapy, continuing downward.

The research cutback even touched treatment centers. In clinics like the one where Scott is examined and treated every month, drug treatment is research. Doctors must use their young patients as guinea pigs, administering drugs that have proven useful, in semi-experimental ways, as a method of developing more effective approaches. This use of new drugs coupled with better patient supportive care has extended the lives of many leukemia patients.

SOME PROGRESS MADE

In 1960, children with leukemia usually lived three months; now, 75% live two years or more on treatment with a drug combination; a few have lived over five years, and some of them are probably cured. (Overall, two of every five cancer patients now survive, against one in 10 as of 15 years ago. However, the incidence of the disease and the number of deaths continue to grow.) But contractual drug research in cancer treatment was reduced. Less than half of the drugs that held promise in institute lab tests could be evaluated in treatment programs, where laboratory research is either proven or discounted.

Funding cuts can happen because, while everybody knows about cancer, people just don't get worked up about it. We were as indifferent as anybody—until our own son was stricken. We never knew that cancer kills 325,000 Americans every year (only heart disease kills more), that one-fourth of everyone alive today will get it, that one-sixth will die of it, that only accidents kill more children;

5,000 children die of cancer annually, far more young lives than polio claimed in its peak year.

There's no way of knowing, of course, when research breakthroughs will come.

Recent talk of applying massive funding for cancer research in a moon-shot approach can be faulted for trying to adapt a space program, where technology was in hand, to medical research, where it isn't. But putting considerably more funds into several promising cancer research programs, though it's unknown which ones would pay off the most, seems eminently justified if it would let researchers better pursue many good possibilities that exist.

The prestigious National Panel of Consultants on the Conquest of Cancer, the so-called Yarborough commission, which proposed a \$1 billion-per-year research program by 1976, declared, "It is a myth that we could not spend effectively on cancer very much more than is now being spent." In fact, the panel said, "Advances in the fundamental understanding of cancer in the past decade have opened up far more promising areas for major advances in cancer prevention and treatment than have ever before existed."

Some argue there's no guarantee that more money would save a specific number of lives in a certain number of years. True. But highly promising avenues are developing in chemotherapy, viruses as a cancer cause, new methods to support life while treating cancer, ways to help the body do a better job of fighting off the disease with its own immunity system, analysis of how chemicals in food and the air cause cancer—so much so that pouring more money into the effort seems sensible.

ATTACK ON TWO FRONTS

Consider just two fronts in the attack. In the field of viruses as a cancer cause, promising leads are coming from work in molecular biology; that work has led to the potential of creating life in a test tube, but may also hold a key to curing or preventing cancer. NCI officials say we'll soon know if a cancer virus vaccine program should go forward, or if some different prevention method makes more sense. New methods have been devised to find cancer viruses in cancer extracts, and NCI people say they are now able to efficiently manage an expanded virus research program.

More money can be effectively used in chemotherapy, too. Success of drug use in some cancer forms opens the way for a large-scale successful chemotherapeutic program against these and other forms, just as the demonstration of the curative potential of chemotherapy against a few infections in the 1930s led to a massive program and—within a few years—the majority of bacterial infections were brought under control.

In just the last few months, cancer researchers have isolated an enzyme that could be the key to virus causation of leukemia. They have been able to block its effect in the test tube with an existing drug and have laid plans to test the drug on animal leukemia, then leukemia in humans.

"With more sophisticated use of the agents we now have, and with the slow but steady increase in the number of new antileukemia chemicals being discovered, there is little doubt in the minds of those expert in this field that acute leukemia will in the not too distant future be cured by chemicals alone," says Dr. Sidney Farber, professor of pathology at Harvard Medical School and former American Cancer Society president.

But capitalizing on these opportunities takes money. Researchers could be more effective, to cite just one example, if they had a large enough mouse colony to provide enough cases of spontaneous leukemia; instead, they must induce leukemia in the smaller number of mice they do have, which gives less valid results.

Government programs put more emphasis

on health care costs for all disease than on research. Yet research has its payoff in health care, too. Direct cancer costs—medicine, doctors and the like—are estimated at \$1.5 billion a year, and earnings loss and other expenses are probably near 10 times that. NCI studies show that, despite climbing drug, doctor and hospital costs, the total expense of treating a leukemic child has fallen to under \$5,000 from about \$10,000 eight years ago. This is because better treatment methods—resulting from research—have reduced the typical hospital stay to 14 days from 77 days.

If we must wait for assurance that each new research dollar will save "X" number of lives, the problem will never be licked. Cures and vaccines for infectious diseases in the past were developed because the effort seemed worthwhile—witness the national war on polio—not because any certified proof of results was available in advance.

SEEKS MILITARY HOSPITALIZATION EXTENSION

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. JAMES V. STANTON. Mr. Speaker, a letter I received from Mrs. Thomas M. Poje of Cleveland explains firsthand why the maternity bill I have introduced should be passed by this Congress.

Mrs. Poje is expecting her third child in July. Her husband is scheduled to be discharged, after 6 years in the Navy, at the end of May, 6 weeks before the baby is due. When Mr. Poje leaves the Navy, he must try to find a house, a job, and \$1,000 to pay the baby's doctor and hospital bills.

There is no way he can get health insurance immediately after he leaves the service. No insurance company will cover a woman who is already pregnant. His only alternative is to extend his tour of duty another 2 months so the baby will be covered by military hospitalization. This is probably what the Poje's will have to do.

H.R. 6942 would provide maternity care for servicemen's wives who are pregnant when their husbands are discharged. Under my bill a couple would pay only \$25 for complete maternity care at the hospital of their choice. The bill has 40 cosponsors. Senator HUBERT H. HUMPHREY has introduced the same legislation in the Senate.

The full text of Mrs. Poje's letter follows:

CLEVELAND, OHIO,
April 20, 1971.

DEAR MR. STANTON: I am writing in regard to your proposed bill, offering short-term insurance benefits, namely maternity care, for discharged servicemen. My husband is due to be discharged from the Navy on May 26th, after six years of service. We are expecting our third child on July 6th, just six weeks after his discharge.

We now find that there is no longer a short-term insurance policy to cover the costs. That means that we are going to have to pay \$1,000 for this baby. My husband has tried to get some information about any insurance to cover the cost, and all he has been told is to extend his time in the service, and then the government will take care of it. But it seems to me, after giving six years of his

life to the Navy, there ought to be something that can be done.

While my husband has been in the service, I have been living with my parents with my children, during his time at sea. Now we are faced with finding a place to live, finding a job for my husband, and now covering the cost of this baby. Your proposed bill would be a wonderful thing. But I realize that it is highly unlikely for it to be passed in time to help us. Do you know of any way we can get help? I would appreciate any advice you could give us.

Even if your bill cannot help us, surely I hope it can be passed to help other servicemen and their wives who will be faced with the same problem as us. It is a help, Mr. Stanton, to know that somebody like you realizes our predicament and is working to make things right.

Thank you for your time and also for your proposed bill. I appreciate, as do many other servicemen and their wives, all you are trying to do for us.

Respectfully,

Mrs. THOMAS M. POJE.

EMPLOYMENT OF HANDICAPPED: COMMUNITY ATTITUDES

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. SKUBITZ. Mr. Speaker, a constituent of mine, 17-year-old Mike Bode-mann of Iola, Kans., was an honorable mention winner in the 1971 contest held under the auspices of the President's Committee on Employment of the Handicapped. The contest called for essays to be written under the title "Ability Counts."

Young Mike, a 12th grade student in the Iola High School, was the winner of the Kansas State competition and thereafter won his honorable mention in the national finals. All of us in Kansas are proud of him and he is deserving of commendation for his fine work. I include the text of his essay in the CONGRESSIONAL RECORD at this point:

EMPLOYMENT OF THE HANDICAPPED: COMMUNITY ATTITUDES (By Mike Bodemann)

In a world of rapidly changing technology as a result of expanding knowledge and fresh ideas, one basic concept has remained tragically the same. The universal and proverbial attitude towards the person with a handicap has been one of pity. The handicapped person, however, rejects this concept and consequently finds himself in conflict with the larger society. To resolve this conflict, the nondisabled must examine—and change—their attitudes toward handicapped people.

An overt pity for a handicapped person's disability can be most detrimental to the disabled person's rehabilitation. With rehabilitation in this instance meaning a restoration to capacity, it is evident that community attitudes play an influential part. In my own community, the feeling of pity towards disabled persons was widespread.

Employment of the handicapped is undoubtedly the most important way a community can help, for two barriers are surmounted at once. First, an important step in rehabilitation is accomplished; and second, people associated closely with the disabled see graphically that it is not what a person has lost, but what he has left that is important.

The first step could be accomplished only if the job were suitable for the particular individual. Through vocational rehabilitation, disabled persons can be trained properly for the job which best fits that person's talents. The second step was proved when great industrial companies such as Ford Motor Company, Bulova Watch Company, Western Electric Company, RCA Victor, Inc., Westinghouse, and many others, tested the worth of vocational rehabilitation and unanimously agreed that the physically impaired were equal to, and in many cases superior to, the able bodied workers. In my own community, people who had worked with handicapped persons were impressed with the productivity and extra effort they put forth. One member of the community related that a person he had worked with had overcome his disability by replacing it with an indomitable spirit. This man, despite his loss of an arm, pitched for a minor league baseball team!

The disabled persons I interviewed admitted that finding a job was not easy. The small size of the community allows for fewer jobs, of course, but the attitude of the community as a whole seemed one of hypocrisy. Many employers said they would hire handicapped persons, but few actually did. On the positive side, however, a local radio station manager stated that he gives handicapped persons actual preference, because he believes they offer more stability. He felt nondisabled persons set higher immediate goals and leave their jobs sooner, while the handicapped value their jobs more and are more likely to remain in the same position longer. As I talked with him a young woman confined to a wheel chair was giving a news broadcast. He obviously practiced what he believed.

The attitude of the community as a whole was very favorable toward the employment of the handicapped, but a rift developed in practicing that attitude when one considered the numbers of unemployed handicapped persons. The results of a survey taken recently revealed that one in six people had some type of disability, either mental or physical. Excluding severely handicapped cases and those instances where the job would be impractical for the handicapped person, the ratio between the number of disabled persons working to those not working is discouraging. The attitude of nondisabled persons towards disabilities like blindness, deafness, or amputation are much more favorable than toward skin diseases, body deformities, cerebral palsy, or muscular dystrophy. We need to concentrate on developing more favorable attitudes toward the last group of disabilities.

The handicapped persons interviewed felt that the community was making an effort to help them. As a local high school teacher stricken with multiple sclerosis said, "The greatest asset going for the handicapped is the public itself."

Many things have been done to aid handicapped persons, such as ramps, two way doors, and vocational rehabilitation, but a lot more could be done if a better attitude was taken. If nondisabled persons would adopt a sympathetic attitude in place of pity, more positive acts of help and kindness, aimed at helping the handicapped person become more self-sufficient, would result. If the public would really become interested in helping the handicapped become as independent as possible, in order to maintain the dignity that is so important to every person, many of the problems faced by disabled persons could be solved.

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RESULTS OF A COMPREHENSIVE OPINION POLL TAKEN IN WEST TEXAS BY CONGRESSMAN WHITE

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. WHITE. Mr. Speaker, I would like to share with my colleagues the re-

sults of a comprehensive opinion poll taken in my west Texas district. This was distributed to some 130,000 postal patrons of my district. The response was overwhelming. About 10,000 ballots have now been returned. Since leading national polls often report on 300 to 1,000 responses, I believe the results of this poll are excellent, normal, and representative of the thinking of the people of the 16th District.

The first column shows the percentage of the yes and no vote for the entire 16th District. Then follows the percentage tabulation for each of the 12 individual counties. The percentage difference between the "yes" percentage and "no" percentage represents those who failed to answer that particular question. I sincerely hope this poll will have considerable general interest and will use useful to many of my colleagues:

OPINION POLL FROM WEST TEXAS DISTRICT

| | 16th district general | | Brewster | | Culberson | | El Paso | | Hudspeth | | Jeff Davis | | Loving | | Pecos | | Presidio | | Reeves | | Terrell | | Ward | | Winkler | |
|--|-----------------------|----|----------|----|-----------|----|---------|----|----------|----|------------|----|--------|----|-------|----|----------|----|--------|----|---------|----|------|----|---------|----|
| | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| 1. Do you favor the guaranteed income welfare plan? | 20 | 77 | 19 | 77 | 16 | 83 | 22 | 75 | 10 | 73 | 21 | 74 | 20 | 80 | 7 | 92 | 18 | 80 | 9 | 82 | 4 | 94 | 10 | 89 | 7 | 89 |
| 2. Do you favor a program of national health insurance financed by increased Social Security charges, assessments, or taxes? | 35 | 62 | 33 | 60 | 16 | 81 | 39 | 59 | 25 | 73 | 37 | 82 | 40 | 60 | 14 | 84 | 33 | 64 | 16 | 74 | 22 | 76 | 15 | 81 | 13 | 82 |
| 3. Do you favor a constitutional amendment requiring equal treatment of sexes under the law? | 51 | 46 | 53 | 37 | 41 | 52 | 52 | 46 | 44 | 52 | 37 | 61 | 100 | 0 | 34 | 62 | 59 | 38 | 40 | 48 | 47 | 45 | 45 | 51 | 46 | 56 |
| 4. Do you favor a constitutional amendment providing for the election of President and Vice President by popular vote? | 71 | 25 | 73 | 23 | 71 | 24 | 72 | 25 | 63 | 29 | 71 | 29 | 80 | 20 | 67 | 31 | 71 | 28 | 63 | 29 | 69 | 31 | 74 | 24 | 69 | 29 |
| 5. Do you favor Governor Preston Smith's proposal that the Federal Government take over all welfare programs from States? | 23 | 73 | 30 | 63 | 24 | 67 | 24 | 73 | 27 | 71 | 26 | 71 | 40 | 60 | 14 | 84 | 35 | 63 | 17 | 67 | 20 | 78 | 16 | 81 | 11 | 86 |
| 6. Should the United States work toward establishing relations with Communist China? | 53 | 43 | 52 | 45 | 41 | 57 | 56 | 40 | 40 | 52 | 42 | 50 | 0 | 60 | 31 | 64 | 41 | 52 | 40 | 47 | 35 | 61 | 46 | 50 | 35 | 60 |
| 7. Do you favor admission of Red China to the U.N.? | 40 | 56 | 37 | 59 | 19 | 72 | 44 | 53 | 33 | 63 | 34 | 63 | 20 | 20 | 20 | 75 | 37 | 59 | 27 | 60 | 25 | 69 | 28 | 69 | 19 | 73 |
| 8. Do you favor 4-year terms for Members of the House of Representatives, with half of its membership chosen each 2 years? | 74 | 23 | 76 | 24 | 81 | 14 | 74 | 23 | 75 | 17 | 76 | 45 | 100 | 0 | 67 | 30 | 82 | 18 | 66 | 23 | 78 | 20 | 72 | 24 | 74 | 21 |
| 9. Do you favor Federal assistance to private and parochial schools? | 27 | 63 | 23 | 76 | 19 | 78 | 30 | 59 | 17 | 75 | 11 | 87 | 20 | 60 | 11 | 86 | 30 | 69 | 14 | 77 | 14 | 86 | 15 | 82 | 15 | 83 |
| 10. Do you favor legalization of marihuana? | 14 | 84 | 10 | 85 | 10 | 88 | 15 | 83 | 10 | 88 | 11 | 89 | 60 | 40 | 5 | 93 | 7 | 92 | 5 | 88 | 14 | 84 | 9 | 88 | 9 | 89 |
| 11. In general, do you favor foreign aid? | 36 | 61 | 33 | 64 | 12 | 84 | 38 | 60 | 31 | 63 | 39 | 55 | 80 | 20 | 26 | 71 | 28 | 73 | 24 | 66 | 29 | 67 | 33 | 63 | 24 | 70 |
| 12. In general, do you favor the Office of Economic Opportunity programs? | 45 | 48 | 44 | 52 | 31 | 66 | 49 | 46 | 44 | 48 | 34 | 55 | 80 | 20 | 26 | 67 | 35 | 61 | 28 | 54 | 27 | 61 | 38 | 54 | 27 | 60 |
| 13. In general, do you favor the Vista program? | 36 | 49 | 41 | 53 | 24 | 71 | 37 | 47 | 42 | 48 | 32 | 63 | 60 | 0 | 21 | 67 | 31 | 58 | 29 | 49 | 27 | 61 | 33 | 50 | 24 | 57 |
| 14. In general, do you favor urban renewal programs? | 51 | 44 | 41 | 54 | 40 | 57 | 56 | 40 | 44 | 44 | 24 | 63 | 40 | 40 | 19 | 74 | 39 | 52 | 28 | 61 | 25 | 69 | 36 | 60 | 20 | 76 |
| 15. In general, do you favor the food stamp program? | 45 | 53 | 38 | 59 | 36 | 62 | 48 | 50 | 35 | 58 | 34 | 61 | 40 | 40 | 22 | 74 | 31 | 65 | 30 | 57 | 25 | 73 | 35 | 60 | 33 | 58 |
| 16. Do you favor allowing food stamps for union members unemployed because of strikes? | 16 | 83 | 13 | 86 | 10 | 88 | 18 | 82 | 12 | 85 | 11 | 89 | 20 | 80 | 4 | 93 | 14 | 86 | 7 | 84 | 14 | 86 | 9 | 89 | 5 | 94 |
| 17. Do you favor the President's revenue sharing plan with the States? | 53 | 39 | 53 | 36 | 66 | 29 | 55 | 38 | 62 | 23 | 26 | 55 | 60 | 40 | 40 | 51 | 49 | 47 | 49 | 35 | 55 | 39 | 35 | 52 | 46 | 46 |
| 18. Do you favor the enactment of stricter anti-pollution laws? | 90 | 7 | 86 | 7 | 93 | 3 | 92 | 7 | 75 | 19 | 92 | 3 | 100 | 0 | 88 | 8 | 91 | 6 | 88 | 9 | 90 | 10 | 85 | 10 | 87 | 9 |
| 19. Do you favor wage and price controls to curb inflation? | 71 | 25 | 66 | 22 | 78 | 21 | 71 | 25 | 75 | 17 | 63 | 21 | 100 | 0 | 69 | 17 | 73 | 23 | 70 | 25 | 71 | 22 | 62 | 32 | 59 | 35 |
| 20. In general, are you satisfied with our domestic economic policy? | 26 | 68 | 25 | 63 | 28 | 69 | 27 | 68 | 31 | 50 | 16 | 71 | 100 | 0 | 13 | 79 | 39 | 50 | 25 | 66 | 20 | 71 | 29 | 61 | 25 | 68 |
| 21. In general, do you favor the Peace Corps? | 58 | 39 | 54 | 39 | 48 | 48 | 60 | 38 | 54 | 38 | 58 | 34 | 60 | 20 | 56 | 40 | 57 | 37 | 51 | 42 | 51 | 47 | 48 | 46 | 43 | 49 |
| 22. Do you favor further manned flights to the moon? | 43 | 45 | 37 | 55 | 43 | 57 | 45 | 43 | 40 | 50 | 42 | 47 | 20 | 60 | 45 | 50 | 36 | 56 | 38 | 56 | 41 | 57 | 35 | 58 | 35 | 56 |
| 23. Do you favor the enactment of broader consumer protection laws? | 86 | 12 | 81 | 12 | 88 | 9 | 88 | 11 | 73 | 12 | 79 | 11 | 80 | 20 | 82 | 13 | 80 | 15 | 79 | 17 | 84 | 16 | 76 | 19 | 74 | 20 |
| 24. Do you favor further tax cuts even if it means a reduction of present Federal programs? | 63 | 33 | 65 | 29 | 79 | 21 | 60 | 36 | 79 | 8 | 55 | 37 | 40 | 40 | 82 | 12 | 64 | 29 | 80 | 16 | 71 | 25 | 77 | 18 | 78 | 17 |

OPINION POLL FROM WEST TEXAS DISTRICT—Continued

| | 16th district general | | Brewster | | Culberson | | El Paso | | Hudspeth | | Jeff Davis | | Loving | | Pecos | | Presidio | | Reeves | | Terrell | | Ward | | Winkler | |
|---|--|----|----------|----|-----------|----|---------|----|----------|----|------------|----|--------|----|-------|----|----------|----|--------|----|---------|----|------|----|---------|----|
| | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No | Yes | No |
| | 25. Do you favor American air support of ground actions in Laos and Cambodia?..... | 63 | 34 | 57 | 38 | 62 | 36 | 62 | 35 | 25 | 48 | 63 | 26 | 80 | 0 | 72 | 23 | 64 | 27 | 73 | 22 | 67 | 33 | 58 | 35 | 65 |
| 26. Do you favor a provision requiring registration for work of a household's adult members before being granted eligibility for food stamps?... | 93 | 5 | 88 | 6 | 93 | 5 | 93 | 5 | 88 | 0 | 89 | 5 | 60 | 40 | 95 | 1 | 89 | 6 | 94 | 3 | 96 | 2 | 92 | 5 | 89 | 6 |
| 27. Do you favor the use of tax revenues to fund community family planning programs, if not used for abortions?..... | 60 | 35 | 59 | 36 | 47 | 50 | 64 | 33 | 56 | 37 | 55 | 37 | 60 | 20 | 41 | 44 | 50 | 44 | 47 | 47 | 51 | 47 | 48 | 47 | 42 | 54 |
| 28. In critical industries, do you favor compulsory arbitration to settle labor disputes?..... | 85 | 12 | 83 | 10 | 83 | 16 | 85 | 13 | 79 | 12 | 87 | 3 | 80 | 0 | 91 | 5 | 83 | 9 | 86 | 9 | 75 | 24 | 80 | 14 | 83 | 13 |
| 29. Do you favor deferring needed government programs to prevent increasing the national debt?..... | 59 | 35 | 61 | 29 | 76 | 21 | 57 | 38 | 67 | 23 | 63 | 26 | 60 | 0 | 74 | 21 | 64 | 29 | 68 | 23 | 67 | 29 | 67 | 24 | 71 | 24 |
| 30. In general, do you favor public housing programs?..... | 48 | 48 | 42 | 49 | 34 | 62 | 53 | 43 | 35 | 60 | 34 | 55 | 0 | 60 | 30 | 67 | 22 | 74 | 29 | 66 | 25 | 73 | 23 | 74 | 22 | 69 |
| 31. In general, are you satisfied with our foreign policy?..... | 25 | 70 | 22 | 70 | 17 | 83 | 25 | 70 | 29 | 60 | 32 | 66 | 40 | 40 | 33 | 61 | 33 | 60 | 22 | 72 | 14 | 84 | 21 | 71 | 17 | 77 |
| 32. Should the Selective Service be replaced by a strictly volunteer armed services?..... | 36 | 59 | 38 | 50 | 36 | 64 | 35 | 60 | 46 | 42 | 37 | 55 | 0 | 60 | 41 | 53 | 29 | 58 | 28 | 58 | 33 | 65 | 37 | 55 | 41 | 51 |
| 33. If the Selective Service were to continue, do you favor eliminating college deferments?..... | 57 | 40 | 50 | 45 | 48 | 52 | 60 | 37 | 42 | 50 | 45 | 47 | 40 | 60 | 49 | 49 | 46 | 48 | 47 | 49 | 45 | 51 | 39 | 53 | 43 | 51 |
| 34. Should American industries harmed by foreign competition be protected by high import tariffs?..... | 57 | 38 | 51 | 39 | 79 | 19 | 55 | 41 | 60 | 29 | 53 | 37 | 20 | 40 | 74 | 22 | 70 | 24 | 72 | 20 | 73 | 25 | 65 | 26 | 58 | 33 |
| 35. Do you favor Federal funds to private industry to build a supersonic transport plane competitive to those of the British, French and Russians?..... | 37 | 59 | 28 | 66 | 24 | 74 | 39 | 58 | 38 | 25 | 29 | 68 | 80 | 20 | 34 | 63 | 27 | 62 | 25 | 70 | 33 | 65 | 26 | 67 | 33 | 61 |
| 36. The 91st Congress set a maximum of \$55,000 on annual subsidy payments to farmers. Do you favor a limit on annual payments to farmers?..... | 89 | 8 | 83 | 9 | 91 | 9 | 90 | 7 | 65 | 19 | 89 | 3 | 100 | 0 | 88 | 8 | 85 | 12 | 76 | 21 | 80 | 14 | 81 | 11 | 89 | 7 |
| 37. Should this farm payment limit be lowered to \$20,000 per year per farmer?..... | 71 | 13 | 73 | 16 | 78 | 21 | 70 | 12 | 60 | 31 | 84 | 3 | 100 | 0 | 78 | 15 | 77 | 16 | 59 | 34 | 80 | 14 | 78 | 11 | 80 | 11 |
| 38. Should Federal funds be spent, if necessary, to expand railroad passenger service in the United States, including Texas?..... | 52 | 44 | 54 | 42 | 43 | 55 | 54 | 42 | 56 | 35 | 37 | 47 | 40 | 20 | 37 | 58 | 57 | 39 | 39 | 57 | 57 | 43 | 33 | 61 | 37 | 57 |
| 39. Should the U.S. Government take a firmer position in condemning Russia's persecution of minority groups?..... | 48 | 45 | 43 | 44 | 48 | 50 | 48 | 46 | 52 | 37 | 47 | 39 | 20 | 40 | 56 | 35 | 47 | 42 | 46 | 46 | 84 | 10 | 46 | 44 | 59 | 32 |
| 40. Do you favor the reorganization of the Executive Branch of Government as outlined by the President?..... | 58 | 23 | 55 | 22 | 52 | 34 | 61 | 22 | 50 | 23 | 47 | 26 | 80 | 0 | 49 | 24 | 49 | 26 | 50 | 25 | 61 | 29 | 44 | 33 | 49 | 24 |

RATIONALE BETWEEN DEMONSTRATIONS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. SIKES. Mr. Speaker, two rational and informative statements were made on yesterday in the Washington Evening Star columns. One was entitled, "The 2.5 Million Veterans Who Didn't Come" and was written by Richard Wilson and the other was entitled, "Peace Demonstrators Misinformed" by David Lawrence. Both represent meaningful contributions which provide useful information on the demonstrations which now harass Washington much more than they help. I submit these articles for reprinting in the RECORD:

THE 2.5 MILLION VETERANS WHO DIDN'T COME

(By Richard Wilson)

At the end of 1970, according to official Defense Department figures, approximately

3 million Americans had served in Southeast Asia, 2.5 million in Vietnam alone. The thousand or so of them who demonstrated in Washington were a minute fraction of the total who have served in Vietnam. This certainly could not be considered an abnormal proportion of disillusioned and embittered veterans emerging from any war in any country.

In fact, the discontented and alienated veterans of war have in some countries and for different reasons represented a far more serious challenge to governments in power, Germany being the most dramatic illustration.

Yet there is an element of disappointed expectations in the attitudes being adopted by the veterans of Vietnam. Anyone who visited Vietnam in the early part of our heaviest involvement had difficulty stifling a sense of pride in American behavior and performance on this far-off and difficult battlefield.

The ranking officers, from Gen. Westmoreland on down, all felt it. Many of them, including Westmoreland, believed that the rotation of manpower on the basis of one-year service would continually send back to the United States men who in due course would create an important reservoir of support for American operations in Vietnam.

In the beginning this did seem to be the case. The Vietnam veterans in large number felt that they had been participating in an action which was both necessary and worthwhile. And it was on this basis that one observer, at least, departed from his usual detachment in writing for the news columns to assert that the Vietnam operation was worthwhile.

The expectation that the hundreds of thousands of returning veterans would create a solid base of support for continuing on the road toward American objectives has not materialized in any concrete way. Perhaps it exists and underlies the patience of the American people with the slow and painful process of disengagement.

But those who contend that this has been an ignoble war and unworthy of American standards and ideals have gotten the upper hand so far as public attention is concerned. They are making the most of the presence in Washington of crippled and wounded medal winners and scoffing at President Nixon for his forbearance in avoiding evicting them from the public grounds of a nation they have served.

Nothing that the veterans did here brought the end of the war one hour closer but their encampment did serve as a political backdrop for various Democratic presiden-

tial candidates who are trying to make the way out of the war as hard as possible for Nixon on the pretext that his commitments can't be relied upon.

What the vast majority of 2.5 million men who have served in Vietnam may think of all this is unknown but they have endured it in silence and without the affront man of them evidently felt over the conviction of Lt. Calley.

The ugly possibility presents itself that one of the legacies of the Vietnam war will not be men who returned strengthened or ennobled by service to their country but the fewer who are permanently estranged and distrustful of all higher authority.

If there was any point at all in the Vietnam veterans visitation it was to persuade Nixon of the expediency of declaring a fixed date for the completion of a total withdrawal from Vietnam.

This is not in the cards and it is hard to believe that it would actually become the program of any president elected as Nixon's successor whatever he might say or pledge during a presidential campaign.

Total and hurried withdrawal from Vietnam carries with it the imminent and real danger of terrible consequences for the people of South Vietnam to say nothing of American integrity.

Presidential candidates and aspirants who create the impression they would totally withdraw now, and exploit a veterans' protest to reinforce that impression, are living and talking in a make-believe world. They do not know they could lead the American people that way if they got the chance.

The 2.5 million veterans of Vietnam who did not come to Washington may have something to say about that.

PEACE DEMONSTRATORS MISINFORMED (By David Lawrence)

The "demonstrations" — mobilizing in Washington at least 200,000 persons from all parts of the country—are incredible, particularly the participation by war veterans. Is it possible that the system of communication between the government and the people is so faulty today in America that millions of citizens, including many of those who were drafted for war service, haven't known the great dangers faced by this country as it sought to protect its interests in Southeast Asia?

Is it conceivable that informed citizens would want to see their government deprived of the services of law-enforcement agencies like the FBI at a time when scarcely a day goes by that there isn't a series of bomb explosions across the land and tragedies result from the widespread belief of criminals who feel sure they can't be caught or will not be severely punished?

America is living in a state of internal uneasiness unparalleled in its history, and the running down of criminals is more important than it ever was. Yet there is an outcry from prominent members of Congress and radical groups and organizations seeking to weaken not only the power of the FBI but of the executive branch of the government which, under the Constitution, is vested with the authority and obligation to preserve order.

It seems incredible also that aspirants for the presidential nomination of the Democratic party are openly encouraging radical groups in their crusades against law-enforcement agencies and are falling to tell their constituents the fundamental facts of American foreign policy which for the last four decades has sought to maintain a balance of power in Asia and Europe as a means of preserving peace.

These who clamor for the end of the Vietnam war in a humiliating way give no thought to the effect it may have on the prestige or influence of the United States in the

world and the fact that a third world war may well be a nuclear one, with the possible loss of the lives of millions of citizens in our country.

The uninformed segment seems to be larger than ever, and the strange thing is that the critics in Congress who should know better are helping to enlarge that opposition by claiming that our help in the Vietnam war was a mistake and that the conflict must be ended by withdrawing all American forces and not insisting on any conditions from the enemy for the future. What is overlooked, of course, is that the Soviet Union and Red China have been furnishing weapons and supplies to North Vietnam amounting to many billions of dollars.

This realistic fact has not sunk in, and many persons, including too many members of Congress, have ignored what has confronted the United States in Vietnam from the start. The veterans themselves who participate in "demonstrations" evidently never learned the important factors involved in their own service. Now misguided leaders urge them to cast their medals away and, in effect, raise questions as to their fidelity to the government they served.

Worst of all the manner in which aspirants to high political office are adding to the misrepresentations by giving the impression that peace will come the moment America announces a date for complete withdrawal of its troops. North Vietnam has given as yet no indication of what its attitude will be toward South Vietnam and whether the war in that country will be over.

The North Vietnamese may regard American withdrawal as an opportunity to take over South Vietnam if the United States not only pulls out its combat troops but leaves no residual air force or supply units on hand to assist the people in resisting the Communists.

All these points are well known to foreign governments and have been discussed in the press abroad as well as in this country. Yet a "demonstration" of 200,000 people can be organized to appear in Washington, and plenty of other large groups can stage similar parades in other parts of the country notwithstanding the fact that the major points in American foreign policy have been made clear by the President and supported by a substantial number of members of Congress.

How long will the "uninformed" rule the roost and continue to seek a weakening of law-enforcement agencies? These are the questions that make one wonder when a counter-movement will arise to inform the uninformed that they are dealing with the safety of the United States—both external and internal.

PROGRESS IN THE ATTACK ON CANCER

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. THONE. Mr. Speaker, cancer is one word that is familiar to us all. Too familiar. Cancer has left few among us untouched by the sorrow of losing a loved one to this dreaded disease.

All reports show that cancer can be conquered if enough funds can be earmarked for study of the disease. I see hope. People are no longer accepting the fate of cancer, but want to fight it. It no

longer is regarded as a disease that means ultimate death.

People are beginning to have a conscience about cancer. They are writing me to support legislation to fight cancer. They are becoming more knowledgeable about cancer. They are slowly launching a national effort—a united effort against cancer.

One of the best reports I have seen on cancer was done recently by a distinguished citizen of my district, the First District of Nebraska. This gentleman started his research casually for a paper he was to present on the disease to a social club in Lincoln. I sent some requested material and waited to see the report. It is most excellent. It is thoughtful, expansive, well-organized and hopeful. Most importantly, his interest in cancer has not waned—it has increased as he recognizes the time for a cure for cancer nears.

Mr. Speaker, the author of this report is a friend, a most skilled lawyer who is reckoned far past the bound of Nebraska. He is William I. Aitken. At this point I would like to submit his paper for insertion in the RECORD:

AS TO PROGRESS IN THE ATTACK ON CANCER
[Paper given at the Round Table—a discussion club—by William I. Aitken on April 5, 1971 at the Lincoln Hotel, Lincoln, Nebr.]

I. INTRODUCTION

As we have distinguished scientists and physicians among our members, I feel quite presumptuous as a layman, in undertaking this discussion. I endeavor to justify my action on the ground that current consideration is being given by Congress to the plan and funds needed to attack the second greatest killer, and the subject will also be judged in that body by nonprofessionals.

II. STATISTICS AS TO THE SIZE OF THE PROBLEM

The Report of the National Panel of Consultants on the Conquest of Cancer of November, 1970, authorized by Senate Resolution 376, concludes in the foreword, as follows:

"Cancer is a disease which can be conquered. Our advances in the field of cancer research have brought us to the verge of important and exciting developments in the early detection and control of this dread disease, but as a nation we have not put forth the effort necessary to exploit the full potential of these gains, nor have we made the proper effort to ascertain what additional avenues of research should be opened."

The Panel further states in its report:

"The amount spent on cancer research is grossly inadequate today. For every man, woman, and child in the United States, we spent in the year 1969:

"\$410 on national defense;

"\$125 on the war in Vietnam;

"\$19 on the space program;

"\$19 on foreign aid; and

only \$0.89 cents on cancer research.

"Cancer deaths during the year 1969 alone, were:

"(i) 8 times the number of lives lost in 6 years in Vietnam;

"(ii) 5½ times the number killed in automobile accidents during the year;

"(iii) greater than the number of Americans killed in battle in all 4 years of World War II."

The allocation of national priorities seems open to serious question. It is estimated that the economic loss is staggering, with the cost to the Nation running as high as \$15 billion per year, of which \$3 to \$5 billion represents direct care and treatment costs, and the

balance is loss of earning power and productivity.

Some further statistics may be of interest. According to the American Cancer Society's Report for 1971:

(1) 975,000 Americans will be under medical care for cancer this year;

(2) about 635,000 new cancer cases will be diagnosed for the first time during the year; and

(3) it is estimated that 335,000 persons in the United States will die of this disease during the year 1971, including 2,700 persons in Nebraska.

(4) The national total of cancer deaths during 1971 is estimated to average 920 persons each day, and more than one every two minutes. Of every six deaths from all causes in the United States, one is from cancer.

In the early 1900's few cancer patients had any hope of cure. In the late 1930's fewer than one in five was being saved (that is, alive after 5 years after first being treated). 10 years later one in four was being saved. Since 1956, the ratio has been one in three. Of every 6 persons who get cancer today, two will be saved and four will die. Numbers 1 and 2 will be saved. Number 3 will die but might have been saved had proper treatment been received in time. Numbers 4, 5, and 6 will die of cancers which cannot yet be controlled and only the results of further research can save these patients. This means that the immediate goal of cancer control in this country is the annual saving of 318,000 lives, or half of those who develop cancer each year.

The American Cancer Society reports that there are now 1,500,000 Americans alive today who have been cured of cancer, with an additional 700,000 cancer patients diagnosed and treated within the last 5 years who will live to enter the ranks of those called cured (surviving at least 5 years after treatment) making a total of 2,000,000.

Except for cancer of the lung, ovary, pancreas and leukemia, cancer death rates in general are leveling, and in some cases dropping off. However, according to the estimators, more than 52 million Americans, now living, will eventually have cancer, one in four persons according to present rates, and such cancer will claim over 34 million of these lives, in the absence of the discovery of an effective immunizing vaccine, control or cure. We hear and read much today of the liberation movement for women. In this case, however, more men than women died of cancer last year, and this has been true since 1949. The ratio in 1971 will be about 55 men to 45 women.

Cure rates vary for the different types of cancer, and generally depend on whether the malignancy can be diagnosed and treated while it is still localized; although, the development of the new treatment discipline, Chemotherapy, with 30 or more useful drugs provides a greater opportunity for control and cure, including some cases where spread of the disease (metastases) has occurred.

III. AS TO THE NATURE OF THE PROBLEM

My review and quotations from "What's Happening in Cancer Research" by Dr. Howard E. Skipper of the Southern Research Institute of Birmingham, Alabama, published in the Saturday Review of January 16, 1971, follows.

Some pathologists estimate that there are more than a hundred types of cancer related to the cells of the normal tissues where they arise, and many behave quite differently. Some cancers grow rapidly, some grow slowly. Some are almost always widely disseminated when detected, and some are rarely widespread when detected.

"The widely disseminated cancer cells of some types of cancer respond dramatically to

certain drugs, whereas the metastases from certain other types usually respond poorly."

People ask:

"When will a cure for cancer be discovered? It is assumed they are speaking of disseminated cancer that is beyond the reach of surgery or radiotherapy, by a single approach or numerous different approaches.

"Important and sustained advances in any of the following six areas might serve to lessen the degree to which the cancer problem can be considered one of the great unsolved problems:

"(1) Discovery of all of the causes of cancer, and if possible, their removal from our environment, one by one;

"(2) Development of some new type of vaccine or vaccines that might prevent a specific type of cancer, related types, or all cancer;

"(3) Development and world-wide application of one or many new methods for early detection of cancer, so that surgical, radiotherapeutic, and chemotherapeutic cure rates might be increased;

"(4) Acquisition of new basic knowledge about deoxyribonucleic acid (DNA) and how it controls molecular events in normal and cancer cells (most particularly loss of 'growth control' in the cancer cells), and use of such knowledge to guide the design of drugs with greater selectivity for cancer cells. Or, equally important and conceivable, the discovery of more effective drugs in organized testing programs;

"(5) Acquisition of additional basic knowledge concerning how drugs now at hand, act and exactly why they will cure a few widespread and rapidly growing types of cancer but are relatively ineffective against many others. From this base, development of more effective methods for employment of the available drugs to eradicate widely disseminated cancer cells of additional types."

"With the proper choice of drugs, usually combinations, and treatment schedules, a few types, of transplanted animal cancers, even after they have become widely disseminated, can be cured.

"The stepwise and now almost annual improvement in drug control of some of the widely disseminated human leukemias, and lymphomata, choriocarcinoma in women, and a few solid tumors in children, has been most encouraging. However, it is not definitely known why success is achieved nor failure.

"In almost any cancer cell population, there are at least three types of cancer cells in a proliferative sense. Cancer cells, which are dividing cancer cells may be designated as A, which are quite vulnerable to the best drugs, if the drugs get to them, and remain in contact long enough; the temporarily and provisionally non-dividing cancer cells, designated B, which may be partially to completely insensitive; and cancer cells designated as C, which may have lost their ability to divide, and are of relatively less concern.

"The so-called 'curable' transplanted mouse leukemia are very high A, and very low B, cancer cells. So are a few other types of disseminated animal cancer, that can be cured with drugs alone. The many types of animal cancer that cannot be cured at present, appear to have higher fractions of B cells.

"It is said that while they can kill cells A with agents now in use, and that while B cells can be killed as they revert to A and begin proliferation, if this process takes too long and treatment has to be stopped to prevent overdosing the host, then the B cells that revert to A begin to 'run away' in almost geometric fashion. If they can learn to manipulate the B cells, draining them rapidly into A or C, the chance of achieving success is much improved. This favorable result is not supposed to be beyond the realm of future possibility.

"Logic suggests that any effective application of drugs against widely disseminated

cancer may be coupled with surgery, radiotherapy and immuno-therapy, in efforts to increase cure rates of specific types of cancer.

"It is a popular misconception that cancer cells divide more rapidly than any normal cell. This is not the case. The time required for a given cancer cell or normal cell to divide and form two cells (once the respective cells have decided to divide) is not too different. The reason a cancer cell 'grows' and the liver of an adult does not grow in size, lies in the fact that a relatively high percentage of the cancer cells are engaged in dividing, whereas very few cells in the adult liver are engaged in dividing (for every new adult liver cell produced one liver cell dies and is lost)—cell death equals cell birth, whereas cancer cells are not in a steady state (cell birth is greater than cell death). A well known phenomenon, familiar to biologic scientists, is that of liver regeneration. If half of the liver is surgically removed, the remaining liver cells begin to divide, continuing until the liver returns to normal size, at which time the liver cells essentially stop dividing and return to a steady state.

"It is not known why surgical removal of half the liver 'turns on' cell division, or what 'turn off' cell division, when the liver grows to a proper size. The understanding of this phenomenon and others like it, might suggest means for manipulating B cells in cancer cell population, so that they could be more effectively eradicated or prevent their further proliferation.

"Many cancer researchers have remarked that in a behavioral sense, cancer is a disease in which certain cell populations have lost some or almost all response to the poorly understood normal 'growth control' mechanisms.

"A high fraction of human embryo cells (the normal organ and tissue cells that comprise the embryo) are in a proliferative state before they come under the influence of this mysterious 'growth control' mechanism. The doubling time of embryo cells shortly after conception is about 4 days. The embryo becomes a child and eventually an adult and along the way, cellular proliferation stops or nearly stops in most tissues. (Exceptions being gastro intestinal epithelium, bone marrow, lymphoid tissues, skin, hair and a few others.) The continuing proliferation in some of these tissues would kill us rapidly, if it were not for the fact that older cells are lost at the same rate new cells are produced.

"Notwithstanding all that has been learned about biochemistry, molecular biology, cell biology, cellular kinetics, and the mechanism of action of drugs and radiation, the biologic process of 'growth control' of such cells or loss of response to 'growth control' still eludes us. Continued research may provide the answer.

"Cancer research is and will continue to be many things directed toward many diseases until vital unifying concepts pertinent to all cancer are established beyond reasonable doubt."

IV. THE CONTRIBUTION OF THE MEMORIAL SLOAN-KETTERING CANCER CENTER INCLUDING THE SLOAN-KETTERING INSTITUTE FOR CANCER RESEARCH

A Review of their Annual Report published March 16, 1970, as supplemented by Volume 1 Clinical Bulletin of 1971, follows:

This Cancer Research and Cancer Hospital Center is a complex in the city of New York with a physical plant consisting of nine separate buildings, most of which are multiple stories; one of which is under construction, to be completed in 1972, and two of which are scheduled for renovation in 1972 and 1973. The plant alone, at December 31, 1969, represented an investment less accumulated de-

preciation, in excess of 56½ million dollars, with an additional \$35 million needed to complete the planned construction for which a campaign has been in process. In addition, the Center has Endowment Funds (largely securities), totaling approximately 74½ million dollars in value at the same date. Of the total 1969 operating income of approximately 40¼ million dollars, 10 million one hundred thousand dollars was expended by its Cancer Research Institute, approximately 32 million three hundred thousand dollars for the expense of operating their Hospitals, and about 1¼ million dollars for other operating expenses of the Center, or a total of approximately 43 million six hundred fifty thousand dollars, and accordingly, an operating loss of approximately \$3,400,000, which it was anticipated would increase to over \$4,500,000 in 1970.

"In the years following the conclusion of World War II and the making of the atom bomb, programs were designed and advanced in cancer control, research and training, with the Federal Government aggressive in supporting such programs and cancer was brought under considerably greater control than previously.

"By 1969, with new social and economic problems, money was no longer forthcoming at the expected rate, and the cancer programs were in the throes of a most serious crisis. The researcher, the clinician, the trainee and the technician were still dedicated to conquer cancer, but the problem is of such magnitude that it cannot likely be accomplished without much greater support of the public, the foundations, and the Government.

"During 1969, there was developed a new kind of medical service, immuno-therapy, which added a fourth discipline to the three established methods of treating cancer—surgery, radiation therapy and chemotherapy. Immuno-therapy is a method of assisting the body's natural defense against invasion by cancer, and scientists and physicians view this approach with hope and enthusiasm, as a means of preventing and curing cancer, and this is gradually coming into clinical use.

New drugs have been recently developed, as well as new radioisotopes, to treat and diagnose cancer. Sloan-Kettering Institute scientists have had promising results with a new drug called "adrio-mycin" in treating patients with leukemia. New radioisotopes have been developed to assist physicians in detecting the presence of cancer, so that it may be treated promptly.

"At Sloan-Kettering, a new personalized concept has been adopted with a team approach to diagnosis, in which the modality of treatment is determined by consultation of medical representatives of all major treatment disciplines, surgery, radiation therapy, chemotherapy or immuno-therapy, or any combination of these disciplines, referred to as a multi-disciplinary approach, whatever the phase of the disease may be. Also they have established two new medical services, a Pediatric Surgery Service (for infants and children as the name indicates), the first in this country devoted exclusively to pediatric cancer surgery; and a new Transplantation Service to explore and practice this promising approach to treatment of diseased organs. Two new research divisions were established in the Sloan-Kettering Institute, which underscores new horizons in cancer research, one a Division of Applied Immunology, to conduct studies on the usefulness of immuno-therapy as an additional discipline in the treatment of cancer, and a Division of Cell Biochemistry, which studies the genetic basis of the change of a normal to a malignant cell.

"Cancer researchers have had the idea for many years of the possibility that the body possesses natural defenses capable of destroying cancer cells. The logical contender for this function is the body's immuno-logical

system, for it is known that it protects us from other unwanted intruders, such as bacteria and viruses. But attempts to uncover immune reactions, particularly antibodies, to cancer cells in patients with this disease, have been unsuccessful for many years. Today, immuno-logical approaches to cancer are regulated with widespread interest, and enthusiasm, for three reasons:

"(1) studies in laboratory animals have provided the immunologist with the techniques which aid the attempt to move from the laboratory to the clinic;

"(2) the recognition that surgery, radiation and chemotherapy cannot provide a complete answer to the problems of cancer;

"(3) the application of the new immunological methods to humans over the past three years—particularly to African Burkitt's lymphoma, melanoma and sarcomas—has provided objective evidence that patients do respond immunologically to their tumors.

"These successes have provided researchers with the first evidence that cancer antigens do exist in man, and that patients with cancer do respond to these cancer antigens by the production of antibodies. It shows that the body under certain circumstances recognizes its own cancer cells as foreign and responds by attempting to reject them. And on the other hand, that immunological procedures, such as vaccination, which have been developed to protect us from infectious diseases, may someday be applicable to both the prevention and treatment of human cancer.

"Specifically, investigators have found several lines of evidence, which indicate that there is a virus closely associated with human sarcomas—cancers which arise in the bone, fat and connective tissues. Studies in this connection have led to the present view that cancer is the uncommon effect of common viruses, rather than a common effect of uncommon viruses.

"Other studies have led to the discovery of fetal antigens which represent antigens that can be found in the developing embryo or fetus, as well as in tumors. These antigens owe their origin to normal genetic information, which is active during fetal life, but which is silent during normal adult life. As a result of the cancer change these fetal genes are reactivated, with the consequence that their antigenic product is found in tumor cells. Three examples of fetal antigens are now known:

"The first, associated with cancer of the gastrointestinal tract;

"The second, with cancer of the liver; and

"The third, found in many types of tumors, both malignant and benign.

"It is the third type, which was discovered in the laboratories of the Sloan-Kettering Institute during late 1969. This new fetal antigen was found in 98 of 143 solid cancers (breast, colon, ovary, kidney, parotid gland, sarcomas of muscle, liver and nerve) and in 15 to 20 benign tumors of various tissues. It occurs in the blood of fetal mammals (human, calf, pig, dog and cat), but never in the blood of healthy adults of this same species. Because of its widespread occurrence in human tumors, it is now believed that detection of this new antigen may have great significance in the diagnosis of various forms of cancer.

"The research programs of the Sloan-Kettering Institute, have as their primary goals the better control and eventual prevention of cancer in man. These programs are not designed to encompass every possible approach to the problems that may be posed in the cancer field. They are selected, developed and modified from time to time, to stress those areas in the physical, mathematical and biological sciences, which appear to have the greatest pertinence and relevance to the over-all mission of the Institute. To facilitate the expeditious trans-

lations of the results of research into clinical practice, almost 100 professional men and women hold appointments in both the Memorial Hospital (the Center's clinical unit) and the Institute. When programs of clinically-related research are ready to be translated into new procedures, it is the responsibility of those on the staff of Memorial Hospital at Sloan-Kettering Cancer Center to apply this new information to the care and treatment of the cancer patient."

In 1969, the Sloan-Kettering Institute, as distinguished from the adjacent Hospitals, comprising with the Institute, the Memorial Sloan-Kettering Cancer Center, expended approximately \$10,100,000 for Cancer Research, of which amount approximately one-half or \$5,500,000 was received from contracts and grants of health agencies, principally the Federal Government, approximately \$3,500,000 from other grants and many gifts, and the balance from the Endowment Funds of the Institute. The operation of the adjoining Hospitals, which produced approximately \$28,600,000 of patient charges, resulted in an over-all loss for the Center in 1969 of \$3,444,000.

For those desiring to make a tax-free gift for research of a possible cure of the scourge of mankind, it is doubtful if one could find a more effective instrument, than to make a gift or bequest (restricted or unrestricted) to Memorial Sloan-Kettering Cancer Center in New York, for the use of the Sloan-Kettering Institute, and thereby join a large group, including the most prestigious citizens of our Country.

V. FEDERAL SUPPORT OF CANCER RESEARCH

Although no major cancer legislation was enacted in the prior 91st Congress, the passage of two resolutions set the stage for consideration of major legislation in the current 92nd Congress.

Senate Resolution 376 was passed in April, 1970 and authorized the Senate Committee on Labor and Public Welfare to study cancer research. This Committee appointed the National Panel of Consultants on the Conquest of Cancer, consisting of 13 eminent laymen and 13 eminent scientists, who prepared a 158-page report in two parts, which was filed in November, 1970 and is well regarded as authoritative and up to date.

The Panel proposed the formation of a National Cancer Authority, an independent goal oriented agency to conquer cancer at the earliest possible date, modeled after the National Aeronautics and Space Administration and the Atomic Energy Commission. The conquest of cancer would become a national goal, in somewhat the same way that the moon landing became a national goal in 1964.

The recommendations of the Panel, if followed, would transfer the present functions of the National Cancer Institute from the National Institutes of Health, to an independent National Cancer Authority. The Panel also recommended appropriations of \$400 million for the new Authority for the fiscal year 1972, increasing annually to a level of \$1 billion in fiscal year 1976. In addition, the report favors the formation of a National Cancer Advisory Board, to advise and assist the National Cancer Authority.

The conquest of cancer, the Panel concludes, is a realistic goal, the attainment of which is now limited by lack of funds, and lack of a coherent and targeted research plan.

On September 30, 1970, the House of Representatives enacted Resolution 675, which calls for a national crusade for the conquest of cancer to be accomplished by 1976, the Nation's 200th Anniversary.

In President Nixon's address to a Joint Session of the 92nd Congress, and the Nation, on January 22, 1971, he spoke on the position of his Administration on support of cancer research in the period ahead, as follows:

"I will also ask for an appropriation of an extra \$100 million to launch an intensive campaign to find a cure for cancer, and I will ask later for whatever additional funds can effectively be used. The time has come in America when the same kind of concentrated effort that split the atom, and took man to the moon, should be turned toward conquering this dread disease. Let us make a national commitment to achieve this goal.

"America has long been the wealthiest nation in the world. Now is the time we become the healthiest nation in the world."

On the same day, January 22, 1971, our newly elected and effective Representative in Congress, Charles Thone, who has a dedicated interest in cancer research, joined with other Congressmen, and introduced a Resolution in the House of Representatives (HCR 28) that not less than \$650 million be appropriated annually over the next ten fiscal years, for the national cancer research program, that no less than \$250,000,000 of this amount be utilized to construct five new cancer research institutes during the first two years of the new appropriations; and that such funds be controlled and directed by a National Cancer Authority, which would have the same absolute direction of the cure and control of cancer, that the National Aeronautics and Space Administration has over our conquest of space.

VI. MOST RECENT DISCOVERIES IN CANCER RESEARCH

As reported in the leading article in *Newsweek*, February 22, 1971, on "The War Against Cancer," of all recent therapeutic and research findings, few have evoked so much attention and reaction as the discovery announced last May by Dr. Howard M. Temin, a young University of Wisconsin researcher. He has offered evidence that in effect the rules for the transmittal of genetic information within the cell can be reversed by cancer viruses. If these findings can now be applied to the cancer cell itself, the result could not only prove whether viruses are the main cause of cancer in man, but could also lead to new methods of diagnosis and treatment—methods that might go to the heart of the disease, the cell nucleus.

This new finding says Dr. Frank J. Rausher, a top NCI virologist, is as important as the discovery of the first animal tumor virus in 1908. Dr. E. Lee Clark, Director of Houston's M. D. Anderson Hospital and Tumor Institute, calls Temin's discovery "the most dramatic thing to occur in virus research in years."

Clark and other agree that the basic nature of cancer is just now being unraveled by molecular biologists, such as Temin and his fellow scientists, who study life and growth at the level of the chemicals within the cell. The fundamental object of their interest is deoxyribonucleic acid (DNA), the substance of the genes.

The virus usually causes disease by invading cells, depositing its genetic material and directing the cells to manufacture new viruses. In so doing, it usually kills the cell it invades; cell death and the production of new viruses account for the symptoms of familiar viral infections like flu and mumps. But in causing cancer, a virus behaves in a more subtle way. After invading the cell, the virus changes the cell's hereditary characteristics by synthesizing new DNA and transforms it into a cancer cell, capable of reproducing into a growing tumor.

David Baltimore, a young Massachusetts Institute of Technology biologist, reported to his friend Dr. Temin that he had also discovered that RNA viruses do contain an enzyme that makes DNA. In testing a sample of RNA leukemia viruses for this enzyme, he had found the RNA to DNA enzyme that his friend had postulated. Both Temin and Baltimore published their findings in June, 1970, arrived at independently.

Despite the excitement sparked by Temin's discovery, a cautionary note has been sounded in the wake of other recent research results. Temin, himself, has serious doubts about the quick applicability of his finding to the treatment of cancer. What is important, he says, is that people shouldn't count on it, but that it does provide new tools to look at human cancer, and ask questions about its causation.

While the debate over the Temin-Baltimore findings reverberates in the research laboratories, improvements in cancer therapy are proceeding apace. The advances made in the past few years add up to the most hopeful view of the future that has ever been possible.

VII. CONCLUSION

As stated in the "Report of the National Panel of Consultants on the Conquest of Cancer" (p. 67):

"It appears that cancer chemotherapy stands today about where infectious diseases therapy stood in 1937, when it was established that chemotherapy could cure certain systemic streptococcal infections. As in 1937, when the infectious disease chemotherapist had nothing effective against staphylococci, gram negative bacilli, rickettsiae, or viruses, so now the cancer chemotherapist has only palliative rather than curative therapy available for most of the carcinomas, and other slow growing tumors. Once the curative potential of chemotherapy against a few infections was understood, however, a massive program was mounted, and it was only a relatively few years until the majority of bacterial infection were brought under chemotherapeutic control. Similarly, the significant percentage of cures achieved in a few metastatic tumors and leukemias demonstrate the potential curability of widespread neoplastic disease by chemotherapy. Now, as was the case in bacterial infections in 1937, the potentiality of chemotherapeutic cure of cancer has become apparent, and there is sufficient technical knowledge to begin to mount a large-scale successful chemotherapeutic program."

The subject of cancer research is in the forefront of the news and magazine media, not only in reporting comments of scientists and physicians, but also in reporting the proposed action by the Federal Government. There has been no prior period, when such an impetus for advancement of a control and cure for cancer has had such attention from the nation, and with every opportunity for a successful result in the time period targeted.

As mentioned in Volume 1, No. 1, (1971) *Clinical Bulletin of the Memorial Sloan-Kettering Center* and summarized:

"The members of the Panel (the National Panel of Consultants on the Conquest of Cancer, of which B. C. Smith, a member of the Board of Trustees of Sloan-Kettering is the Chairman) agreed unanimously in their recent report to the Senate, that the conquest of cancer is a realistic goal, and that it be promptly initiated and relentlessly pursued; and initially to spend \$400 million on cancer research in the current fiscal year. This is double the total of private and federal funds spent on cancer research this year."

In conclusion, the National Panel of Consultants on the Conquest of Cancer said:

"While it is probably unrealistic at this time to talk about the total elimination of cancer within a short period of time or to expect a single vaccine or cure that will eradicate the disease completely, the progress that has been made in the past decade, provides a strong basis for the belief that an accelerated and intensified assault on cancer at this time will produce extraordinary rewards and the Committee is of the view that an effective national program for the conquest of cancer should be promptly initiated and relentlessly pursued."

Within our own group, I hope you may be willing to devote the few moments of time required to write Congressman Charles Thone, and express your approval of his Resolution (HCR 28) and to Senators Carl Curtis and Roman Hruska, to exert your influence and request their support at this time, of a massive funding of cancer research by the Federal Government as recommended by the National Panel of Consultants on the Conquest of Cancer.

AS TO PROGRESS IN THE ATTACK ON CANCER: BIBLIOGRAPHY

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NEW APPROACHES IN EDUCATION

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. STAGGERS. Mr. Speaker, a new concept of the organization and administration of institutions of higher learning has been put forward by a Massachusetts educator, who predicts that it will be in operation by 1976 legislators may be asked to deal with this intriguing proposal before that date, and I include it for the RECORD:

THE OTHER END OF SESAME STREET

(By Lawrence E. Dennis, Provost and Director, Massachusetts State College System)

Permit me to begin with a prediction:

Five years from now, in 1976, the year of our country's bi-centennial celebration, the 31st National Conference on Higher Educa-

tion will be the scene of a momentous "happening"—the birth, on a continental scale, of an entirely new kind of "institution" of higher learning. From the conference rostrum, the President of the United States will proclaim the establishment of the University of North America, a confederation of several radically different regional higher education institutions and agencies that will have come into being between now and 1976 in the United States, Canada and Mexico.

These new regional "institutions" will shape the course of events in higher education on this continent during the last quarter or the 20th Century. They will have had their origins in the late 1960's and early 1970's in the concept of "the Open University," a multi-media approach to continuing higher education. Pioneered in Great Britain and Japan, the Open University will be brought into being in the United States in the next half decade through the combined efforts of national educational organizations (such as the American Association for Higher Education and the National Commission on Accrediting), national examining agencies (such as the College Entrance Examination Board and the American College Testing Program), national public broadcasting organizations (such as the Corporation for Public Broadcasting and the National Association of Educational Broadcasters), and regional consortia of junior colleges, colleges, universities, and public broadcasting stations.

In announcing the birth of the University of North America, the President in 1976 will acknowledge a debt of thanks to the leaders of the Corporation for Public Broadcasting, who, in 1970, began to ask these questions: "What's at the other end of Sesame Street? Why can't broadcasting make learning just as exciting and meaningful for adults as that magnificent television program does for children? What should the Corporation and other national educational agencies be doing to help colleges and universities transform continuing education into something truly excellent and worthwhile?"

The answers, of course, were there all the while—and we in higher education had only to part the underbrush in the early 1970's to put them all together: at "the other end of Sesame Street" stood the Open University, another idea whose time had come.

So much for prophecy. My purpose here is not to speculate about whether the Open University will be brought into being over the next five years, but, rather, to suggest how it can come about through the development of a series of regional models.

In the 1970's, we are told by critics of the entire U.S. system of education, our society must produce new kinds of institutions of higher learning, relevant to and responsive to the needs of the times. Students themselves are in the vanguard of our critics. They see our educational institutions—from pre-school through graduate school—outdated, our values false, our teaching dull, our priorities wrong. They perceive educators as being preoccupied with promotion and status, and hung up on research grants, tests, rules, credits, admission requirements, academic jargon, footnotes, and government contracts. They see barriers to college entrance, roadblocks to educational innovation, and a reward system based on the curiously inverted principle that the higher your rank and the more you're paid, the fewer students you're expected to teach!

The educational establishment, as the students and other critics view it (quite rightly, in my opinion), has become a prisoner of its own rhetoric. In the name of excellence, we have sanctified trivia. In the name of democracy, we have stifled individuality. In the name of pluralism, we have exalted conformity. We pay lip service to diversity, yet our schools and colleges are dishearteningly im-

tative, one of another. High schools shape their demands to fit the specifications of the colleges, junior colleges copy four-year institutions, colleges try to be universities, and all universities want to be like Harvard. The system makes poor black youth feel locked out and middle class whites feel locked in.

In short, the system is not working and something has to be done about it. Specifically, we must back off and start over—or, at the very least, regroup and rearrange our forces. And while we seek to change the institutions we already have, we must turn our attention to creating new ones.

Enter, the Open University and its regional models: new kinds of institutions for the continuing education of adults. For openness, let us consider the possibility of establishing the University of New England—an "open university" for the Northeastern United States.

When it comes into being—as it must in the years immediately ahead—the University of New England will not exist in one place or on one campus. It will be neither "inner city" nor "suburban." It will not even be a single "institution" in the conventional sense. Instead, the University of New England will be a confederation of a selected group of junior colleges, colleges, universities (from both the public and private sectors), and educational agencies and associations working cooperatively to add a new dimension to higher education through the medium of public broadcasting. The University of New England will use television as its principal teaching medium, supplemented by radio, correspondence study, films, tapes, programmed instruction, libraries, theaters, museums, tutorials, counseling centers, conferences, and short-term seminars at regional learning institutes. The faculty of the University of New England will include broadcasters as well as educators, laymen as well as professionals, students as well as teachers. In the University of New England, the young will have their chance to teach the old, the blacks to instruct the whites.

The University of New England will have a curriculum for today's world and time. It will encompass courses dealing with the environment, the arts, the mass media, the cities, the law, education, religion, human relations, international affairs, science, technology, public policy, the history of great ideas, the lives of great men. It will offer credits, administer tests, grant degrees, and charge a modest tuition. It will develop and distribute instructional materials. Anyone over fifteen may enroll; there will be no other entrance requirements. For those who need it, the University of New England will offer remedial work in communications skills and mathematics and other preparatory subjects. The University of New England will be a public interest institution: open to all who wish to learn.

Thus, as is the case with England's "Open University" which is now underway, the University of New England would represent, basically, an integrated, multi-media approach to continuing education. Instructional TV, instructional radio, correspondence study, programmed learning, various audio-visual devices, libraries, counseling services, tutorials, and face-to-face summer sessions seminars—all would be combined to make available to New Englanders a series of year-long collegiate-level courses planned and taught by faculty members from the colleges and universities in the region, with the cooperation of public television stations. Students desiring to enroll in UNE for credit would apply for admission, course materials would be provided, and examinations monitored. Special equipment (e.g. language laboratories) would be accessible for independent study at the local learning centers, where advisors and tutors would be available.

Developmental responsibilities for the University of New England would rest with

a confederation including state commissions or boards of higher education, the New England Board of Higher Education, the New England Regional Commission, the New England Governor's Conference, the New England Center for Continuing Education, interested junior colleges, colleges, and universities in the region (both public and private), and the public and instructional broadcasting stations in the Northeast. The consortium (or confederation) thus formed would provide various services training programs, resources for the planning needed for courses to be offered, and testing and evaluation materials.

Similar models of the U.S. version of the "Open University" could be developed, let us say, in New Jersey [the "University of New Jersey"], upstate New York [the "University of Upstate New York"], the Midwest [the "University of the Midwest"], and so on. Finally, these experimental models could be linked together in the country's nationwide "open university"—the University of North America, which, of course, would include participating sister institutions in Canada and Mexico.

Given the importance to American society of higher education, continuing adult education, and public broadcasting, the interlocking relationship that ought to exist among them seems obvious: in today's college context, the continuing education function should enjoy a status at least co-equal with that of resident instruction, and broadcasting as a medium of teaching should be integral to both. Yet continuing education has always been more or less of a step-child in academic circles, and instructional broadcasting is still treated pretty much as an "add-on" on most campuses where it has been tried. In the conventional higher education scheme of things today, in other words, continuing education and instructional broadcasting are simply not in the main tent. Faculty members from the disciplines and the professions tend to regard them as sideshows—something to do while moonlighting, or as an overload. The blue chips are still on research and on the teaching of graduates and undergraduates—on campus, in classrooms, laboratories, and lecture halls. Innovation is not the name of the game; at least not yet.

Nowhere has the lack of attention to and concern for adult education and instructional broadcasting been more evident than in the priorities and programs of national organizations and conferences concerned with higher education. Until this year, for example, our own National Conference has tended to give short shrift to these areas. And how long has it been, since the Association of American Universities, the Association of American Colleges, the American Council on Education, the American Council of Learned Societies, or the American Association of University Professors had anything to say about broadcasting as an educational medium? How much attention is paid to the field of adult education at meetings of the American Psychological Association or the American Association for the Advancement of Science? How many college presidents or deans highlight instructional broadcasting or continuing education as themes in their annual reports or convocation talks?

Institutional values reflect professional values. "Extension people" and educational broadcasters are, more often than not, treated as second-class citizens in the academic community, and a large segment of the professoriat continues to view credits earned or courses taken off-campus—whether by correspondence, television, radio, or at "extension centers"—as something less than the genuine article—although there is no research whatsoever to support this bias. With all the talk about new curricula, new teach-

ing methods, and new institutional forms; with all the investment that has been made in experimentation; with all the pressure for change and reform in higher education, the old myth endures: face-to-face on-campus teaching is thought to be somehow "superior" to the other brand.

It is this entrenched mythology, both institutional and professional, that has made for such slow going in continuing education and instructional broadcasting, as compared with conventional higher education, in the past decade. It is this same mythology which must be faced and dealt with squarely by the higher education community if the continuing education of adults via the broadcasting media is to achieve status in the academic enterprise in the years immediately ahead.

Nationally, what continuing education and instructional broadcasting need in the councils of higher learning is a *new broker, a fresh advocate*. That role can and should be assumed, in my judgment, by the Corporation for Public Broadcasting. What the Corporation could bring to that role would be the determination to create a "new dimension" for higher education—a concept that would make broadcasting a full partner in the educational establishment, an idea that could revolutionize the teaching of adults. As the champion for the "open university," as the co-sponsor of the University of North America, the Corporation would be carrying out its mandate to serve the public interest and further the general welfare. Its good offices could be the required catalyst for bringing together regionally and nationally the leadership from the academic community, adult education, and public broadcasting needed to bring the first models of the Open University into being.

A national strategy to build the needed new regional confederations in higher education essential for the establishment of "open universities" requires the following elements:

1. *Leadership.* A cadre of leaders from the fields of higher education, continuing education, and public and instructional broadcasting should be identified and convened as a steering agency on a national basis, with regular meetings over an extended period of time scheduled to review plans, cut red tape, effect contacts, prepare proposals, and so forth. I believe the American Association for Higher Education and the Corporation for Public Broadcasting should bring such a steering committee together.

2. *Resources.* If the Open University is to become a reality, whether regionally or nationally, the major educational foundations and federal agencies, the commercial networks, and private industry all must participate with financial support for regional pilot, experimental projects. The initial involvement of institutions and agencies in an "open university confederation" will be a new commitment for most participants, and thus outside funding will be basic to getting the projects planned and launched.

3. *Credibility.* Whatever is done to bring about the development of the University of North America will need to be accepted both by the general public and by the academic and broadcasting communities, which means securing a wide base of professional support from assorted agencies, such as the College Entrance Examination Board, the American College Testing Program, the Educational Testing Service, the National Commission on Accrediting, the Adult Education Association of the U.S., the National University Extension Association, and others. Similarly, advantage should be taken of the existence in almost every state of Statewide Councils on Educational Broadcasting, including a broad representation of laymen, to involve the public in developing new regional "universities without walls."

4. *Research.* Already some evidence has accumulated in the literature on visual literacy to indicate that young people today, used to the new media, are unwilling *not* to be visually stimulated in their educational experiences. Young men and women who have grown with the stimulation of movies and television will begin demanding curricula, both in resident and in continuing education, which include more visual stimulation. Obviously a person who is forced to learn only in a verbal environment is unable to learn as much as he could if verbal were coupled with tactile and visual. Television demands the complete participation of the individual and involves visual as well as verbal stimulation. "Education," it has been said, "really consists of exchanging time for experience. TV can change reality into images at the speed of light, which means, if it is properly used, students can gain enormously much more experience in the same amounts of time without the need to decode." The establishment of regional "open university" models such as the University of New England and others being proposed here should be buttressed by the best possible educational research—something, alas, we have all too often neglected in mounting new projects within and among institutions of higher learning.

In addition to broadcasting, of course, the field of adult education itself offers a goldmine for research. Mature and middle-aged students are venturing again into the world of schools and colleges. In order to prepare for them, either on campus or as enrollees in "open universities," we must begin concentrating research efforts in two areas: first, the nature of the learner; and, secondly, the content and methods of presentation of subject matter to the "older" learner. On the basis of existing studies, there seems to be every reason to believe that old learners will be successful and quite capable of continuing to expand their knowledge, whether it be through formal institutions, courses through television offered by "open universities," or through some combination of both. Obviously, it will be necessary to structure the courses and curricula to take advantage of the proficiencies of the older learner as well as to compensate for his deficiencies.

5. *Planning.* To establish the new kinds of institutions envisioned in this report will take time—time to develop a prospectus, time to build budgets, time to recruit staff, time to solicit support, time to create regional prototypes (such as the proposed University of New England), time to hold conferences, time to develop materials, time to meld institutions and agencies within those regions where there is something like a "critical mass" in academic and broadcasting leadership.

Can the "open university" really come into being in the United States? Can an integrated, multi-media adult learning system be established in this country through a series of regional confederations? Can an effective, on-going, new, fresh, workable relationship be constructed involving the best talent there is from the fields of higher education, continuing education, and instructional broadcasting? Can the rigidities and obstacles present in academic institutions and organizations be overcome to make possible the development of the University of New England and other regional models leading toward the establishment of the University of North America? Can what we now refer to, in its infancy, as "the external degree" evolve rapidly to become known, more properly, as an "alternate degree," indicating its intrinsic, integral relationship to the academic enterprise? Do we in higher education truly have the courage, and the will, and the daring, and the imagination to turn the sys-

tem around in the next half decade—as we know we must?

I think the answer to all of those questions can be yes. I also know that if we don't get moving and build the University of North America along the lines proposed here, someone else, someone from outside the profession perhaps, will do it for us. One way or another, the Open University is going to be a fact of life in this country five years from now. If you somehow doubt it, just plan to attend the 31st National Conference on Higher Education in 1976 and see if I'm not right!

BARGE LINES AND THE DYNAMICS OF INNOVATION

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. MOLLOHAN. Mr. Speaker, transportation in this country is one of the national investments that we seldom examine as an entire entity. We have tended over the years to emphasize first one mode of transportation, then another, rather than conscientiously constructing an interconnecting logical multi-modal complex that can give us flexibility and utility for the lowest total investment.

The troubles of Penn Central and Lockheed and Boeing are symptomatic of the pulling and tugging of competitive systems within the Nation's transportation complex. Yet, there are transportation leaders who have stressed the prime need for a cooperative multi-modal system, and one such leader is Charles E. Walker, president of the Union Barge Line.

Walker has just completed 2 years as the president of the Water Transport Association and during that time this association became the dominant force in water transportation. Walker has consistently hammered at the need for all modes of transportation to work together rather than separately. He has, as a real leader in transportation, stressed the crucial role of the common carrier as the linchpin in a sensible and dependable transportation system.

Had we given this kind of leadership the hearing it deserves, we would not have the specter of a rail passenger system in bankruptcy while our roads are overcrowded with traffic. We would have resolved these inconsistencies and we would have provided cheaper more efficient transportation of the goods and services as well as the passengers of this Nation.

Recently, Mr. Walker delivered an address before the New York University Transportation Seminar and advanced some ideas on the transportation complex of this country. They are ideas that I would commend to this Congress as we attempt to serve the needs of our Nation. The address follows:

BARGE LINES AND THE DYNAMICS OF INNOVATION

In Tulsa, Oklahoma late in February a towboat carried a group of notables to cut a steel wire reaching across the river and thus officially opened the Tulsa Port of Catoosa

adding 450 miles to the 25,000 miles of navigable waterways in the United States and bringing to realization a 35-year dream. The newspapers that day said the sea had returned to Tulsa, having last been there some hundreds of millions of years ago. The river would be Tulsa's window on the world for commerce via the Gulf ports.

Beyond the enthusiasm and the opening day rhetoric were some hard economic facts. In anticipation of the opening of the waterway, rate reductions on wheat had saved the Oklahoma farmers \$50,000,000 in three years. Steel rates were down \$12 a ton, paper rates \$4 a ton and fertilizer \$2 a ton. Coal had begun to move to Japan from Fort Smith, paper was coming up the river from Tennessee, bauxite, chemicals, steel, fertilizer and grain were also moving. The complicated dynamics of price competition in transportation was beginning to work. One shipper summed it up. "We've been thinking in truckloads and car loads. Now we've got to revise everything we're doing and think in terms of 1,000-ton barge loads."

That's the key to the powerful innovative influence of water transportation in the economy. Water carriers force industry and agriculture because of the very low cost of the barge movement to adjust to handling their business in larger volumes and most often this means much greater efficiency in production. Once an operation is set up to feed to barges it can, with a little more trouble, set itself up to handle 10 freight cars at a time and get volume discounts from the railroads and, in the end, perhaps, unit train discounts.

In stimulating efficiency so that water carriers are used, water carriers thus have a multiplier effect. The industry saves through the use of water transportation, this makes it more efficient and increases its competitive edge. This in turn results in expansion, which attracts satellite suppliers. On all this expanding traffic, truck, rail and barge have a chance to bid; the result is that all modes benefit because the traffic is close to navigable waterways. The river competitive railroads are among the healthiest.

A friend of mine was riding on the freeway in Houston with a barge man recently. The barge executive pointed to the office building of a famous company. "That's my most active non-shipper," he said. The company, it turned out, has never shipped a pound of traffic on the barges, but hardly a week goes by without a request for a barge quote. Some other mode is having its rate structure tested against a possible alternative.

Barge efficiency starts the innovative process as the lowest cost mode of transportation of all. It takes less energy to move commodities through water than it does by any overland means. The average revenues per ton mile are about three-tenths of a cent compared to 1.4 cents for the most efficient land mode. Barges move about 10 per cent of the inter-city freight for less than one half of one per cent of the nation's freight bill. For commodities adapted to water movement, water transportation has had a most dramatic effect in stimulating manufacturing, agricultural and railroad and truck innovations. And this reaction has resulted in keen competition which has given the water carriers the incentive to innovate and improve their own efficiency still further.

The difficulties of some railroads have obscured in the public mind the fact that great strides have been made in the past 15 years in improved rail efficiency. Great improvements lie ahead for the railroads and for the water carriers in response.

One statistic will tell you the story. Transportation has been improving its productivity and efficiency much faster than industry as a whole. Using 1960 as an index

year, the wholesale price index had risen to 112.2 by 1969 and the consumers' price index to 123. Average rates of the major common carrier barge lines were some 30 points below the 1960 average level in 1969 and average rail rates were about 6 points below the 1960 level. So, in fact, rail and water carriers have a much better record than manufacturing generally in introducing cost saving innovations to help contain the inevitable rise of the cost of labor and the cost of the materials transportation has to buy. In recent months, after many years of steady decline, barge rates have turned upwards under the extreme pressures of inflation. However, we find few customers who would deny that their price increases have been far greater than those in transportation and that lagging as we do so far behind the rates current in 1960 is an achievement industry generally has not come close to matching.

It is strange to read from the President's highest economic advisers statements accusing the transportation industry of inefficiency in the light of this record. One wonders what facts they rely on. Particularly odd is the official complaint that industry is located in this country because of the decisions of the Interstate Commerce Commission made before the turn of the century. Most of modern industry was not even invented before the turn of the century; in fact a very large part of it did not exist before World War II. Decisions on location of industry are not governed by 19th Century regulation, but by highly pragmatic studies of complex economic relationships of labor availability, markets, sources of raw materials, climate, transportation, taxation and land costs. High in importance among these factors is the availability of all the modes of transportation. Where there is interaction of water, rail, motor, pipeline and air, the shipper can be sure of the best efficiencies of all modes and this interaction in turn helps stimulate the greatest efficiency in production and distribution.

One hears it said that, although waterways attract industries, this is unimportant because industry would expand anyway and have to locate somewhere. This is very superficial thinking indeed. Industry locates where it does because it believes it can produce and market its product most efficiently. If most of industry is showing a decisive trend to locate on navigable waterways, it is because industry performs most efficiently close to navigable waterways. While it is certainly true that industry might indeed locate somewhere else, without the efficiencies promoted by water transportation it might well choose to locate in a foreign country. We have only to look at the flight of the radio and TV manufacturing industry abroad to see what might lie ahead for other industries if other efficiency inputs, among them water transportation, were not employed to offset the relatively high U.S. labor costs.

In talking about water transportation, and future innovations, I often find a major gap in knowledge of the way in which river, canal and lake transportation fits into the national economic picture. Why are rivers made navigable, what justification is there for Federal investment in waterways, and why don't the water carriers pay some sort of user charge for the use of the waterways and is it unfair to competitors that they don't?

The first question of course almost answers itself; water transportation, as I have noted, for commodities adapted to water transportation is the most efficient method of moving goods. The rivers are there. Using them helps the economy significantly in the always important endeavor of deploying resources in the most efficient manner possible. But I don't think many of the rivers would

have been developed to their present level if it were not for the existence of an overall national water resource management program, of which navigation is a very important part, but only a part.

Not many people are aware of the scope of this program and the critical importance it has for the continued expansion of the economy. If one takes only a conservative 4 per cent annual growth of the gross national product, in 50 years, in terms of 1954 dollars, the GNP becomes \$4.5 trillion. The Water Resources Council has applied this rate of growth to the segments of the economy which are particularly thirsty, the chief users of water, and has come up with these estimates of needs in 2020:

Agriculture will need three times as much water as it now consumes, mining four times, primary metals industries almost six times, paper and paper products over eight times, petroleum products over nine times, chemicals about 15 times.

Total withdrawals from our water supply will increase five times by 2020.

Few people bother to think about these facts or to realize that there is no more water available to this country today than there was 5,000 years ago when the Indians and the buffaloes had the continent to themselves. There's enough water to meet these needs, but it is not all in the right place at the right time. Hence, there has developed a massive program of water management which looks ahead 50 years to our needs at that time both for water quantity and water quality. The water management program embraces storage of water, maintenance of stream flow, drought and flood control, power, irrigation, navigation, recreation, and quality of water. Releases from dams far up the Missouri, for example, have been used in low river stages to hold back the incursion of salt water into the drinking water supplies of New Orleans. Management of the drainage system of the Mississippi, which reaches from the Alleghenys in the East to the Rockies in the West, from Northern Minnesota to the Gulf, is an engineering feat probably unparalleled in all of history.

There are those who complain about bits and pieces of it but there is no one I know who seriously suggests that water management is not a critically important public program on which more, not less, resources will have to be spent in the future.

I make this point to emphasize that there is an on-going program with a 50-year perspective and that navigation is a very important co-product of this vast endeavor.

Why are there no user charges for the barge lines? It is not, I may say, because the matter has escaped the attention of the policy makers of the past 40 years. Recommendations for user charges have been frequently made, but when the matter has been fully investigated by the Congress, the decision has always been negative.

Congress undertakes public investment in many segments of the economy. On some investments it recovers directly; on others it does not and when it does not it makes a judgment that the benefits are so widely pervasive through the economy that the public as a whole is the real beneficiary. Thus all the farmers in the river valleys sell their crops for better prices because of barge transportation, all those who pay a light bill benefit from water borne transportation of coal.

Is it unfair competition? The simple answer to that is the prosperity of river competitive railroads, as noted before. When the rivers are developed, there's more traffic for every mode of transportation.

But there is really a further point which we have recently researched. If one were to count the public costs associated with navigation on the one side, one would have

to count the public costs associated with railroads on the other. And when, as Water Transport Association did recently by sponsoring an independent study for the ICC Cost-Finding Case, Docket 34013, Sub. 1, one enters that territory the problem gets very complex indeed. There are of course the obvious benefits to railroads from public investment in harbor channels leading to railroad docks. It has always been a major stumbling block to those who advocate user charges for shallow draft operators as to why they would not, in all logic, advocate user charges for deep draft vessels as well. They know they can't advocate charges for deep draft vessels because such charges would simply serve to concentrate trade at ports where little channel improvement is necessary and no one would stand for that. I mention this just to show you some of the complexities.

There are direct public outlays, but there are also very large subsidy-effect programs. As Professor C. Lowell Harris of Columbia has noted while there is a distaste for receiving from Government what is labelled as subsidy, there is ample willingness to take benefits from Government particularly in forms which help conceal the nature of the receipt. A benefit resulting from a program which reduces Federal taxes under special circumstances is the same in principle as accepting a public outlay. Thus tax benefits, loans, and other subsidy effect programs benefitting the railroads would have to be counted as well in a full competitive analysis.

In the end, the WTA's independent consultant concluded that, adding all the different programs benefitting railroads, there would be plenty to count on the railroad side. The result might very well be a wash.

Thus, a lot of solemn nonsense is talked about the supposed competitive disadvantage suffered because of public investment in waterways. It is a complex question, but the conclusions are simple: the benefits are so widely diffused through the economy that waterway development is regarded as a proper part of the national overhead. Any negative competitive impact appears unproved; the waterways create traffic for all modes. In any event, there is probably a wash as to subsidy and subsidy effect programs affecting both water carriers and railroads.

I explore this subject at greater length than usual because I find the question of subsidy uppermost in a great many people's minds. The waterway development program pays for itself many times over in benefits; the economy badly needs it and further development can be expected despite all the criticism.

I won't go into the future developments in any detail. But I would like to mention one in passing. Perhaps the most important is a by-product of the bank stabilization program on the Mississippi. The Engineers are making certain that the river doesn't, in the future, wander in its course so much, undermining railroads, cutting off power plants, and parts of towns. The result of this program is that the river is digging itself out a deeper channel. Sometime in this decade, there will be a 12 foot, compared to the present nine foot channel between New Orleans and Cairo and this will eventually extend to Minneapolis to the North and Pittsburgh in the east. Larger tows, larger barges will result with an accompanying dramatic improvement in barge efficiency, and a permanent increase in efficiency for industry and agriculture in the mid-continent region.

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 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 for maintenance at regular 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 per cent and improved safety and reliability of operations. Such navigation equipment as automatic pilots, depth finders, ship-to-shore radios, gyroscopic compasses which give us early warning when tows begin to swing, and bow thrusters—power units at the head of the tow—have greatly improved efficiency. It appears that there is a great potential for doppler sonar speed indicators to identify the speeds which produce maximum efficiency.

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 notable of which I think I mentioned—the larger capacity barges for the deeper channels. But the trend is also to higher cost specialty barges for new and sometimes quite exotic commodities—chemicals whose names we can't even pronounce. Barges are available and being developed which keep 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, marketing efficiency, 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.

I turn now from technological innovations to innovations which may lie ahead in the field of government policy. We are entering a period of review of fundamental propositions on which relationships between transportation and the government are founded. In important quarters drastic changes are being proposed. Some would abolish all regulation and the Interstate Commerce as well, others would put transportation under the

antitrust laws, still others would nationalize the railroads.

Transportation is a very complex industry and the simple sounding drastic solutions seem to me to be counter-productive. If one carefully listens to everything that is being said, those who aren't very clear about the real needs of transportation seem greatly outnumbered those who are. For example, we hear from our leading theoretical economists that there is great overcapacity in transportation and that regulation should be eliminated because it protects the inefficient. Take the chains off and the inefficient will disappear, they say. There will be an outflow of investment in excess capacity and what's left will be stronger and better.

I think I demonstrated earlier that whatever our other shortcomings, water carriers have maintained a rate level below that of 1960 and at the same time have produced 50 per cent more service for less money. So broad-brush denunciations of inefficiency in transportation simply expose the ignorance of those who make them. If price increases are any indication of efficiency, we know our rates haven't gone up nearly as much as the prices of the things we have to buy; hence it is fair to conclude that our efficiency is far greater than that of industry as a whole.

I would concede that you could run more trains on the tracks available, just as you can run more barges on the rivers, more steamships on the coastal and intercoastal ocean waterways, and more boats on the Great Lakes. In that sense there is overcapacity. But in the sense of having enough freight cars, enough electronic classification yards, enough trucks, enough tow boats and barges enough ships for the ocean and Great Lakes trades, the answer is quite different. The fact is, as the Department of Transportation has told us, we have far too little equipment today to meet the needs of the growing economy. In fact, Congress recently enacted a tax incentive for the purpose of expanding freight car supply. DOT estimates that in the next 10 years there will have to be an increase of 50 per cent in transport capacity if the industry is to keep pace with the growing economy.

Where is the money coming from to buy tremendous increase in capacity? That's the questions which worries everyone in a management position in the transportation industry.

If the main problem is one of attracting new investment into transportation, it is certainly mischief for the top economists to be urging policies which will chase investment out of transportation. Removing regulation and encouraging cutthroat rate wars would do just that.

Improving regulation so that it encourages healthy competition and promotes efficiency, that we can do, but abandoning regulation would be disastrous for the public.

Assuring the best service at the lowest rates consistent with maintaining a financially sound transport system is the true objective of government policy. When rate reductions are proposed, government should intervene only when the more efficient or equally efficient competitor is being shut out of an opportunity to compete by power tactics having nothing to do with efficiency. Given a meaningful test of relative efficiency, the regulatory process is more capable of policing that kind of policy than the anti-trust laws. The water carriers have urged that the only proper test of efficiency is the sort of test that an engineer would apply in determining what input incurred by the competing enterprise is necessary to produce a given output, in this case the traffic in question. He would certainly count all the necessary input costs incurred by these enterprises, not some part of these costs. No

variation of partial costs—whether described as marginal, variable, avoidable, or incremental—as a matter of elementary logic can possibly serve as a measure of relative efficiency without producing literally absurd results.

Clearly it is counter-productive for the railroads or any other carriers to be hauling 40 per cent of their shipments at below out-of-pocket cost, as the DOT suggested recently is actually happening. The ICC's rate structure proceeding is an opportunity to help cure that problem. Clearly, too, the carriers are entitled to an adequate rate of return. The ICC's new investigation of the railroad rate base is an opportunity to modernize thinking on cost justification and help bring the earnings of the carriers more into line with industry generally. Abandonment of unprofitable services must be accelerated. Tax incentives would be useful to stimulate improvement and expansion of service.

These far-reaching opportunities can work quickly to restore health to the transportation industry generally. This is no time to encourage what many of the academic apostles of deregulation concede would be the inevitable result of deregulation, an outflow of investment in transportation.

In closing let me suggest an area of public policy which, if pursued, would result in greatly improved competition, millions in savings in transportation costs and therefore much greater efficiency in the use of transport resources.

Railroads and water carriers, besides being vigorous competitors, are also natural partners. A major goal of ICC policy should be the encouragement of better coordination of service between rail and water carriers. Studies of the Water Transport Association, which has been trying to sell the railroads on a "willing partner" approach to rail-water movements, indicate overall savings from 10 to 50 per cent in joining the best efficiencies of water and rail service.

But there is resistance from the railroads. The ICC was specifically given the power by Congress to prescribe rail rates in connection with water transportation so that the public would receive the benefits of rail-water coordination. It has been reluctant to use this power.

We suggest that the ICC diplomatically knock some heads together on this issue and get some money saving water-rail services going. The carriers are always after the ICC to approve ideas the carriers want. Why wouldn't it be in the public interest for the ICC to want better water-rail coordination? A little selective "jawboning" by the ICC could be highly effective.

I challenge anyone to name an industry more important to the efficient operation of the economy than common carrier transportation. Nothing could be a greater drag on the economy than an inefficient transportation service—a service which now accounts for 20 per cent of the gross national product.

Our industry is far from perfect, regulation is far from perfect. But the performance in the past certainly does not justify the kind of radical uprooting of established procedures that is being suggested.

As I have pointed out, the key to efficiency is constant improvement in productivity. There is plenty of improved productivity to buy in water transportation, probably more in water transportation than in any other segment of the transportation industry. But it goes without saying that improved productivity can only be achieved if earnings are adequate to justify the investment. The most powerful stimulus to innovation, then, is adequate earnings. In the long run, acceptance of the level of rates needed to provide such earnings is, in my opinion, the best investment the shipping community can make in its own self interest.

A FIRST STEP TOWARD ADEQUATE RURAL DEVELOPMENT PROGRAMS

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. CULVER. Mr. Speaker, today I am introducing legislation which will assist small communities in the construction or rehabilitation of multipurpose community centers, and in the renovation of small community business districts.

The 1970 census confirmed that rural America has been undergoing a continuing crisis of outmigration. In my own State of Iowa, 74 of its 99 counties lost population between 1960 and 1970; 24 lost over 10 percent. It has been projected that by the year 2000, if the present trend continues, 88 percent of the Nation's population will live in large urban areas, and only 12 percent in areas with under 100,000 in population.

This trend can be reversed if the Federal Government helps bring about greater balance in national population distribution by a better balance in national investment through helping to provide adequate municipal services and facilities in small towns, as well as attractive business districts in which to work and shop.

We all know that any community which wishes to retain its economic vitality must be able to provide its citizens with basic services: police and fire protection, library, town meeting hall, health facilities, and recreational facilities for use by both the elder and younger members of the community. In many cases, however, small towns lack the financial resources to provide an adequate building for these activities, even though quite often these operations can be economically and conveniently housed in a single structure. Under the legislation I am introducing, these small towns would be eligible for Federal assistance for building these community facilities.

Equally important to the future of small communities is the condition of their downtown business district. Too often old buildings, basically sound and unique architecturally, have been allowed to deteriorate, presenting a drab exterior. The level of economic activity and the general vitality of the community declines, and the town slides slowly out of the mainstream of American life.

There are towns which have undertaken renewal and restoration of their business districts. Albia, Iowa, and David City, Nebr., are good illustrations of how projects of this nature can restore economic vitality and pride of community. In the 2 years after David City began its renewal program, sales volume increased by over 40 percent. Under the legislation I am introducing, Federal assistance would be available, hopefully to stimulate widespread development of other towns similar to what Albia and David City accomplished without Government funds.

The provisions of this bill are so de-

signed as to hold administrative and staff burdens on towns to an absolute minimum. If adopted, the law would place no new encumbrances on the towns nor create new administrative mazes. Operationally, the bill can work simply and without the dead weight of high overhead costs and administrative complexity.

We live in an interdependent society and economy where there can be no national progress if one section of the country or segment of the population is left behind. This legislation will serve as a constructive small community development complement to urban renewal programs which are aimed at metropolitan areas, rather than patterned to the needs of our smaller communities. Most important, it is a first and realizable step toward creating a new approach and adequate programs for the development of rural America.

Mr. Speaker, an analysis of the bill follows:

ANALYSIS OF THE SMALL COMMUNITY DEVELOPMENT ACT OF 1971

TITLE I—CONSTRUCTION OR REHABILITATION OF MULTIPURPOSE COMMUNITY CENTERS

Authorize the Secretary of Housing and Urban Development to make grants, pay interest rate subsidies and undertake guarantees to small communities (towns under 15,000 and not part of a metropolitan area) and regional units (any grouping of governmental units which want to consolidate their public service functions) to assist in the construction or rehabilitation of multi-purpose community facilities for health, recreation, library, public safety, and local government use.

(1) A facility combining local government uses with public safety uses will be eligible for (a) a federal guarantee of the sums borrowed; and (b) an annual grant in the full amount of the interest due on the sums borrowed, e.g. a facility which houses local government offices and the central police and fire stations.

(2) a facility combining health, recreational, or library uses with local government uses or with local government and public safety uses will be eligible for (a) a federal guarantee of the sums borrowed; (b) an annual grant in the full amount of the interest due on the sums borrowed, and (c) a grant equal to 3/5 of the cost of the health, recreational and library accommodations, e.g. a facility which includes a library, health clinic, and recreational area which can be used by both the elderly and young members of the community.

TITLE II—BUSINESS DISTRICT RENEWAL

Authorize the Secretary of Housing and Urban Development to make loans and grants to local non-profit development companies in order to assist them in the exterior rehabilitation, restoration, and beautification of small community business districts.

(1) A local non-profit development company will be eligible for a federal grant to help finance the planning and design of the exterior rehabilitation, restoration and beautification of the community business district.

(2) A local non-profit development company will be eligible for a loan equal to 3/4 the cost of rehabilitating, restoring and beautifying the facade of the business district.

(3) A local non-profit development company will be eligible for a grant equal to 3/4 the cost of rehabilitating, restoring and beautifying the public areas of the business district, provided the plan has the approval of the community's governing unit.

TIME TO REVIEW HOUSING 235

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. COLLINS of Texas. Mr. Speaker, one of the cornerstones of America's growth has been the work of our progressive homebuilders. We need to back them up in every constructive way.

But the time has come to review one dead-end road we have headed down. Section 235 is loaded with problems. We need an improved plan that will provide uniform benefits and future stability.

Section 235 provides for subsidy payments on the mortgage by the homeowner. With the plan a man can have a downpayment of \$200 instead of the normal \$1,200. His monthly payment is only \$87 instead of a normal \$175.

In addition he is entitled to full FHA interest as an income tax deduction even when he pays only the subsidy 1 percent.

Here are some of the problems. Imagine how the next-door neighbor feels who pays twice as much each month on his mortgage. It does not seem equitable to him.

After a few years the family may move and this house is up for resale. With only \$200 down payment who wants to buy this secondhand house when they can get a new one for the same price. So these houses will require modernization for resale. An owner with only \$200 equity will walk off and leave it.

But also look at the homeowner. He gets this special deal because he has low income. When he moves up in his job with a promotion, his rent goes up \$85 a month. Will he pay it, will he try to hide it or will he move? This mortgage subsidy is a deterrent to ambition and progress.

Susan Bullock, who is our real estate editor for the Dallas Times Herald, wrote an interesting article on title 235 of the Housing Act. She took the example of a fine family and how it works out.

Section 235 is not the answer, and America today needs a good plan. See what your reaction is to the story of Susan Bullock of the Dallas Times Herald:

Taxpayers, don't get excited. The 235 housing program may not be the free bed of roses it often appears to be.

Just ask Mrs. Randy Lockhart. Mr. and Mrs. Lockhart are among many 235 homeowners confronted with the problem of "what do we do when we come off subsidy?"

This program—Title 235 of the National Housing Act—was designed to aid families on limited incomes participate in homeownership. Defined as one step above public housing, the program provides interest subsidies (amounting to all but one per cent in some cases) on monthly home payments.

The Lockharts, with their 18-month-old son Mark, purchased a new 235 home in the Freeway Forest addition of Balch Springs in October. With a net family income averaging a little more than \$400 a month—less than the \$610 a month gross limit for a family of three, the Lockharts were able to purchase a three-bedroom home for \$100 down and \$100 closing costs. Their monthly payment is \$87.50 excluding utilities.

Yet the Lockharts may soon find themselves in a rather precarious situation. Lockhart, 22, is a salesman for an area homebuilding firm. He recently received a raise, and the family fears they may have exceeded the eligibility income limits for the program. If this is the case, when they are reviewed in two years, their monthly home payments will jump from \$87.50 to a little less than \$175—the regular FHA payment without subsidy.

According to Randy Green, divisional manager for the Rofino development where the Lockharts reside, if a family exceeds the maximum income level to qualify for the program by even a small amount, it is automatically taken off all subsidy. Yet a family may not be earning enough to meet the regular payment.

In spite of this, however, Mrs. Lockhart does not believe the program reduces one's incentive to better his position in life. When asked if her husband would refuse a raise in order to stay within the eligibility limits to receive aid, she replied, without hesitation, "We would take the raise. There's no doubt about it."

"If it were not for this program," the young housewife added, "we would be forced to live in an apartment for years," and an apartment is no place for children. In fact, the 235 program actually creates incentive to advance. If you lived in a new home, why would you want to go backwards?" she questioned.

But the woman admitted that even with a raise, a substantial increase in payment resulting from the loss of subsidies would put a strain on the family. Mrs. Lockhart says the family is tentatively planning a move within the next couple of years so her husband can continue his education. "But even if we weren't planning to move," she notes, "once we were over the limit we would probably move anyway" (for financial reasons).

But here again, the Lockharts and others like them, will be confronted with a problem. A 235 home can normally be sold for an equity of only \$200 and any amount paid on the principal which is usually small for the first few years. This, says Manuel Sanchez, HUD director, is because owners selling a 235 home are in direct competition with the builder.

The other alternative, according to the Department of Housing and Urban Development, is refinance the home through the regular FHA program. But closing costs here would probably absorb any profit.

Yet the 235 owner has one definite advantage at income tax time. Although he may be paying only one per cent in interest, he may write off the full FHA interest rate his home was contracted for.

Mrs. Lockhart doubts the fairness of the program to a certain extent. "If we weren't involved, she says, "I'm not sure how I would react to it. But we pay our taxes too, so why not take advantage of it? If we don't someone else will."

THE LATE HONORABLE ROBERT B. CHIPERFIELD**HON. JOHN J. ROONEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 1971

Mr. ROONEY of New York. Mr. Speaker, I was saddened recently to learn of the passing of the Honorable Robert B. Chipperfield, who for 24 years so ably represented the people of Illinois 19th Congressional District. I had the good fortune to know Bob over many

of those 24 years and knew him as a friend, a quiet and unassuming man but a man who made many important contributions to our country's affairs of state. He was a firm supporter of bipartisan foreign policy even at a time when he could have expediently withheld his support. His only aim through his many years as ranking minority leader and chairman of the House Committee on Foreign Affairs was to better the position of our country. We shall miss his advice, friendliness, and warmth. To his lovely wife and family I extend my deepest sympathy in their time of loss.

NOT GUILTY**HON. LAWRENCE J. HOGAN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. HOGAN. Mr. Speaker, in the past month, the Director of the FBI has been seriously maligned several times, without a single shred of proof to support the charges.

In the Saturday, April 24 edition of the Evening Star there appeared an editorial which elaborates on this theme. I insert this article in the RECORD for my colleague's perusal:

NOT GUILTY

House Majority Leader Hale Boggs has done J. Edgar Hoover, the Federal Bureau of Investigation, the Democratic party, Congress, the Nation and his own reputation an immense disservice.

In a one-minute speech in the House on April 5, Representative Boggs accused the FBI of tapping "the telephones of this body and of members of the Senate." In an hour-long speech Thursday, Boggs presented not a scintilla of evidence to support these serious charges.

The best Boggs could do was to claim that a nameless investigator from the Chesapeake & Potomac Telephone Company, called to his Bethesda home last August to inspect a suspected tap, reported that one had been placed on his "private telephone lines but that it had been removed in advance of the inspection."

The Louisianan admitted that the telephone company's written report stated "categorically that there was no tap on my lines." Boggs added lamely that it was his understanding that it was telephone company policy to deny the existence of a tap if it had been placed by the FBI.

The telephone company disputes Boggs on all counts. C&P spokesman Fred Langbein asserts flatly that "no wiretapping was found, nor was there any evidence of a previous tap." Langbein adds that it is not telephone company practice to disclaim FBI taps.

When Boggs fired his broadside on April 5, both Hoover and Attorney General Mitchell denied the charges, which the latter termed "reckless and cruel." Nothing Boggs said Thursday invalidated that description.

One of the saddest aspects of the whole sordid affair is that it will be used to discredit those who believe for other and more valid reasons that the 76-year-old Hoover ought to accept the honorable retirement which he has surely earned after 47 years at the helm of the FBI. Boggs' failure to substantiate his wild charges has only served to delay the day when Hoover will admit that it is in everybody's best interest for

him to hand over the direction of the FBI to a younger man.

That cannot be helped. The gentlemanly thing for Boggs to have done would have been to admit his error and to confess that, as Deputy Attorney General Kleindienst suggested shortly after the April 5 incident, he was, at the time he made his original charges, "sick or not in the possession of his faculties." Having failed to follow this course on Thursday, however, there is small chance that Boggs will elect to do so in the future.

All in all, a disgraceful performance.

YOUTH COUNCIL PROPOSED

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. YOUNG of Florida. Mr. Speaker, the vast majority of America's youngsters are law abiding, patriotic, and eager to work toward resolving the great problems confronting our Nation. One such young man is Richard Zimmerman of Jacksonville, Fla., American Legion Boys State Governor for 1969-70.

Mr. Zimmerman attended the White House Youth Conference, but because of the limited time and the number attending, he did not get the opportunity to fully express his ideas. They are worth listening to—he has a great deal to offer, and his report on establishing a youth council merits our attention.

Here, for the information of the Congress, is Mr. Zimmerman's report:

ESTABLISHING A YOUTH COUNCIL

INTRODUCTION

"Establishing a Youth Council" is a paper prepared after much research, on attempts to form Councils. The failures and reasons for the failures were thought out and this paper is an attempt to present ideas, many problems and some solutions as well as a need for such a Council. It is hoped that the need for such a program can be met before it is too late.

Throughout the paper the words "city hall" are used to represent a branch of government and not a building. It could also be adapted to mean county government, state government, or national government.

It is hoped that this idea of youth councils could later be applied to college students, dropouts and all other youth and eventually solve all problems in adult youth communication, but at present this proposal only deals with high school students.

The purpose of this paper is to present these ideas so that the need that is so obvious can be carried out and it is hoped that you as a reader will examine the program and if you find that you could help to establish such a program, that you will not hesitate for the sake of an America tomorrow.

NEED

It is evident to most people that growing unrest exists among the youth of America today. This paper will present a program that could be the beginning of the solutions to these problems.

America's youth of today are examining, seeking answers and even questioning what the previous generations have held sacred. Only history will tell if this quest for understanding was good for America, but it is obvious that it could be better if the quest was guided. This program could be a means to guide the youth of America.

In modern America, increased technology has raised the standards of living to a point that many young Americans have not had to provide the essentials of living for themselves and their families as did previous generations. These young people then seek something else to do, since they have been provided the essentials of life, and oftentimes much more, by their parents. They need guidance to channel their energies into productive as opposed to destructive endeavors. They want to be heard because they feel they have something worthwhile to say. Other underprivileged youth oftentimes still have to provide for their families but are unsatisfied with their lives. These youths want to change and are looking for guidance. They want to voice their opinions and feelings of oppression and need to be heard. One must remember that Hitler began his takeover of Europe by guiding the youth of Germany in a certain direction. This program could guide the youth of America today who, in a few short years, will be the workers and then leaders of America.

It has been said that communication is the beginning of understanding. It has also been said that a "generation gap" exists in America, but if one stops and talks to one of another generation he can find that his basic goals are the same. Man will never change his basic desires.

The problems of communication begin because many youth do not realize that there must be an orderly process of change. They are not aware of the problems of actually running a government. Many only see the idealism of a system of government and don't have the experience to know the problems of a real system. Many will not recognize the results of the changes that they propose, and can't see that disorderly violent change can lead to chaos and anarchy. But these are a small percentage when compared with the entire youth population. When viewing the incidents as reported by the news media one must keep numbers in their proper perspective. How many students actually participate in these activities on campuses? What percent of the total student population is this? Unfortunately, in our fast moving society, the news media, as a rule, gives a poor picture of our society as a whole. The most important news, apparently, is that of violence and lawlessness. Recently it was observed that two dropouts made the front page by being arrested for breaking and entering, while twenty-seven students who were ranked among the top one percent in the nation were listed on page twenty-seven in the C section. This program could be one that would recognize and reward the youth.

Problems of communication also exist because those of the adult generation refuse to communicate or they enter into a discussion with preformed opinions and prejudices so opposed to open-mindedness. Many adults label all youth by actions of those that the news media reports. The adult generation must not ignore the youth and resign America with the cliché "What will be, will be". Adults must recognize those who darken the image of the other youth, and then seek to guide the youth who are interested in America and improving it or otherwise, who were ignored and needed guidance in the choice of becoming destructive or constructive Americans will choose the destructive path. America spends billions of dollars per year in foreign aid trying to sell the idea of democracy to people of other countries. Why can't we spend a little time and effort guiding the youth of our own country? This program could allow adults to guide and communicate with the youth.

The idea of a true democracy is that all voices be heard and that the will of the majority be carried out. The American youth of today have been prodded and forced by an educational system to think about more

things at an earlier age. The American system of education has taught our youth to question and has taught them the ideals of a democracy. With these things in a youth's training, it is not hard to see why they desire to express themselves. Businesses are continually in the search for new ideas and young blood. It is time the government of America realized that the youth can offer some useful suggestions at times and it is time America tapped this source of ideas and manpower. If America is to be democratic, it should allow the youth to speak and be heard, but then follow the will of the majority. This program could allow youthful opinions and ideas to be voiced democratically.

The need of adult guidance for the youth is very obvious. We say in America that we are on the verge of a great decision as to the direction of the country. This decision will probably be made by the youth of today as they grow into tomorrow's leaders, but in order to make a useful America of tomorrow the adult generation of today needs to guide the youth's activities and thinking. The adults must tell the youth of the problems encountered as one goes from an ideal to a practical system. Adults must explain the way the system functions so the youth can understand why many of the things they propose will not work. The adults must explain endeavors that they have attempted so that the experiences of the adult generation can be learned without having to be duplicated. If this is not done the youth generation will duplicate the failures of the previous generation, and be building an America on this same level as the America of today instead of building on the accomplishments of the adult generation to create an America that is much above today's level.

In conclusion, there is a great need for a program whereby the youth of today could receive adult guidance in their thought and endeavors, create communication in which the youth can be heard in a democratic spirit, good ideas could be exchanged, error of the previous generation would not be duplicated, and the youth could be of service to their community.

RESULTS

What would be the results of such a program? They could be divided into two basic groups: long term and short term results. The short term results could justify the program, but the expected long term results show such a program to be a necessity.

The short term results could be called tangible and would be such projects as community beautification, youth education on such things as drugs, vocations, summer time employment, sex, and venereal diseases, a flow of youth opinions, ideas and suggestions, and a method of dissemination of material to the youth. These facts of the program could justify its existence.

The long term results could be called intangible. They would be the affects on individuals thinking and course of action in the future. The program would make the youth feel that the system of American government was very worthwhile, and let them construct an improved America instead of causing the destruction of the present America. It would make the youth feel that America is in part theirs. They would have more respect for a system of orderly change if they could see one at work. For these long term reasons, this program is a necessity.

STRUCTURE

The ideas of this program could be carried out through the creation of a youth council. The original idea was to have an independent and self-sufficient council in each city and then to allow each city to send representation to form a state council, and possible in a few years, a national council.

Each city youth council would be the link in the communication between city hall and the youth. The council would act as the link in two types of communication: one would be service, and the other would be ideas, opinions and suggestions, with both types going both ways. City hall would have some agency that it could request service from, such as city beautification, and the youth would have an agency that could coordinate all service projects of each individual youth service segment of the youth population, as well as an agency that could inform the youth concerning where service is needed.

The youth council would have regular meetings, just as a city council, where they could discuss their ideas and opinions on issues of their choice. They would then publish them in a report sent to the appropriate agency, whether it was the city council, county commissioners, school boards or Congress. The agency could then respond to the report, and communication could be established. The council would be under some city department and the report would first pass through this department. This communication of ideas would come to the youth council from city hall in the form of the return reports, as well as a man who would act as a permanent liaison.

The Council would be composed of representatives of youth segments of the population and as a beginning it would be best only to include high school students because this is a group that has some degree of unity and could be reached comparatively easily. The representatives would be the executive council and would be the group that met and made the report.

The representatives would then establish the constituents in a sub-council that would be based at some physical plant such as a school or community recreation center. As a rule the majority of the discussion would be carried on by the representatives, but time would be set aside for any youth that desired to present an idea or opinion.

It is hoped that each city would take enough interest in its youth to assist to the council a man who would be interested in the program and would be willing to put some time into it. An interested advisor is a necessity to a successful council, and he could act as a liaison to city hall.

In addition to an interested advisor—liaison man, an advisory board of competent businessmen is needed. This would be the point in which experience and guidance could enter into the youth council. The men could serve on a rotating basis, and naturally would be expected to take an active part in the council.

This would be the basic idea of a council, but it must be remembered that each community must adapt these ideas to its own locality. This program is not one that you could adopt by merely changing the name of the city on the constitution and expect it to function, but rather ideas that an interested community could adapt to fit their youth, adults, and government structure.

PROBLEMS IN A COUNCIL

One of the biggest problems in creating a council of this nature is proper representation. The best way for a large city with eight or more high schools is using each high school as a sub-council and electing or appointing representatives from these.

In a city of three or four high schools, it would be best if the city were divided into districts, and elections held for each of these districts. The elections could be held at the schools, with each district holding its own election. Again, remember that these ideas are only presented so a community will have some ideas and are not presented as a package to which any community could just plug in its name. It will require a good deal of work on each community's part.

In selecting representatives, one must choose a method in which the students can

feel that they are truly represented. Choosing instead of electing representatives usually alienates the representatives from the students. One must insure that there is proportional representation of minority groups, so many classes as possible, and of the so called troublemakers if you are to have a truly representative youth council. Smoother integration could be accomplished by such a council, as well as helping in slum and underprivileged areas. If your community has particularly active service clubs, representation could be taken from each of these.

The most important point in representation is that most youth factions must feel that they are represented. If you select club presidents, student council presidents, or class officers from each school, you are only perpetuating unequal and undemocratic representation. You must change the traditional council ideas to include more segments of the youth because in the past the councils have only taken in a very narrow spectrum of the youth, and usually include the youth who are already strong Americans and as a rule generally need little guidance other than that which they already have. You must reach those that live in the slums or frequent the pool halls, because these are the youth that take the wrong direction, create trouble, and need the guidance. Above all, remember to make your council one that includes more than the narrow spectrum of superior students. Reach out to those who need the help and guidance so desperately.

Another problem encountered is the need for an on-going body in the city structure which is responsible for the youth council. Frequently an ambitious mayor will establish such a program and it will last for several years under his administration and as he leaves office the youth council dissolves. There needs to be an on-going body in the city government that is responsible for the council. Several cities have found the city recreation department as the body that carries on this function. Again, experience has shown an on-going body, with some interested adults, is needed to create and maintain a successful youth council.

Naturally, support is a big problem in a youth council. Student support can be gained in many ways, but the first and most important initially is in allowing them to take part. They must feel that they had a voice in the development of the council's structure, instead of city hall working out a plan and then seeking students to carry it out. The best solution to this is to allow students to discuss the program with officials from city hall while the plans are being worked out. It is best to appoint these students to advise and work out the structure of your community's council, but again one must remember to get some semblance of equal and just representation.

Support must also be received from city hall, but it is obvious that for a program to be successful, it must be strongly supported by its sponsors. Not only should the mayor, his assistants, and the body that is responsible for the council know of the council, but all of the city hall should know of its existence and those directly concerned with the council should take an active interest in it. It seems obvious at first that the originator and sponsor of a program should strongly support it, but this is the reason for the failure of many youth groups. The youth involved changes over in great numbers each year, and if a great deal of support from city hall isn't received, a youth council is doomed before it is begun.

A program of this nature also needs the support of the community. This support can be obtained by favorable endorsement and word of mouth compliments by the businessmen on the board of advisors. It is also obtained again through proper publicity by news media. If an active council is produced, community support will follow, but com-

munity support on a large scale is very difficult to create while forming the council.

Support of the youth, city hall, and community are all needed for a successful and continuing youth council, and every effort should be made to obtain it if an outstanding council is to be made.

In traditional high school councils, every year there is a turnover of members and all experience is lost. This can be eliminated by electing membership for a two year term, allowing only second year representatives to seek the higher offices, and making sub-councils active so that a broad base of students are involved in them. It might serve in particular circumstances to have offices in each sub-council, and have service club representation in the sub-councils.

The answer to the problem of an active council one year and an inactive one the next year comes in properly selecting your representatives having an on-going body in city hall that is responsible for the continuance of the council, having the support of the youth, city hall, and the community, and creating a council that involves large numbers of the youth in a broad-based foundation for the council.

CONCLUSION

In this report an attempt has been made to bring to the attention of elected officials and other public officials the need for such a program. The expected results, structure and problems frequently encountered were presented with the hope that some interested person in an established office would carry out a program on these basic guidelines, adapting and changing them to fit his particular community.

MANCINI HONORED BY UCLA
ALUMNI

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BELL. Mr. Speaker, the name Mancini has been synonymous with the world of music for over a decade.

On Sunday, May 16, the Alumni Association of the University of California at Los Angeles will pay a special tribute to this great figure of the entertainment world. In special ceremonies at the Los Angeles Music Center, three-time Academy Award-winning Composer Henry Mancini will be named an honorary alumnus, the seventh man in history to be accorded this unique honor.

Although Mancini's contributions to the popular music field are world famous and have won for this talented composer-conductor-arranger virtually every accolade the music business can bestow upon its most gifted artists, there is a lesser known aspect to this remarkable gentleman.

Mancini is responsible for more than \$200,000 in music scholarships and fellowships dedicated to furthering the ambitions and aspirations of tomorrow's budding musicians.

These grants have been established at two major music study centers: New York's famed Juilliard School of Music and at UCLA.

Mancini's UCLA fund is truly unique. In addition to providing an annual scholarship of \$2,500 for the composition of music for motion pictures and television, there is a special annual provision for another \$2,500 to be used for an

actual student project. As Mr. Mancini explains it:

A number of gifted advanced students annually become eligible to produce a thesis film, but completion of such a film, including professionally recorded music usually presents an insurmountable obstacle.

In these trying times of widespread unemployment and depressed film production in Hollywood, such a move to actually stimulate film production deserves more than passing notice.

Since revolutionizing television scoring with his "Peter Gunn" and "Mr. Lucky" theme music, Mr. Mancini has been the recipient of Academy Awards for his motion picture scores for "Breakfast at Tiffany's" and "Days of Wine and Roses" and the song, "Moon River"—lyrics by Johnny Mercer. He holds an unprecedented 20 Grammy Awards, six Gold Record Albums, and has appeared in concert in more than 100 cities from coast to coast and numerous foreign countries, including the royal command performance for the Queen of England and two White House visits at the personal invitation of President Nixon.

In addition to his concerts and motion picture scoring, Mr. Mancini has completed the main theme for "Curiosity Shop," a new ABC-TV children's hour to air this fall and the first of three TV specials. His book on orchestration, "Sounds and Scores," can be found on the shelf of every serious student of music.

It is to his great credit that a man whose fame and fortune is derived from the popular music field would be so vitally concerned with the future of music in general and its budding practitioners in particular.

And it is to the great credit of the Alumni Association of the University of California at Los Angeles that a man of such accomplishment would be singled out for special recognition and tribute.

SELF-DETERMINATION FOR THE DISTRICT OF COLUMBIA

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. FAUNTROY. Mr. Speaker, on Monday morning, April 26, I was privileged to testify before the Senate District committee on home rule for the District of Columbia. I believe that my testimony sets forth clearly many of the issues which are of pressing concern to the citizens of Washington, D.C. As these issues are of interest to all of you, I insert in the RECORD a copy of my remarks to the Senate District Committee:

TESTIMONY OF REPRESENTATIVE WALTER E. FAUNTROY ON HOME RULE FOR THE DISTRICT OF COLUMBIA BEFORE SENATE DISTRICT COMMITTEE

Mr. Chairman and members of the Committee, in many ways my testimony before you today is a landmark in this city's long struggle for self-determination. I believe it is the first step in securing for the people of this city the rights of elected self-government and full voting representation in the Congress that we have not enjoyed for so

long. I have testified before this Committee and others in the Congress many times about the pressing problems facing this city and this Nation. But today I come before you as the first elected Congressional Representative from the District of Columbia in almost one hundred years, presenting my first testimony before a Congressional Committee in my new capacity.

I take this opportunity first, therefore, to thank you and your colleagues for introducing this legislation (S. 1603 and S. 1626) that would give self-determination to the people of the District of Columbia. You have thereby set in motion an historic and productive process for freeing the citizens of our Nation's Capital in this 92nd Congress. These bills represent a forceful stride in the right direction, and the people of our city deeply value the commitment and support that your efforts manifest. I believe that your dedication, combined with that of citizens of the District and fair-minded Americans everywhere, will give us the victory for home rule we have sought for so long.

By introducing your legislation you have shown that you agree with my fellow citizens and I who do not look upon elected self-government for the District of Columbia as a gift. It is an absolute right in a free, democratic society such as ours. The people of the world have recognized colonialism as immoral and repulsive to decent men. But the citizens of the seat of government of the world's oldest and in many ways the greatest democracy remain powerless before their colonial masters. It is shameful that, as we approach the bicentennial anniversary of the founding of this Nation, the rights declared to be "self-evident" in the 1770's are not at all evident to the people of the District in the 1970's. The gap between this nation's ideals of justice and liberty and their practice in the District of Columbia is enormous and must be closed.

Some would deny us self-determination by seeking refuge in the argument that the enslavement of the District is mandated by the Constitution. But the historical evidence makes it as clear to me as I am sure it is to you that the founders of democracy in this country did not wish to make an exception of District citizens in the establishment of free government. Rather, the Founding Fathers intended in Article I, Section 8 of the Constitution to insure the Federal District's separate identity from any one state. One of the major authors of the Constitution, James Madison, stated in the *Federalist Papers*: "a municipal legislature for local purposes, derived from their own suffrages, will of course be allowed" . . . District citizens. The courts have time after time upheld broad delegations of legislative power to the District government, and almost every legal scholar who has seriously considered the matter has come to the conclusion that self-determination for the District is entirely consistent with the constitution.

Another reason for denying home rule, though it is not now spoken of as openly as in the past, is of course race. It is no coincidence that those who opposed equal justice for Blacks in this Nation are the very same people who would deny us self-government. Perhaps those lingering forces of reaction and racism would deny us what is ours, but I will not believe that the vast majority of the American people or their representatives in the Congress will continue to hold to this discredited colonial course. I believe that we must divest self-government of its racial overtones. I believe that this is not a question of Black versus white. It is a question of right versus wrong. And it is wrong to deny nearly 800,000 American citizens of their constitutionally guaranteed rights of self-determination.

Finally, self-determination is good government. It makes no sense to have this very busy Congress intimately involved in the day-to-day affairs of the District government.

As Senator Eagleton has so forcefully recognized, you have neither the time nor the inclination to serve as a city council for the people of this city; and this is as it should be. On the other side, the pressing housing, health, crime, and social justice issues this city faces can only be justly solved by those who have a real stake in the outcome, by those who are accountable to the people they serve.

In short, there are no reasonable arguments against self-government, nothing that should prevent immediate action by this Congress. It has the authority to act and must act.

With respect to the specifics of your bills, I am not prepared at this time to comment. In my role as the first District Representative to the Congress in almost a hundred years, I have pledged to directly involve my constituents, the people of the District, as fully as possible in any proposals that vitally affect their interests. And there is little that could affect them more than home rule. Within the next thirty days I will introduce a home rule proposal in the House of Representatives, but only after it has been submitted to the people. Within the next two weeks, I shall circulate a draft bill to the people, holding neighborhood meetings throughout the city in open forums to elicit their views on the best form of self-determination for the District. The people will have the ultimate say in what proposal I present to the Congress. I hope to announce the details of this procedure sometime later this week.

I did not wish to miss this opportunity to give you my thanks for your efforts and to convey my comments on some of the major features of your proposals. After the process of community review, I hope to submit to you more detailed comments on this important legislation. In the meantime, I hope you will continue your needed efforts in the Senate.

I have reviewed both S. 1603 and S. 1626. In my judgment, as I indicated, both are a powerful step toward home rule. Both embody the central themes that must govern my evaluation of home rule legislation, by providing for elected government with broad legislative powers, by granting fiscal autonomy, and by making some provision for an automatic federal payment. All these are necessary ingredients in a meaningful approach to home rule, and I commend you for this.

In reviewing your bills and considering the legislation that I shall introduce in the House, several thoughts occur to me.

First of all, it seems to me that the eleven-member city council that you provide for should probably be significantly enlarged to reflect the major legislative chores given it under the bill. I am former vice-chairman of the District of Columbia City Council, and I believe I know both the strengths and weakness of a council with limited membership. You must remember that you are creating a legislative body with responsibilities in many ways similar to those of a state legislature. The council would have authority to enact legislation dealing with such matters as court organization, estates, welfare, insurance—matters that are normally considered by state legislatures. An eleven-member council could not provide either the broad representation nor the time and expertise that we have come to expect of legislatures considering such important questions. I would strongly suggest that the legislative body of the municipal corporation be expanded significantly. This view will be reflected in the proposal that I will submit to the people.

Second, in examining the bills I can find no provision that expressly gives the District Council the power to raise revenues through a local tax system. Though such power might be inferred from the general legislative power given to the council, I would think that it would be sensible to spell out such im-

portant authority. In this connection, I note that Senator from Maryland's bill would expressly deny the District government the power to impose a commuter tax. With all respect to my friend the Junior Senator from Maryland, I must strongly oppose this limitation. Without discussing the merits of the question, I will only observe that almost every major urban jurisdiction has found it fair and equitable to tax those who earn their livings in the city but reside elsewhere. I believe that the District government should possess such authority to tax income where it is earned. I might say that this should be the case even in the absence of home rule. Again, these comments will be reflected in the legislation that I am preparing and will introduce.

Third, I would strongly urge the Committee to reconsider the provision of the bills that would give the President veto power over locally passed legislation where he determines that the federal interest is adversely affected. This broad language would allow the President to nullify local legislation at his will. In my opinion, such a provision is not needed to protect the federal interest. The bills make it perfectly clear that the Congress retains ultimate legislative authority over the District. If the local government acts in such a way as to seriously harm the Federal interest, Congress will have the right to override the local action. It seems to me that this is an ample safeguard. My proposal will eliminate this provision.

Finally, while both S. 1603 and S. 1626 contain provisions for an automatic federal payment, I am not sure that either approach adequately deals with the problem of financing the District government. According to rough estimates that my staff has done, the approach stated in S. 1603 would generate far less revenue than is now provided the District government through the Federal payment. At the very least, any payment formula that is developed should not result in a reduction in the amount received and should take into account the urgent fiscal needs of this city. The approach expressed in S. 1626 would appear to preserve the existing federal payment level. I do not mean to suggest that I have a final answer to this question for you today. I am still considering some of these matters and will recommend an approach when my home rule bill is submitted for review by the people.

I want to stress, and stress unequivocally, that the 92nd Congress must be the one to recognize self-determination for the people of this city. We have waited and we have argued but we can wait no longer. We will not be discouraged. We will use every appropriate means to impress on Congress and the American people the urgency of our cause. We have seen the ground begin to give way—my presence here is evidence of that—and we will not relent. We will not be handed any more hollow promises or offered cosmetic changes in the District government that do not shift power to the people. We will use the arithmetic of power to multiply our friends, and to divide our adversaries. Ultimately, we will prevail.

MICHAEL GREEN BRINGS SPECIAL PERSPECTIVE TO THE RECENT REPUBLICAN GOVERNORS' CONVENTION

HON. JEROME R. WALDIE
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. WALDIE. Mr. Speaker, I would like to focus the attention of my colleagues on several news columns written by Michael Green, staff writer for McClatchy newspapers from northern Cali-

fornia. I think all will agree that Mr. Green brings a special historical perspective to the recent Republican Governors' convention.

The columns follows:

The colonial militia of Williamsburg assembled on a village green at dusk last night and mustered the nation's Republican governors out of their temporary service here with an exhibition of close order drill and musketry.

Then the governors, after pausing for a black tie dinner, began marching out of town in white limousines to face next year's political wars and the hardships of battle in their respective states.

Some of them finally got the chance to do some sightseeing with their wives in the afternoon before the banquet. For Republican governors already beginning to feel saturated with history after three days in this 18th Century restoration, special golfing accommodations were provided from 2:30-4 p.m.

Gov. Ronald Reagan passed up the golf for a visit to the Governor's Palace and Gardens, the most elegant spot in town in colonial times, with his wife, Nancy, and a small entourage of State Troopers, security men and friends. Requests by a reporter to accompany them on the sightseeing were turned down with the understandable explanation that the Gov. and Mrs. Reagan hoped to enjoy some sightseeing in privacy. They were mobbed by camera-wielding tourists and autograph seekers standing in line to enter the Governor's Palace, who were received by the Governor warmly. The mob scene and size of the security entourage did not exactly lend itself to intimacy.

It is not known whether the Governor visited the old capitol building down at the other end of the village where such fiery politicians in the House of Burgesses as Patrick Henry, Peyton Randolph, and George Mason gave colonial governors such a hard time in the late 1700's. Perhaps a desire to forget Sacramento and the irritant of a Democratic-controlled state legislature for a little while kept him away.

Jokes at the expense of the Democratic legislature in Sacramento have been the standard bon mots in Governor Reagan's buffet and reception circuit repertoire while here in Williamsburg.

Democratic legislative leaders are so busy out running for governor in California they only stop in their legislative chambers in the statehouse to change their laundry, he tells appreciative Republicans here.

Republicans have found it possible to laugh easily in the three days of the Governors' conference.

No one has mentioned the war unless to observe that it has gone away. Nobody ever heard of Rep. Paul N. McCloskey, Jr., R-San Mateo—they pronounce his name "McCluskey" if they pronounce it at all, which is just about never.

The accommodations, parties and entertainment have been lavish.

There is no crime in the streets problem at night over there outside the spinner and weaver's place or walking home in the dark from a sumptuous colonial feast at Wetherburn's Tavern. Automobiles are even banned from the streets for several square blocks.

Had there been any lingering fears of murder, robbery, rape, or possibly peace demonstrations the presence of 150 Virginia State Troopers in the little village was reassuring. They were sufficient in number to more than amply take care of the conference's 500 guests, at the ratio of one State Trooper for each 3.3 Republicans.

The feeling expressed by the governors was unanimous in hailing this as the best Republican Governors' Conference ever. Virginia Gov. Linwood Holton was even commended in a formal resolution for arranging flawless weather.

The Republican governors leave the little

18th Century village reluctant to admit that it has all come to an end.

But President Nixon summoned them all out, in a speech Monday, to take part in his New American Revolution on the battlefield of political precincts all around the nation, and the governors, still sporting their "Virginia is for Lovers" buttons handed them by the chambers of commerce when they arrived, have risen to the call to a man.

They have left the old ale houses on Duke of Gloucester Street near the House of Burgesses to the ghosts of Henry, Randolph, Mason, and others of those first revolutionists who risked their lives, fortunes and sacred honors to plan a nation where all men are created equal, and dedicated to life, liberty and the pursuit of happiness.

Perhaps the ghosts sipping ghostly ale around a ghostly hearth in the twilight of the first revolution will tonight, with the quartered governors all withdrawn to put down modern disturbances elsewhere, find themselves—troublemakers and anti-establishment types that they were—concocting resolutions on Vietnam or scheming over next March's primary in New Hampshire or drafting heated petitions to the governors imploring them just to complete the revolution of 200 years ago in order that their patriot souls might rest easy in the taverns on these 18th Century evenings.

It is the dusk of a beautiful 18th century evening as I write this. The lamplighter makes his rounds outside, the horses nod the old carriages forward up cobblestone streets, as the Republican governors of the nation arrive in limousines, bringing civilization to this historic restored old city.

The chamber of commerce types are out in full force. "Virginia is for Lovers" buttons are everywhere. So are the State Troopers, who are even posted, unaccountably, at the entrance and exit of the basement press room in the Williamsburg Lodge, official headquarters for the conclave.

Security is tight in anticipation of President Nixon's scheduled whirl through the city, his arms waving that V-sign at the local harnessmaker, silversmith, apothecary, cooper and weaver. A local business and professional association has ordered 1000 American flags to be distributed to newcomers who are urged to "Stand Up For America."

Meanwhile, the arriving governors are being greeted tonight with a reception by local students from historic old William and Mary College and a contingent of Vietnam veterans against the war who have stationed themselves at the entrances to the Lodge and the nearby Williamsburg Inn.

"Agnew, Agnew,—he's our man; send him to Vietnam," they chant.

In 1968, the Republicans went to Miami Beach and a site that resembled an 18th Century fortress, complete with moat and drawbridge, to escape the antiwar protestors. Now it is 1971 and the Republican governors and the President cannot get away from it even in a place where the remoteness and tranquility of the past has been painstakingly preserved miles deep in the midst of the beautiful spring Virginia countryside.

The demonstrators appear peaceful, even good-natured. They stand and joke with an equally good-natured State Trooper as the Town Crier in powdered wig, lantern hoisted, makes his solitary rounds.

If unexpected trouble erupts, there is a sufficient-sized modern militia to quickly put it down. And there are always the stocks at the Old Gaol.

Not all the Virginia State Police look so friendly. Most have that same hard look in their eyes as do the Secret Service, who are also scattered around, no doubt keeping in frosty surveillance the Peyton Randolph House on North England Street, Christiana Campbell's Tavern, the Wythe Gardens, and the wigmaker, clockmaker and bookbinder.

One can only surmise whether Patrick

Henry would have approved the quartering of state militia in the basement press room of the Williamsburg Lodge.

Under their watchful eyes, I am just now sitting here and going through the sack of materials a beautiful Virginia hostess issues to each reporter as he checks in at the press registration desk. The materials presumably represent what the Republican Governor's Conference thinks are the basic necessities of reportorial life in order to properly do our work here at the convention.

I know not what other reporters may have gotten, but my sack, in addition to the thoughtful gift of a small notepad and free ballpoint pen, includes the following additional helpful items:

One stick of lip balm, the same brand selected for use by the National Hockey League. For use on fingers chafed by furious typing, probably.

"Carry Me Back to Old Virginia (sic) Guidebook," apparently to provide something to read while applying the lip balm.

A small bag of peanuts. I take this to mean the press is not invited to the formal banquet tonight.

One small blue-and-white-striped box which I can't get open. Every well-staged political event must offer at least one surprise to have real news value.

A rather beautiful aluminum ashtray, wrapped in separate tissue. A thoughtful gesture meant to discourage reporters from using their pockets in front of well-bred delegates.

A pack of new tungsten razor blades. Republicans generally seem to regard the press as being somewhat disheveled and in need of sprucing up.

And one honey-flavored lollipop. Don't ask me to explain that. Possibly it was slipped surreptitiously into the sacks by one of the college students protesting outside.

The entire press kit comes in a paper bag with helpful "Boating Safety Tips" printed on the outside. So far as I know the only water around is the little reflecting pool by the golf course. But the sack will be nice to keep and have around.

I was just able to get the little blue-and-white-striped box open. It contains a small steel tape measure, good for measuring the length in inches of the reprints of speeches the governors intend to give. Or perhaps a gift arranged by my editors back in Sacramento to measure the length of my stories.

Enough of this poring over the artifacts of modern civilization. It is time to go back out into the 18th Century evening and observe the Republican governors as they arrive, the antiwar demonstrators as they chant, the TV lights as they pierce the illusions of past history and the cameras as they grind before the sleek arriving limousines.

I will watch the lamplighter with his powdered wig as he pauses to squint at the TV lights and the governors and the chanting kids and wonder if the Town Crier on his rounds is still calling, "All is well, all is well."

I followed California Gov. Ronald Reagan and about 500 other Republicans last night at sunset through a small fortress of thatched huts and across a clearing, where a demure girl in Indian dress whom I took to be a live replica of Pocahontas watched us with a professional eye, and down a slope where two live billy goats were grazing, to the banks of the James River, where a band, dressed in red uniforms with brass buttons, sat woodenly on folding chairs and played "Moon River" and then "America the Beautiful," woodenly, into the beautiful sunset, and out onto the huge long pier by which were moored replicas of two 18th Century sailing ships.

In no time at all the Republicans, ferried here by numerous chartered buses from their quaint lodgings at colonial Williamsburg a

scant five miles away, were having what they billed demurely as a "buffet and reception" for governors, aides, press, conferees, and others, halfway out over the James River. Those steady enough climbed the gangplank of the larger vessel and sipped their cocktails from near the mizzenmast, or whatever, though none of the guests made it to the crew's nest.

Republican receptions generally tend to be on the order of a Biblical spectacle produced in Hollywood. The more exotic the setting and bizarre the fantasy the better. Governors' conferences of either party tend to be little more than gala social occasions, anyway—a chance to make news, test the political waters, mend fences and have a good time. It is not clear whether Republicans just generally excel at entertaining or whether financially hard-pressed Democrats simply can't come up with something like the bus fare to take 500 persons on a five-mile round trip.

In any event, the Republicans, who must be credited with a touch of genius for coming up with the idea of having their Governor's Conference in so romantic and nostalgic a site as restored 18th Century Williamsburg in the first place, outdid themselves with the idea of throwing a bash on the banks of the historic old James River.

If there is a growing sense of unreality to the idea of Republicans meeting to discuss weighty matters for a few hours each midday a few blocks down from the Duke of Gloucester Street where the pavement is still cobblestone and the lamps at night are still lighted by hand, the procession through the little settlement of thatched huts past menacing Indians on one side and conquistadors standing at rigid attention wearing rusty knight's helmets sprouting red plumes on the other, and down the slope to where a wooden band is playing "Moon River," completed the fantasy.

Even the Vietnam War, mentioned embarrassingly the opening day by a band of student protestors from William and Mary College, has disappeared from the Governors' Conference. Virginia State Police were unhappy about the students milling about the entrance to the Williamsburg Lodge as Republican governors and other dignitaries arrived and asked them to move. The demonstrators were too polite to insist, quietly folded their placards and slipped away. They were replaced today by Young Americans for Freedom, a group of college-age youths that gives the GOP dignitaries no qualms at all.

By last night, the war was but a forgotten thought.

Virginia Gov. Linwood Holton, sipping his drink and chatting pleasantly on the crowded pier, allowed, when asked, that, no, as a matter of fact, he hadn't heard much conversation about the war by the governors and attending dignitaries at all in the two day conference, come to think of it.

Of course, the war would no longer be an issue by 1972, he observed.

Despite the political nature of the conclave, calls for party unity, summonses to gather around the President, and fighting partisan speeches by GOP National Chairman Robert Dole and House Minority Leader Gerald Ford, there hadn't been a single mention that Holton could recall of the young California GOP congressman bent on challenging the President in the Republican primary in New Hampshire next year, Rep. Paul N. McCloskey, Jr.

Ford had made a reference to McCloskey in his speech, but that was about it, Holton said.

The Republican governors have other things on their mind—welfare reform, the idolization of Gov. Reagan, back-slapping, gracious dinners at the Kings Arms Tavern and cocktail parties on the James River.

With the 1971 Republican Governors' Conference due to terminate at a formal banquet tonight, nothing substantive has been accom-

plished, save for sympathetic reassurances from the President that he understands their problems, a gratifying attack on Sen. Edmund S. Muskie, D-Me., by Dole, and frequent banquet lunches, banquet dinners, and receptions, with a lot of band music, not to mention a chance to see historic old Williamsburg.

The sun finally went down on the banks of the James and the night turned chill but the busses were there waiting to whisk us back to the Williamsburg Lodge and dining and dancing that went on past midnight.

The dance music filtering in the open door from down the hallway even fills the press room at 10 p.m., with its clicking teletypes and chattering typewriters, with the romantic air of unreality.

REVENUE SHARING IS A COUNTER-REVOLUTION

HON. JOHN BRADEMÁS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BRADEMÁS. Mr. Speaker, one of the most perceptive discussions of the entire question of revenue sharing is an article by the distinguished chief of the Washington Bureau of the New York Times, Max Frankel, in the April 25, 1971, issue of the New York Times magazine.

The article, entitled "Revenue Sharing Is a Counterrevolution," follows:

REVENUE SHARING IS A COUNTERREVOLUTION
(By Max Frankel)

Publius, *The Federalist*, No. 36, 1788: "Happy it is when the interest which the Government has in the preservation of its own power coincides with a proper distribution of the public burdens and tends to guard the least wealthy part of the community from oppression!"

Poor Publius, operating under the name of Alexander Hamilton, had only \$4.2-million of the public burden to distribute in his first three years as Secretary of the Treasury. Most of it came from customs collections, and after he paid interest on the public debt and the costs of the Army and its veterans there wasn't very much left for guarding the least wealthy part of the community from anything. But Publius was richly endowed with an idea, a Federal idea whose meaning and power seem to have escaped the notice of his successors as they plot a "New American Revolution."

The Revolution, if you haven't heard, is to be President Nixon's bloodless execution of the Federal monster by a technique called Revenue Sharing. Its promise is "cash and freedom" for the states and cities. Its slogan is "power to people." Its goal, a "new Federalism."

The governors, mayors and people need more money, right? Too much of their money now gets shipped off to Washington, right? Too many Congressmen and bureaucrats try to tell them how to run their affairs, right? Well, step right up and let us help yourselves: one pot for "general" revenue sharing—let's say \$25 a head to start, half to the states, half to the cities, no strings attached, no serious questions asked; a second pot for "special" revenue sharing, using moneys hitherto earmarked for definite projects—about \$50 a head, to be spent almost as freely, though with a little more guidance and accounting. Right? Right on!

Like all revolutionary doctrine, this is heady stuff. A good many governors and mayors are rushing headlong for this dole,

duly reciting the selfless doctrines of the revolution—that revenue sharing will not only rescue local government from financial collapse but also bring decision-making “closer to the people,” eliminate waste and tyranny along the Potomac and generally breathe new life into our democracy.

The new trouble is that like all simplistic formulas, revenue sharing ignores a good many political facts of life. It dangles cash before some hard-pressed communities without really defining the object of such a costly “reform.” Indeed, it proposes to commit an open-ended portion of our jointly owned treasure without achieving any significant reform. And it gives virtually no thought to the desired purposes of our Federal system, old or new. Publius, where are you?

The fact is we need not a new Federalism but some clear thought about our neglect of the old. For the very purpose of our hierarchy of Federal, state and local governments was to have been a careful pooling (sharing!) of their revenues to provide for the common defense and to promote the general welfare. Many states and cities are in trouble now for the simple reason that we have failed to use the Federal power to insure either the fair raising of revenues or the rational sharing of costs. It is no answer to give away the money and the power that could correct these failures. The revenue-sharing revolution is, in essence, an abdication.

The President, Congress and their bureaucracies were never meant to be merely tax collectors. They were meant to govern, to attain a wider reach and a broader view of the national interest than any local regime, and indeed they have until now progressively done so. They were meant to preside over a system of multiple tax collection and spending that allows money to pass up the ladder of governments for services best managed by a higher authority and to be redistributed down the chain for services best administered at the state, city, county, village or school-district level.

The central flaw in the President's revenue-sharing scheme is that it would ignore this system in the name of reforming it. It would begin to turn the Federal Government into little more than a tax collector and dispenser. It would leave the states and cities saddled with costs—welfare, for instance—that ought to be shared by the population as a whole. It would leave them free to tax their citizens in wildly unequal patterns. It would give them portions of the common national treasure with only negligible concern for their capacity to spend it effectively. A program that does not address the ways in which governments raise their revenues hardly deserves the name revenue sharing. A program that does not relieve local governments of obligations they neither created nor sought should not be palmed off as burden sharing. The Nixon program is revolutionary only in the sense that it is antigovernment, hostile to the very idea that the Federal moneys and powers should be used to achieve desirable and necessary ends.

The most clearly stated purpose of the President's plan is to relieve the money shortage of state and local governments. But it is bound to fail because it has not faced the basic questions: Who needs more money? Why? How could it best be provided to achieve the Federalist goal of truly sharing revenues and obligations?

Some states and localities need money because they have been forced to assume burdens that are excessive. Still others need money because, though they have tried hard to meet their obligations, they remain poor. And some, being rich, energetic and lucky, don't need any relief. Mr. Nixon would just kick back money to all of them.

The President favors such a wholesale distribution because he believes it would simul-

taneously unravel a good deal of Federal red tape, enhance the power of local governments to choose their own priorities and revive the authority (and presumably the accountability) of state and local office holders. These are worthy objectives but dubious assumptions. The nearer our elections get to the local level, the less adequate the public discussion and the smaller the participation. In any case, the President's objectives are not likely to be realized by a program that fails to deal with the structure of local administrations, with their unequal tax systems and their uneven burdens.

SHARING THE WORK

The President's judgment that the Federal edifice is buckling under the weight of a top-heavy steeple tends to ignore the fact that the rest of the American structure of government is in no condition to support anything. At the middle levels are the state and county administrations, mostly weak, outmoded or corrupt, even when they are not broke. At the lowest level, the foundation of local government can be described only as jerrybuilt.

The problem goes far beyond local officials who stash public funds in unmarked shoe boxes, as in Illinois, or squander them on luxury suites for the poor, as in New York. Money alone has never fostered honesty or intelligence, and there is no reason to believe that the infusion of Federal money will increase the supply of either. The Federal dollar is money, not manna.

And even a shortage of money has not induced the states and localities to streamline their administrations. It is the illogical and complex structure of local governments, not their poverty, that has placed them beyond the reach and comprehension of the citizenry.

There are more than 80,000 units of local government in the United States—21,000 of them juggling the affairs of the major metropolitan areas that house 70 per cent of the population. That works out to an average of 91 governments for the typical metropolitan area, or 48 for each metropolitan county, including—besides the county government itself—12 school districts, 12 municipalities, 7 townships and 16 special districts that run the water supply, treat the sewage or provide some other service.

Only about 20 of the nation's 247 metropolitan areas are managed by fewer than 10 local governments. The Chicago area embraces 1,113, Philadelphia and environs 871, metropolitan New York 551. The average metropolitan citizen is the subject of at least four levels of local government. The average metropolitan county provides work for 350 elected officials.

Counties and school districts in this tangle exercise powers delegated to them by the states and therefore dovetail across the map in jigsaw pattern. All the other units of local government have sprung up in random and overlapping profusion, for purposes of exclusion (we'll fend for ourselves, Jack, and let the rest of the region go hang) or evasion (if state law says no more borrowing by county or city, we'll just make us up a new government, Guv).

Whatever is not hopelessly hobbled by quadruplication in this structure is ludicrously hampered by miniaturization. Two-thirds of our municipalities and townships have populations of less than 5,000. Among 5,000 metropolitan school districts, about one-fourth educate fewer than 300 pupils and about one-third operate no more than a single school. All but 200 of 5,000 metropolitan municipalities govern less than 25 square miles, the majority of them less than two square miles.

To exercise “control” over these local governments, the citizen must pick his way through laundry-list ballots of nonentities. And controlled or not, local office holders can rarely find enough money or authority in their slender jurisdictions to fill even the

most elementary needs of the citizens. Most of the thousands of local governments can neither attract nor afford the expertise and administrative skills that they so plainly lack.

Whoever presumes to talk of invigorating these local governments and their state counterparts is talking about many governors condemned to serve only one brief term, often alongside independently chosen, unresponsive, perhaps even disloyal, cabinet officials. He is talking about state legislatures, a number of which may still meet only in alternate years and most of which are ill-paid, ill-staffed and ill-housed. He is talking about multiple systems of state justice in which judges are often subject to partisan election without regard for their professional qualification. He is talking about mayors, managers, executives, councils, school boards, directors, commissioners, assessors and the Lord knows who else with wholly uncoordinated mandate, all scrambling for taxes and loans and subsidies and carving out their own areas of sovereignty and authority.

Custom, confusion, regulation and debt seem to have petrified this overgrown forest. The states themselves have been passive about reorganization. The public has been apathetic, turning out no more than 25 per cent of the electorate for the few occasions when local reform has come to a vote. President Nixon grandly asserts his “trust” in the people and local office holders to reorder their affairs once they are given a little more money. Revenue sharing is being pushed on them with all the promise of the quick fix.

It is much more likely that the hasty injection of miscellaneous moneys into the structure will only reinforce its worst habits. And the very worst are the tendency to keep enlarging the tax burden of those least able to pay while sparing those who could afford to pay more and the toleration of scattered administrations that neatly wall off the people with the most money from the people with the greatest problems.

There is much to be said for the claim of governors and mayors that they usually know better than horse-trading members of Congress or rule-writing bureaucrats where their communities can most profitably invest new revenues. But that does not relieve the Federal Government of its obligation to direct the spending of its funds so that national priorities, too, will be served. In devising the great G.I. Bill program after World War II, the Federal Government did not force every returning veteran into college or tell those who went what they should study. But it did assert the national will. It spent billions to encourage the training and education of the postwar generation and to keep it from overwhelming the job market during the postwar demobilization. It required the veterans to account for their expenditures and it set standards for the schools that wished to compete for their tuition.

So, too, the help that is given states and cities from the common treasury can be used to promote the national purpose. Instead of being distributed at random, as Mr. Nixon proposes, the Federal dollar could be used to induce structural reform at all levels of government, above all, reforms that would produce a genuine and democratic sharing of revenues and burdens.

SHARING THE REVENUE

There is little doubt that state and local governments, in the aggregate, need more money. Their expenses have increased more than twelvefold since World War II—to an estimated \$132-billion—more than three times as fast as spending by the Federal Government or individual citizens. By 1975, presuming roughly the present range of obligations, the state and community budgets will total about \$200-billion, and between \$6-billion and \$10-billion of that amount will be lacking.

But none of this tells us anything about who actually needs money, or how much. And only by the crudest possible standards of accounting do these figures alone justify a massive Federal dole. To define the "needs" of state and local governments we ought to have some idea of how much and how fairly they tax their own citizens. We ought also to have some common standards to suggest which level of government should properly pay for different kinds of services.

Over the last 10 years, without waiting for such a rational division of labor, the Federal Government has increased its aid to local governments from \$7-billion to about \$30-billion a year. Though these expanded programs failed to meet many of the high goals set for them, they were born of the proper impulse to spend Federal funds for the benefit of the poorest portions of the population. The main purpose was to produce, in effect, a redistribution of the national treasure by taxing those best able to pay to support programs that would benefit those in greatest need. Title I of the Elementary and Secondary Education Act, for instance, tried to pump out about \$1-billion for additional, compensatory schooling for the children of the poor; in fact, most of that money has been used merely to equalize the schooling of the poor at standards that the states were supposed to have been meeting in the first place.

There have been other Federal failures, which Mr. Nixon and his aides have been most eager to advertise. Many of the regulations written into Federal programs have turned out to be unsettling and restrictive—for example, the ones requiring states and cities to divert money from their own favored projects to "match" Federal expenditures on Federal priorities. Many Federal programs have been drawn so narrowly that they strangle decision-making at lower levels; others have been so complex that only administrative geniuses can learn to qualify for their benefits.

It is a long leap backward, however, from the idea that regulations and restrictions on Federal spending need to be changed to the proposition that national purpose must be abandoned in the very design of the programs. Surely the *minimal* concern of a Federal program to give the states and cities more money should be the adequacy and fairness with which those states and cities levy taxes. President Nixon shuffled the deck awfully fast when he came to this point in his pitch for revenue sharing. Nothing better demonstrates his eager flight from Federal purpose and his lack of interest in genuine reform or, if you will, revolution.

In his political haste and anti-Federal fervor, Mr. Nixon argued that the Federal Government had "pre-empted and monopolized" the personal income tax as a source of revenue, leaving the states and cities to depend upon inferior and unfair taxes on property and sales. He noted, rightly enough, that the Federal income tax was a far more equitable way of raising revenue and that some of the local levies were becoming an almost intolerable burden on many citizens, notably those least able to pay. But these were crocodile tears, shed for a system that the President treated as a state of nature, as if it were beyond the capacity of men and governments to change. Far from advocating local tax reform or making Federal aid contingent upon constructive change, he offered revenue sharing to the perpetrators of inequity. Instead of changing the deplored system, he proposed to underwrite it indefinitely.

Some of the most flagrant inequities in our national tax system result not from the Federal "surplus" and local "shortages" that allegedly trouble Mr. Nixon. They result from the disparities of wealth and need among the states, cities and communities, often within just a few miles of each other.

Throughout the country, groups of citizens have fled the central cities with their wealth, walled themselves off behind "local" governments and ordinances and left the inner cities and neighboring counties to cope with their growing problems and diminishing sources of revenue. Some of the local governments we hold so dear for being "close" to the people are in fact little more than fiscal sanctuaries erected to prevent genuine revenue sharing. For reasons of state and liberty, we may not be able to reorder things by telling people where they should live and work. But we can certainly push their money around to spread the burdens and the wealth.

Even more disturbing is the evidence that many states and communities simply refuse to raise the revenues they so manifestly need for the services they crave and that the majority of local governments persist in rigging the taxes they collect so that they fall cruelly upon those least able to pay.

For all its imperfections, the Federal income tax stands as the most progressive levy yet devised to spread the burdens of government. It draws relatively more from the most fortunate and little or nothing from the unfortunate. No Federal edict prevents any state or locality from adopting an identical or similar tax system. They could even save themselves the collection costs and ride piggyback on the Federal tax structure by laying claim to any add-on percentage they wish, as they have been invited to do by the members of Congress most influential in these matters.

Some taxes on property and sales are obviously desirable at the lower levels to pay for facilities of direct benefit to local businessmen and residents. But as a principal source of general revenue for states and localities, which these taxes have become, they are viciously unfair. They produce such practical and theoretical absurdities as the requirement that a region's public education system be roughly commensurate with the market value of its real estate.

It is such unfair local taxes that have been rising the fastest and feeding the frustrations of taxpayers. The property tax has been a special favorite, largely, it is thought, because it can be adjusted and manipulated by administrative fiat, usually without legislative action.

Ten states, including New Jersey, Connecticut and Texas, have thus far refused to impose any income tax on their residents. Pennsylvania and Ohio are just getting around to thinking about one. Three other states tax only dividend income. Four large states, including Illinois and Michigan, tax only at a flat rate, to the obvious advantage of the wealthy. Of the remaining 34 states with nominally "progressive" income taxes, only 17 bother to vary the rates on earnings beyond \$10,000, and most of the other progressive scales don't go beyond \$5,000. One consequence of this pattern of taxation is that citizens earning \$15,000 or more, who pay 33 per cent of all taxes collected by the Federal Government, pay only 8 per cent of those collected by state and local governments.

The inequalities are horizontal as well as vertical. There is no precise way to compare the taxes paid in different parts of the country or the quality of services they buy. But there exist some estimates of the state and local tax burden borne by an average family of four with a gross income of \$10,000 in the largest city of each state. That burden ranges from \$1,121 in Baltimore to \$387 in Charleston, W. Va. It is \$816 in New York City; \$610 in Hartford; \$507 in Cleveland; \$414 in Houston, and \$398 in Seattle.

Many local governments simply do not tax as much as they should, and the vast majority of them burden the poor and middle classes while they spare the rich. Although most of them need more money, the extent of their real "need" and the character of

that need cannot be judged from their budget deficits. Some poor states need a lot more help. Some rich ones need relatively little. Poor communities and cities in wealthy regions probably need the most help, but the quirks of political boundaries and aggregate statistical tables hide the evidence.

To bail out and subsidize such a tax system, as the President proposes, would not only reinforce the unfairness of it all. It would also pass up what may be a rare opportunity to use the power of the Federal dollar to coerce—or, if the ideologues prefer, to induce—real reform. For there exist dozens of formulas by which Federal aid could be used to promote local tax reform so that the burdens would fall more equally on all citizens.

SHARING THE BURDEN

Even a fair revenue system, however, would work unfairly unless we also arrange a logical and equitable distribution of governmental burdens.

Obviously, sending out checks to a million welfare recipients in New York City is a burden for City Hall. It is, in fact, a burden twice over, for those million people must also be provided with public services to which they contribute next to nothing in taxes. But why should this be the exclusive burden of other New Yorkers? We wouldn't dream of asking Alaska to bear a heavier share of the national defense budget because it happens to border on the Soviet Union. We don't expect St. Petersburg, Fla., to pay a larger share of Social Security taxes just because the elderly like to settle there. We don't ask Kansans to assume a bigger responsibility for subsidizing agriculture because the farmers are their neighbors. Yet we let Mississippi or Louisiana or Puerto Rico or Appalachia export its poorest citizens to New York or Chicago or Detroit and, if they cannot earn their keep, throw much of the responsibility for their support on the states and cities in which the poor happen to congregate.

Underwriting that kind of isolationism may strike some as a "new Federalism," but it is not the kind Founder Publius had in mind or the kind any thoughtful person would wish to perpetuate. Yet that is precisely what President Nixon's revenue sharing envisions—alleviating the burden a little, but doing nothing whatever to shift its horrendous weight from the localities to the entire country, where it belongs. Welfare costs represent a redistribution of income, and that can be accomplished fairly only through the national treasury. Indeed, the assumption of welfare costs by the Federal Government should be accompanied by a subsidy to the communities in which the recipients reside to compensate for the services they require.

Pegging the burdens of social service to the appropriate level of government is what genuine Federalism is all about. And only when we get a system that fairly distributes the costs among states and localities can we determine which of them truly need special help from the rest of us.

All this involves much more than administrative tidiness. Of the \$9-billion spent on relief programs for 14 million people unable to support themselves, more than \$6-billion comes out of the Federal budget. But the confusions of purpose and administration at all levels of government impose severe hardships on the recipients as well as the taxpayers.

As Gilbert Y. Steiner demonstrates in a brilliant new study of relief programs, the "lucky" poor family can have its welfare income doubled through food stamps and public housing while a comparable but "unlucky" family must put its name on waiting lists for both of the added benefits. The reason is that some states and communities participate in food-stamp and public-housing programs while others don't. There are the Mississippis of the nation, already taxing themselves fairly hard, which cannot afford the payments of New York or California, and

there are the Delawares, which simply won't.

At the moment, the Federal Government pays out almost as much in relief to the families of poor veterans (not in any way disabled in war) as it does to families with dependent children. But the dependent children program is tied into so many state and local variations that the payments change from place to place. The relief to veterans is fair across the board and fairly shared by all the nation's taxpayers, and it has become the very model of tidy administration. Notwithstanding Mr. Nixon's dragon portrait of the Federal bureaucracy, the program for aid to former soldiers and their families provides uniform Federal standards and payments and simple access to the system by potential beneficiaries and by nongovernmental groups, such as the American Legion, that lobby on their behalf. The benefiting veterans are, in fact, a privileged group among the unequal poor, and it has been argued that their program ought to be merged with all other relief measures. But such reform, like others, could be achieved only if all major relief projects were placed under Federal control. Revenue sharing, as conceived by the President, would simply give away the money with which this could be accomplished.

The President's other big proposal, for "welfare reform," would offer some valuable new assistance to the working poor and it would give some financial relief to some states—without, however, assuring that the benefits would be passed on to the needy. And it would do very little for most of the seven million recipients of aid to families with dependent children.

It is simply absurd to regard relief as a local responsibility. Just as veterans are helped from a sense of national obligation, so should the poor, and especially the poor descendants of slaves, be treated out of a sense of national duty. If they are deemed worthy of help they should not have to shop around for the counties and cities that offer more than others. And if they are deemed to be a common obligation, their support should not depend on local or state budgets.

Nor is welfare the only item on the agenda of intelligent Federalism. State laws requiring children to attend school and setting minimum standards for schools—even while the schools are administered "locally"—were among the earliest expressions of the doctrine that higher levels of government must protect the common interest in lower-level administration. Now the time has come for an even broader Federal standard and subsidy of education.

We have become a highly mobile country. A hundred communities may benefit from the schooling provided by one, and a hundred may suffer for the educational neglect of another. Yet many state governments have failed to assure at least minimum patterns of equal spending on education in their jurisdictions. And the Federal Government, now bearing only 7 per cent of the cost of public education, has not even begun the search for common minimal standards.

It seems that we have been federalizing the interstate highway system for nearly two decades with very little thought about the caliber of person we wish thus to turn loose in the land.

The financial crisis afflicting state and local governments has been laid to many causes, including the wage clamors of newly militant unions of public employes, the soaring costs of construction, the slowdown in aid from the states to cities and the slumping economy that simultaneously reduced tax collections and raised welfare costs. By far the greatest surge in local expenditures over the last decade is traceable to the soaring costs of education and assistance to the poor. Genuine reform, therefore, promises not only fairness and neatness but the very financial relief that Mr. Nixon says he seeks.

The Federal Government cannot and should not prescribe the *maximum* service that local citizens may wish to support. If some villagers want more traffic lights, they can organize to get them and pay the cost. Many local requirements are peculiar or particular and of little importance to higher levels of government. But we can and should work toward *minimum* standards of life throughout the nation.

The Federal Government has a right and duty to establish minimum standards of relief, education and health, as it does in setting minimum benefits under Social Security. It has the right and duty to use its power and money to adjust for the spread of problems from one region to another, as it does in attacking air and water pollution. It has a right and duty to equalize the burdens on its citizens, as it does by taking relatively more tax money from wealthy communities and individuals and giving relatively more to poorer ones. It has a right and duty to induce and coerce the states to work toward the sharing of revenues and burdens within their jurisdictions, as well as without.

It would be refreshing if such ardent advocates of the needs and rights of the states as Mr. Nixon would occasionally speak to the obligations of the states and localities. For the failures of the Federal Government become quickly apparent to everyone, but the failures of local administration are never really rectified or even noticed until they become an oppressive burden on the country at large.

The President's "New American Revolution" would not only fail to remedy these shortcomings. It does not even recognize them. If we followed his advice, what is deceptively called revenue sharing would become a constant flow of money out of the Federal treasury that would not buy anything for the national interest. The new revolution is in fact a counter-revolution. Publius, where are you?

THE NIXON PLAN

President Nixon's plan for "revenue sharing" is relatively simple, and therein lies its principal political appeal.

He would take 1.3 per cent of the taxable personal income that is annually reported to the Federal Government—\$5-billion in the first full year of the program—and distribute it, virtually without condition, among the states and localities. He calls this "general" revenue sharing.

Each state's annual share would be based on its population, with a small adjustment in favor of those who exact a higher rate of tax from their citizens. The states would have to submit to an occasional Federal audit and they would be subject to court action if Washington could—and would—prove that the money had been spent in discriminatory ways. If a state and its localities failed to agree on a formula for dividing their grant, they would lose 10 per cent of it and have to split the remainder as directed by Washington, roughly half to the state, half to its local units.

Assuming a pie of \$5-billion, the Treasury estimates that New York's slice would be \$534-million; California's \$590-million; New Jersey's, \$154-million; Mississippi's, \$61.5-million; Connecticut's, \$59-million. Governor Rockefeller (who supports the plan but would double the amounts) estimates that New York State would probably keep 49 per cent of its money and give 51 per cent to local governments, including \$189-million to New York City, \$4.8-million to Buffalo and \$192,000 to Scarsdale.

This type of revenue sharing has an interesting history. It was first urged upon the Government in 1964 by President Kennedy's economic adviser, Walter W. Heller, and Joseph A. Pechman, director of economic studies at the Brookings Institution. They were attracted to it in those blissful years before the big Vietnam push because they doubted that the Great Society could spend Federal

money faster than it was being generated by a booming economy.

Heller feared above all that Congress—as typified by the formidable chairman of the House Committee on Ways and Means, Wilbur Mills—would yield in future years to the temptation of frequent tax cuts, thus turning the funds raised by the fairest available revenue system back to the consumer and leaving local public needs poorly attended.

Pechman was especially eager to help some of the poorest states, many of which collect fairly steep taxes but still cannot afford relatively decent levels of social spending. Both economists first favored direct payments to the states but later accepted a requirement that the states "pass through" a part of the Federal money to cities and other localities.

Though the once feared "excess" in Federal revenues has long since evaporated and though the President and Congress have combined to cut individual and corporate income taxes by an eventual total of more than \$11-billion, Mr. Nixon adopted the Heller-Pechman plan virtually intact. He included the "pass-through" amendment to help gain local support, even though no state can really be prevented from retrieving on other programs the sums it would be compelled to pass on to localities under revenue sharing.

The second major part of the Nixon proposal—"special revenue sharing"—would assign to a fund for relatively unrestricted spending more than one-third of the Federal money now given—with abundant conditions—to states and cities for specific purposes. This money could be spent in six broad categories: education, urban development, rural development, transportation, law enforcement and manpower training. Mr. Nixon would order a total of \$11-billion at the start—only \$1-billion in new aid—though he clearly hopes to use the entire \$30-billion in existing Federal aid programs for such distributions in the future.

The purpose is to "liberate" the recipients from Federal regulation and priority and to abandon altogether the requirement that Federal grants be earned with locally raised "matching" funds. The President has not settled upon all the distribution formulas, but it appears that population will again be deemed a major factor. And even before the proposal reached Congress, Mr. Nixon's own men found many new reasons for reestablishing Federal safeguards, or strings, for these rhetorically untied funds.

PRESIDENT NIXON MOVES TO PROTECT THE CONSUMER

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. COLLIER. Mr. Speaker, on October 26, 1970, President Nixon took a most important step forward in the interests of the American consumer. By Executive order, the President established a Consumer Product Information Coordinating Center within the General Services Administration that promises more benefit to the consumer than almost any other program.

The President explained:

It is time for the government to share with the American consumer much of the information it gathers about the products the government buys.

As Robert L. Kunzig, Administrator of the General Services Administration, stated:

The Center—is responsible for encouraging the development of relevant and meaningful consumer product information as a

byproduct of Government's research, development and procurement activities. It is also charged with promoting greater public awareness of existing Federal publications.

Similarly, Mrs. Virginia Knauer, Special Assistant to the President for Consumer Affairs, said recently, in testimony concerning product testing, before the Senate Consumer Subcommittee of the Commerce Committee:

We are of the view—that to provide the individual consumer with accurate information by which he himself can make an intelligent choice among products and services is to serve the ultimate goal of consumer protection in a free enterprise system—self protection through adequate and meaningful information.

This is, of course, the conceptual goal of this new Consumer Product Information Coordination Center.

Mr. Speaker, President Nixon has been criticized by certain groups and individuals in the past for an alleged lack of concern in consumer affairs.

Such a charge is clearly unfounded. The establishment of a Government program for dissemination of a valuable consumer type of information by the President should be heralded as an important "first" in the area of Federal consumer protection.

This project is a practical, useful program that is designed to reach all consumers throughout the United States.

Moreover, this program will not only provide consumers with information to aid them in making intelligent choices, but it will be a powerful means of preventing fraud and deception. Armed with knowledge of standards by which to judge products, consumers can refuse to purchase poorly made, inferior merchandise or be duped by fraudulent schemes. Thus those few shady operators who are a menace to consumers and to honest businessmen alike will be forced to mend their ways.

As part of this consumer product information program, the GSA, through its Consumer Product Information Distribution Center, released on April 21, 1971, an index of Consumer Product Information.

General Services Administrator Robert L. Kunzig said that the publishing of the index of 211 selected low-cost publications by 11 Federal agencies "is one of the first steps in President Nixon's new programs to share more product information with consumers. Never before have existing consumer product publication produced by various Federal agencies been listed in one convenient index."

Free copies of the index may be obtained at the 25 Federal information centers across the country or by writing to the Consumer Product Information Distribution Center, Washington, D.C., 20407.

This index was developed by the Consumer Product Information Coordinating Center with the cooperation of the Office of Consumer Affairs. Commenting of the index, Mrs. Knauer said:

We have discovered an enormous amount of information which could be useful to consumers. However, we must establish priorities. So today I am appealing to all consumers to write to me at the White House and identify the products in which they

are most interested and the product characteristics most important to the buyer.

I cannot stress too strongly the need for this information. Only with the consumers' participation and direction can we generate a program that will be of great benefit to all consumers.

Included in the index are titles of 25 publications which are already stocked at all Federal information centers. All 211 publications may be obtained by filling out and mailing the order blank in the back of the index. As new relevant publications are issued, they will be included in subsequent editions of the index.

One finds a broad range of subjects of timely interest and usefulness to the average consumer listed in this booklet. Among these are publications on budget shopping including food, buying and financing houses, home repairs and improvements, and health.

Two other additional announcements were made by Administrator Kunzig on April 21 of this year.

First, a new consumer-oriented policy is being instituted by the GSA, the Government's chief purchasing arm, which buys according to specifications and not brand names. Successful bidders on approximately 4,000 consumer items will be requested to submit the brand name if the same product is available commercially to the consumer.

It is anticipated that the first of this kind of information will be released to the American consumer by October 1, 1971.

Second, the inauguration of a new consumer product information publication series was also announced. These publications will aid the consumer in the purchase and maintenance of various consumer product items. A minimum of eight publications covering such topics as carpets and rugs, vacuum cleaners, and paint, will be released by the end of the year.

The General Services Administration is ideally equipped to publicize product information to consumers. It operates the Federal information centers as part of the President's consumer program.

I hope that these centers will be of great use to the American consuming public.

I wish to commend President Nixon in his leadership in the formulation of this consumer information program. Undoubtedly this is a portend of more far-reaching Federal consumer activities to come.

NEW YORK STATE CUTBACKS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mrs. ABZUG. Mr. Speaker, with the passage of the new budget in Albany, New York City has again found itself in a dire straits primarily because of State cutbacks, rising cost, and tax management on the city's part.

Governor Rockefeller and the Republican State legislators have put through

a budget directed at special interest lobbies at the expense of the interests of the poor and middle classes. This program would prove disastrous to the city since it can potentially compel the mayor to abolish some 90,000 city jobs, many in vital services. Although the State is at fault for cuts in the budget, it is the responsibility of the mayor to place a substantial amount of pressure on Albany to restore the lost funds.

Because New York City is not alone in these problems, and for the benefit of my colleagues, I am inserting the following letter and statement:

APRIL 20, 1971.

MAYOR JOHN V. LINDSAY,
City Hall,
New York, N.Y.

DEAR JOHN: In behalf of the residents of the 19th Congressional District, I protest your dismissal of 2,800 city employees, the accompanying reduction in city services, and your proposed "option" to fire 90,000 employees as of July 1st.

Suicide is not a serious option, and what you are presenting as an imminent threat amounts to that in terms of maintaining the life of the city.

I can appreciate your desire to dramatize the financial plight of our city. However, it is cruel and unfair to heap new burdens upon the people of New York—who have already been severely penalized by the state legislature's "soak the poor" budget—and to fire thousands of city employees, many of whom may be forced on to relief rolls in view of current widespread unemployment.

You express the hope that the people will "have a chance to marshal their forces behind us" to prevent the grim future you describe as in store for them. It would seem to me that you could better enlist the support of huge numbers of New Yorkers if you would:

1. Announce that under no circumstances will you add to unemployment or reduce any services that are vital to the health, education, safety and welfare of the people of New York.

2. Issue an emergency proclamation under which you invite all New Yorkers to go with you to Albany on a specific day or days to demand a restoration of the cuts in the state budget and to provide additional funds for our vital programs. Shut the city down, if necessary.

3. Invite the state legislators and the mayors of other beleaguered cities throughout the nation to join in leading their citizens on a march on Washington to demand that Congress vote to stop the war and to turn over necessary funds to meet the desperately neglected needs of the American people.

The cities can no longer co-exist with a war that is costing us more than \$20 billion a year.

I am aware that you favor an end to the war and have repeatedly issued statements that continuation of the Indochinese conflict is bringing our cities to their knees. I suggest, however, that the time is past for statements or threats, and that it is your responsibility as Mayor to organize and lead the people of New York in a mass campaign to save their city.

Please be assured of my full support and cooperation in such an effort.

Sincerely,

BELLA S. ABZUG,
Member of Congress.

STATEMENT BY CONGRESSWOMAN BELLA S. ABZUG ON BUDGET APPROVED BY STATE LEGISLATURE

Governor Rockefeller and a small band of Republicans and Conservatives in the State Legislature are telling the hungry to eat less.

They are telling working people to pay higher taxes.

They are telling New York City to sink deeper into crisis.

And they are telling the special interest lobbies that they have a friend indeed in Albany.

The responsibility for the disastrous "soak the poor" budget rammed through the legislature rests with Governor Rockefeller, who chose to give inordinate power over the lives of the people to an unrepresentative group of upstate reactionaries and Conservative Party members from New York City.

It was the lowest kind of partisan politics to shut out elected Democratic legislators from the budget-making process, as Rockefeller did, and it is hypocritical for him now to claim that he lost control of the situation.

What happened in Albany last week also reveals the fakery of President Nixon's revenue-sharing plan which would turn vital domestic programs over to the state legislatures for dismemberment. We see now how the needs of people are disregarded by a legislature that is dominated by special interests.

The \$7.7 billion budget enacted by the legislature means the following:

It orders a 1¢ increase in the sales tax, raising it to 4¢ statewide and 7¢ in New York City.

It declares thousands of non-welfare families ineligible for Medicaid. It wipes out vital Medicaid services such as dental care and drugs. It suspends Medicaid benefits for abortions, a particularly vicious act of discrimination against poor women.

It ordered drastic cutbacks in narcotics prevention programs and eliminates summer recreation programs for almost 700,000 young people in New York City.

It decrees a 10% cut in welfare payments, reducing daily food allotments from \$1 a day to 88 cents.

It cuts state aid to NYC by an estimated \$100 million this fiscal year and \$200 million next year at a time when the city is in desperate financial straits.

It eliminates scholarship awards to middle income students and orders cuts which may mean the end of free tuition and open admission to state universities.

The special interest lobbies—the liquor, beer and cigarette lobbies have won out in Albany. But this is a victory which the people of the 19th Congressional District and all the people of New York must repeal.

I am calling on all New Yorkers to demand that Governor Rockefeller repudiate the punitive measures against the poor and the middle class imposed by this budget.

I ask them to demand that Governor Rockefeller submit a supplemental budget and propose new tax reforms to relieve this grievous attack on the living standards of the great majority of New Yorkers who are already beleaguered by high taxes, high prices, and unemployment.

Repeal of the capital gains tax alone would provide \$200 million—more than enough to rescind the \$164 million cut in relief funds. Taxes on estates, on alcoholic beverages, on cigarettes, on higher income brackets would also provide sufficient money to restore the Medicaid and other cuts.

The Governor has to decide whether he is going to continue to work with a reactionary Republican-Conservative coalition against the people or whether he will work with Democratic legislators to enact a program that meets people's needs.

The residents of New York City must also organize to demand a complete federal takeover of all welfare costs, without undermining existing standards of payments.

And finally, I call on all New Yorkers to demand that the Congress and the Nixon Administration end the war in Indochina which is imposing an intolerable financial burden on our people.

CORAL GABLES: A MODEL PEOPLE-TO-PEOPLE PROGRAM

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. FASCELL. Mr. Speaker, the future peace of our world depends on many factors. None of these is more basic or important than the constant growth of friendship and understanding among the peoples of all lands.

The recent visit of the U.S. table tennis team to China, and the warmth with which it was greeted here at home, demonstrate not only the basic good will of the American people but also a clear recognition of the value of people-to-people contacts.

Both as a Miamian and as chairman of the Inter-American Affairs Subcommittee of the Committee on Foreign Affairs, I have long been interested in people-to-people contact, especially with Latin America. It was, therefore, with special interest that I recently read a speech delivered in Coral Gables, Fla., on March 25, 1971 by Alan A. Reich, Deputy Assistant Secretary of State for Educational and Cultural Affairs. Dr. Reich's speech entitled "Citizen Diplomacy—A Challenge to Americans," does more than explain the need for more citizen-to-citizen contact, it sets forth clearly and concisely just what an individual, a group, or a community can do to promote international good will.

It is with a special sense of pride that I note Mr. Reich's remarks which point to the efforts of Coral Gables as a sister city of Cartagena, Colombia as a model of people-to-people relations.

Mr. Speaker, I am sure Mr. Reich's remarks will be of interest to many in the Congress, and I include the full text of the speech at this point in the RECORD:

CITIZEN DIPLOMACY—A CHALLENGE TO AMERICANS

(By Deputy Assistant Secretary of State Alan A. Reich)

Thank you, Mr. Chairman, Mayor Dressel, Honorable Commissioners, People-to-People leaders, Chamber of Commerce leaders, and distinguished guests. I am grateful for the opportunity to be with you, to learn more at first hand about the renowned Coral Gables Sister City Program, and to meet the people here who are furthering our common objective of world peace. On behalf of the Department of State, including our Ambassadors throughout the world, I thank you for participating so effectively in the People-to-People movement.

I had the pleasure of first meeting today's chairman, Mr. Bob Seip, last Sunday, at a meeting of the Board of Directors of the Town Affiliation Association in Washington. Bob was one of the many dedicated individuals who traveled a great distance at his own expense to attend this important meeting. As you may know, the Town Affiliation Association is a coordinating organization which organizes and services more than 350 links of American communities with counterpart communities throughout the world. On behalf of the Department of State, I wish to commend publicly the members of the Town Affiliation Association for setting as their objective a doubling of the number of sister cities to 700 by the end of 1972. We in the State Department pledge our cooperation with them and hope there

will be many more relationships established as successful as is yours between Coral Gables and Cartagena, Colombia.

I particularly wish to congratulate the Coral Gables Chamber of Commerce and its dedicated members who over the years have been so instrumental in helping to further the people-to-people movement. It would be a significant national contribution if other Chambers of Commerce throughout the United States would make a similar, continuing commitment.

I would like to talk with you today about the importance of Citizen Diplomacy in international relations, the broad participation of the American people, and how every individual can further mutual understanding.

Although I am a newcomer to the State Department and to this exciting work of citizen diplomacy in which we are engaged together, I have been privileged to participate in it as an exchange student and always have considered the experience most rewarding; in fact, I met my wife on an exchange of the Experiment in International Living and I must say, it was a highly successful experiment! Before joining the Department I had almost no appreciation of people-to-people activities. I have gained some understanding of such impressive undertakings as the work of 100,000 volunteers throughout the United States who provide home hospitality to international visitors, academic exchanges involving close to a quarter million students and professors annually; tours abroad by artistic and sports groups, thousands of professional exchanges and hundreds of international conferences; tailored observation visits to the United States for thousands of influential international visitors annually; numerous private visits to the United States by multi-national groups; exchanges of thousands of teen-age youth and members of such organizations as the Chambers of Commerce, 4-H Clubs of America, YMCA, Rotary, Lions, Kiwanis; and many international exchanges resulting from the 350 sister-city affiliations with cities of other countries and hundreds of university-to-university affiliations.

These are but a few of the many ways in which private Americans are in direct, open communication with peoples of other countries; they all are important to all of us and to the American people in improving our international relationships, lessening the likelihood of hostility resulting from misunderstanding, and reinforcing tendencies to constructive cooperation by governments and peoples. Government decisions are based increasingly on the opinions and feelings of peoples, and false, stereotyped and simplistic views must be minimized through greater people-to-people understanding.

The revolution in communications and transportation has brought peoples into direct, open, and immediate contact, making diplomacy a public matter. International diplomacy is no longer the business solely of the foreign offices of the world. This people-to-people communication has become a dominant force in international relations. Foreign offices can no longer confine themselves to speaking with other foreign offices for peoples; they are helping and encouraging peoples to speak for themselves across national boundaries. This is an important mission of the State Department and, as you well know, the Bureau of Educational and Cultural Affairs cooperates closely with numerous private groups and individuals to foster stronger cross-cultural relations among peoples.

I quite agree with the remarks of your distinguished and esteemed Congressman, Dante B. Fascell, a world leader in the cause of citizen diplomacy, who remarked last June 2 in the Congressional Record: "Today the success or failure of foreign policy undertakings may be affected more profoundly by what particular groups of people think

and say than by the workings of traditional diplomacy."

The extent of participation by Americans in citizen diplomacy is tangible evidence of the capacity for commitment of the American people to contribute in their own ways to mutual understanding and world peace. Earlier this month in Washington, at the dedication of the new Woodrow Wilson Center for Scholars, President Nixon stated, "When we truly know one another, we can have differences without hating one another. . . . In this still imperfect world (the President added) I am convinced that realistic understanding is on the rise and mindless hatred is on the decline." Increasing this understanding is the business we are in—the business that concerns all of us—you in the private sector who are doing so much to improve the climate for diplomacy and those of us who are engaged officially in diplomatic work.

In his inaugural address, President Nixon observed that "Our greatest need now is to reach beyond Government, to enlist the legions of the concerned and committed." This is a challenge to virtually every American. The Government is limited in what it can do. People must help in this mission. We frequently are asked by people in all walks of life, "What can I do to further mutual understanding?" How do we, in our desire to further mutual understanding by enlisting "the legions of the concerned and the committed," respond to this question? We can reply by suggesting to them opportunities for contributions, and the enjoyment of participation in tremendously worthwhile services. I must confess to you at this point, that after an outstanding dinner-meeting with your People-to-People Committee members last night, I was so impressed with what you all are doing that I felt I could not provide you with any new insights, and I returned to my hotel room and rewrote these remarks. The answer to what every American can do to further mutual understanding, first is to follow the example of the people of Coral Gables. One might respond specifically:

"As an individual, you can show an international visitor your community, and invite him to your home. (This is being done in Coral Gables.)"

"As a member of a youth organization, you can have your group invite foreign students to your meetings, participate in or address your conferences. (You are doing this at Coral Gables.)"

"As a professional person, you can have your association or society invite foreign graduate students studying in your profession to participate in your conferences, deliver papers, receive your journals, visit your facilities. You can entertain foreign exchange students of your profession in your home. You can initiate an exchange with your international counterparts. (Coral Gables and Cartagena are doing this.)"

"As a member of a service club, you can have your organization initiate and sponsor an international exchange. (You are doing this here.)"

"You can urge your community to develop a sister city affiliation with a city in another country. (You are doing this.)"

"As a business man, you can invite international visitors to visit your facilities, or have your company or business association sponsor an exchange. (Coral Gables has been doing this for some time.)"

"As a teen-ager you can invite a foreign teen-ager to live in your home and attend your community school; you can have your community develop an international teenage exchange. (Coral Gables is involved in this now.)"

"As a professor or a teacher, you can have your university or school establish an exchange program. This, too, is a part of the Coral Gables people-to-people program."

I was impressed further last night with

the underlying concept of your programs—namely that of helping them to help themselves, so that long-term continued progress remains the responsibility of those being helped. It also was obvious that your sister-city work is much more than a mechanism or a structure; it embraces many warm, human relationships based on common humanitarian concerns such as sanitation, civic improvements, employment of the handicapped, providing wheelchairs, and medical projects having to do with epilepsy, and training of nurses. This kind of problem-oriented cooperation results in the best possible bonds of friendship.

Please let me thank you and your fellow citizens for improving United States relations with Colombia and Latin America, and for providing a model People-to-People Program which one would hope might be emulated throughout the United States. You have met the challenge of Citizen Diplomacy! You are providing an invaluable service to America in furthering mutual understanding on which world peace rests.

Thank you.

GREECE GRANTS AMNESTY TO COMMUNISTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. RARICK. Mr. Speaker, whenever freedom-seeking people successfully perpetuate their liberties and national culture by prohibiting Communist subversion and tyranny, they come under the attack of the international left. In 1967, the courageous and vigilant Greeks, who have experienced firsthand the tyranny of communism, subdued an imminent Communist takeover of their land. The free Greeks restored order, rounded up the Communist leaders, and jailed organizers and agitators. Immediately, the Government of Greece was maligned by a large section of the fourth estate as a fascistic military dictatorship. Much of the press overlooked telling the people that the military coup by local Greek officers foiled a Communist takeover of their country.

The present pro-Western, anti-Communist Government of Greece at great risk is attempting to restore constitutional liberties to all its citizens—the loyal ones as well as the traitorous rebels.

Such action should have made headline news, but it received little publicity, possibly because it would deny to the Reds and Greek haters an excuse to continue their propaganda assaults against these dedicated people of peace and goodwill—heirs of the originators of democratic government.

The Greeks have perpetuated free democratic institutions down through the centuries. Present-day Greeks intend to keep the flame of liberty burning bright.

I insert information releases of the Royal Greek Embassy Press and Information Service dated April 9 and April 17, 1971:

GREECE GRANTS AMNESTY TO COMMUNISTS

1. As of April 10, 1971, the detention camps of Parthenion, on the island of Leros, and of Skala, Oropos are dismantled and definitely closed.

2. As of the same date, 234 communists,

who had been exiled to various parts of the country, are released.

3. 50 hard core and dangerous communists will be transferred to various parts of the country, in accordance with decisions duly reached by the competent Commissions of Public Safety. It should be noted that these Commissions were set up by law in 1924. According to the latest amendment of this law, the Commissions are shared by the Head of each District Civil Authority and they include a (career) judge.

These 50 communists will be confined to certain towns where they will be living freely.

4. 27 former officers and politicians, who had been confined to various towns, where they were living freely, will, as of next week, have this confinement totally lifted.

Following the application of these measures, by which all detention camps are closing down and 270 communists are released, only persons duly tried and convicted by the courts for participation in subversive movements and for other acts directed against public security, 300 in all, will be serving prison terms.

FIELD OF APPLICATION OF MARTIAL LAW DRASTICALLY REDUCED IN GREECE

Following the closing down of the last prisoners' camps and the release of all detainees, announced on April 9th, the Greek Government took today further liberalization measures.

These measures drastically reduced the field of application of martial law.

Emergency legislation, commonly known as martial law, was brought into force in 1967, immediately after the revolution.

Since, by a series of consecutive measures and steps, many provisions of this law have been completely lifted, leaving only the extraordinary competence of Courts-martial and that for limited cases of serious offenses, as were those directed against the safety of the State, etc.

Most of these cases have now been withdrawn from the authority of the Courts-martial and referred to normal civil Courts.

Prime Minister G. Papadopoulos made public today a decision according to which the following offenses will no longer be referred to Courts-martial:

1. All the offenses directed against the safety of the State, including that of high treason.

2. All the offenses concerning internal security provided for by Law 509 of 1947.

3. Most of the offenses directed against public order.

4. All the breaches of the Legislation concerning the rekindling in the press of past political passions and enmities.

The competence of the Courts-martial is thus restricted to very few offenses, as is armed insurrection.

SWIFT JUSTICE NEEDED AGAINST LAWBREAKERS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BIAGGI. Mr. Speaker, the Sunday tie-up of the New Jersey Turnpike is said to be only an example of the type of civil disobedience that will strike this Capital during the next 2 weeks. It is unfortunate that some people will use the cloak of freedoms of speech and assembly to deny others their constitutional rights.

The question of whether their cause is just or whether it justifies their actions is immaterial. What should be asked is,

should one group of people be permitted to violate the rights of others. The answer must be a firm "no."

The arrest of any disrupters should be swift, and justice immediate. There should be no \$10 ball set with the people going free an hour later only to be arrested again. If necessary the preventive detention law passed by Congress should be used with vigor.

We cannot have the operations of government halted to satisfy the desires of a few who demand a change in public policy. There are ways to influence such a change, but public disorder is definitely not one of them.

As an example, one need only point to the very peaceful demonstration of the Vietnam Veterans Against the War last week. They properly made their feelings felt by meeting with Congressmen and other Government officials. It was reported in the press that Nixon was very moved by their pleas. I know I was.

Likewise, the demonstration last Saturday was peaceful. It is interesting to note that the sponsoring group of that rally went to great lengths to disassociate itself from the group sponsoring this week's disruptions.

The people promoting civil disorder are not that interested in furthering their particular view on the war. Rather they appear to be more interested in disrupting the orderly operations of government.

It would be valid to question just what their motives are. It may be possible that these people are more intent on creating a state of anarchy than in bringing about orderly change in Government policy.

I urge the Attorney General and the local police to be just and fair in their handling of the demonstrators. However, there should be no delay in arresting those who violate the laws. The freedoms of speech and assembly are American birthrights. Freedom to disrupt society is chaos.

MEXICO EXPELS THEIR COMMUNIST TROUBLEMAKERS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. RARICK. Mr. Speaker, the Government of Mexico has rightfully earned the respect and admiration of all free citizens of the Western Hemisphere for its courageous leadership in expelling Soviet spies and revolutionary agitators who were in Mexico disguised as diplomats.

We Americans should take heed. The recent U.S. shenanigans sought to be excused because they are executed in the name of peace should cause many Americans to ask where our young people are being trained in such un-American ideas and radical philosophies. Unnatural behavior just does not come natural to civilized people. Immorality, subversion against one's own people, and debased cruelty by normal human beings can only come as the result of training and abnormal education.

Over the recent years thousands of young American idealists have attended revolutionary teach-ins in the United States, as well as in the foreign countries of Cuba, North Vietnam, North Korea, Russia, and other Communist strongholds.

Most Americans will remember last summer's escapade where American youth were permitted to go to Cuba under the pretext of helping harvest Castro's sugar cane. They were then permitted reentry under our tolerant and permissive immigration policies.

What has been the effect and result of American youth attending Communist schools for revolution and guerrilla activity? One need only look to the growing list of unsolved bombings, acts of subversion, violence; and now this week the direct physical assaults by young terrorists against Congressmen, Senators, tourists, and Federal employees here in the District of Columbia. This national disgrace of seeing a small number of American youth being exploited by a foreign imperialist ideology can no longer be ignored nor tolerated. It must be brought under control and stopped.

This is why I feel that the leadership of the United States could well take notice of how our friends in Mexico stopped the Communist threat against the peace and dignity of their country and their people. They kicked the Communists out.

Several related newscippings follow: [From the Tucson (Ariz.) Daily Citizen, Mar. 19, 1971]

SOVIET DIPLOMATS OUSTED BY MEXICO—ACT MOST SERIOUS SHORT OF BREAK

MEXICO CITY.—The Mexican government is expelling five of the 25 members of the Soviet Embassy staff in retaliation for alleged Soviet support of a plot to overthrow the Mexican government.

A Communist source said the expulsion was "the most serious act short of a break in relations" between Mexico City and Moscow. He said the move took the Soviets completely by surprise.

The expulsion order was issued 72 hours after the government said it had smashed a subversive plot by Mexican guerrillas trained in Moscow and North Korea.

It also followed Mexico's recall of its ambassador from Moscow for an indeterminate period.

Foreign Minister Emilio O. Rabasa did not relate the expulsions to the alleged plot, and refused to answer all questions from newsmen on that point.

He said the presence of the five diplomats "is not acceptable to the Mexican government and, consequently, it is the desire of the Mexican government that they abandon our national territory in the shortest possible time." He did not say how soon that was.

Anti-Communists, including a diplomat who defected here last year, persistently have charged that Moscow's embassy in Mexico City is a center for Soviet subversion and espionage in Latin America.

The Soviet embassy declined comment on the expulsions. One Communist source, however, said the action was "completely unexpected." He said the Russians had expected only that Mexico would file a protest.

It was "the most serious act of reprisal Mexico could have taken, short of breaking relations," he said.

Ordered to leave were Soviet Charge D'Affaires Dmitri A. Diakonov, First Secretary Boris P. Kolomiakov, Second Secretaries Boris N. Voskoboinikov and Oleg M. Netchiporenko, and Alexander Bolchakov, whose title was not given.

About 25 Soviets are listed officially as having diplomatic status in Mexico. The two countries established relations 47 years ago.

[From the Washington Star, Mar. 19, 1971]
FIVE TOP SOVIET DIPLOMATS ARE EXPELLED FROM MEXICO

(By Jeremiah O'Leary)

The Soviet charge d'affaires to Mexico and four senior members of the embassy staff have been declared persona non grata after Mexican officials said they uncovered a plot by 19 Mexican guerrillas, who had been trained in Moscow and North Korea, to overthrow the government.

The order did not refer to the announcement earlier this week that a plot to install a Marxist-Leninist regime had been smashed, but diplomatic sources said there is no question that the two events are connected.

Foreign Minister Emilio A. Rabasa announced that the five Soviet diplomats are "no longer acceptable" to the Mexican government. They were ordered to leave "in the shortest possible time. Ambassador Igor Kolosowskia, has been reported on sick leave in Moscow for the past month.

The government's decision was regarded in some circles as the most serious act that could have been taken short of an actual break in diplomatic relations.

A Mexico City governmental source said the assumption is that the Russians, at the very least, knew that the 19 arrested students had gone to North Korea for guerrilla training. The 19 had been sent to Moscow on Soviet scholarships to attend Patrice Lumumba University and then reportedly had gone on to Pyongyang for training in terrorism and subversion.

Other diplomatic sources said it has long been believed in Western Hemisphere capitals that the Soviet Embassy in Mexico City is the center for espionage and subversive activities in the United States and the northern part of Latin America. Attaches at the embassy invariably speak English as well as Spanish and at least 12 persons on the 24-man staff are considered to be members of the KGB, Russian security and espionage agency.

President Luis Echeverria, speaking to members of the Mexican Senate, did not mention the Soviet Union specifically but he said, "Mexico is now being attacked when it has stated that it wants a respectful and peaceful reciprocal coexistence."

The five diplomats ordered to be expelled are:

Dmitri Diakonov, 53, charge d'affaires and senior officer of the embassy in the absence of the ambassador, has been working in Latin America since 1947 and is described by a defector as a high-ranking member of the Communist party. He was declared persona non grata by Argentina on April 6, 1959, on an accusation of fomenting industrial riots. While stationed in Brazil in 1963, the newspaper O Journal wrote that he was implicated in the "Sergeant's Revolt" that led to the army coup d'etat a year later.

Boris P. Kolomyakov, 43, first secretary, has had previous tours in Mexico and Argentina. He has been described by defectors as a high ranking KGB officer.

Boris N. Voskoboinikov, 35, the cultural attache, is in charge of the Mexican-Soviet Cultural Center, and is the officer in charge of handing out scholarships for Mexicans to study at Patrice Lumumba University.

He is described by defectors as being the embassy contact with Mexican students and Communist party members. He studied in Chile for six months in 1965.

Oleg Netchiporenko, 39, a second secretary, was on his second tour in Mexico, having served there in 1961-65. He returned in 1965. A defector has described him as being the embassy security chief.

Alexander Bolshakov, 36, a commercial officer in the embassy, was on his first tour of

duty in Mexico, but was identified by a defector to Mexican police as a KGB officer.

The Mexicans recalled their ambassador from Moscow Wednesday after the arrest of the Mexican Marxists.

[From the Washington Post, Mar. 19, 1971]

MEXICO EXPELS FIVE RUSSIANS

MEXICO CITY.—Mexico today ordered the expulsion of five diplomats from the Soviet embassy here including Charge d'Affaires Dmitri A. Diakonov.

The order was communicated to Diakonov by Mexican Foreign Minister Emilio Rabasa in a short meeting at the ministry. It came two days after Mexico announced the arrest of members of an anti-government guerrilla group who had attended a Soviet university.

Rabasa did not relate the Soviet diplomats' expulsion to the breaking of the guerrilla ring, though sources that Reuter identified as "reliable" said it was. Rabasa declined to answer any questions from newsmen on this point.

The other four diplomats named and ranks were given by news agencies as: Boris Kolomyakov, a first secretary; Boris Voskovoinikov, indicated in different news dispatches as a first and a second secretary; and Alexander Bolshakov, a second secretary.

On Wednesday, Mexico recalled its envoy to Moscow for consultations that were described as "a temporary diplomatic withdrawal." News stories at the time said that the Mexican ambassador to the Soviet Union would remain in Mexico "until further notice."

The Soviet ambassador to Mexico, Igor K. Kolosovsky has been in the Soviet Union for more than two weeks, recuperating from an illness according to news reports.

According to Mexican government officials, the members of the guerrilla group had been trained at a military base near Pyongyang, North Korea.

Mexican President Luis Echevarria—without referring to the Soviet Union—told a meeting of senators that Mexico was "being attacked now when it has stated that it wants a respectful and peaceful reciprocal coexistence . . ."

A government official said that it was assumed that the Soviet Union knew of the Mexicans' trip to Pyongyang from Moscow because the Mexicans used North Korean passports.

The guerrillas—one source said there were 20 rather than 19—were charged with murder, conspiracy, incitement to rebellion, theft, illegal use of weapons and forgery.

The arrested guerrillas said Tuesday, at a news conference, that they were members of the Revolutionary Action Movement. Other members of the group said that guerrillas active in western Mexico had planned to kidnap a diplomat or government official to gain the release of their arrested fellow members.

The Soviet embassy has a total of 25 diplomats listed as members of its staff. The Mexican embassy in Moscow is much smaller—three or four members, according to reports.

[From the Arizona Republic, Mar. 20, 1971]

MEXICO'S FEARS OF PLOT SET OFF DIPLOMATIC HEAT AGAINST SOVIET

MEXICO CITY.—The diplomatic heat Mexico is putting on the Soviet Union stems from Mexican fears that Communist trained terrorist guerrillas sought to install a Marxist regime in this country, official sources said yesterday.

The attorney general announced Monday the arrest of 20 members of a terrorist group called the Revolutionary Action Movement. He accused them of plotting to overthrow the government. On Wednesday, the Mexican ambassador to Moscow, Carlos Zapata Vela, was recalled. On Thursday, five of the 25 members of the Soviet Embassy staff in Mexico City were expelled.

The Soviet Embassy, surprised by the expulsion order, denied yesterday that any of its staff had engaged in subversive activities.

The embassy said . . . "We do not understand, or know, nor can we explain the action of the Mexican government in declaring officials of this embassy personas non grata.

"We respect completely and exactly the fundamental principles of Mexican foreign policy. The mutual respect between nations, the strict observation of the principles of nonintervention of one country in the affairs of another are shared and supported by us.

"All the officials of the embassy, each one in his position, respect these principles."

The government of President Luis Echeverria Alvarez is reported to have felt it had to move promptly and publicly as a means of sounding a warning against foreign meddling in Mexican affairs.

This is the story as told by diplomats and officials:

Documents captured during the arrest of the 20 last week leave Mexican officials sure of Soviet complicity, though the terrorists got their training in a guerrilla camp outside Pyongyang, capital of Communist North Korea.

The Mexicans have reliable information that one of the five expelled persons helped to finance the bloody pre-Olympic Games student uprising in 1968 and contributed funds for antigovernment disturbances last year. He is Boris Voskovoinikov, the embassy's cultural attache and its contact with the Institute for Mexican-U.S.S.R. Cultural Exchange.

This institute recruited leftist students for scholarships to Patrice Lumumba University in Moscow. Some of these students founded the Revolutionary Action Movement in Moscow in 1966 and made contact with the North Koreans in Moscow for guerrilla training.

Fabricio Gomez Sousa, one of the Mexicans arrested, is said to have traveled from Moscow to North Korea to make arrangements and to have returned with \$10,000 for travel expenses.

[From the Washington Post, Mar. 22, 1971]

FOUR OUSTED SOVIETS FLY OUT OF MEXICO

MEXICO CITY.—Four or five Soviet diplomats ordered out of Mexico left this afternoon aboard a commercial jetliner bound for Brussels.

One hid his face behind a bouquet of carnations as photographers approached and another swung his fist at a newsmen but missed.

They were expelled because of Moscow's alleged involvement in a Marxist guerrilla group that seeks to overthrow the Mexican government.

The diplomat who did not make the flight was the charge d'affaires, Dimitri Diakonov, who headed the 25-member embassy staff while Ambassador Igor K. Kolosovsky was in Moscow recuperating from an illness.

Kolosovsky returned to Mexico City unexpectedly last night. It was believed Diakonov remained behind to brief the ambassador, who reportedly will meet Monday with President Luis Echevarria.

The four diplomats who left today were accompanied by nine members of their families as they boarded a Sabena Belgian World Airlines jet.

Mexico recalled its ambassador to Moscow for "consultations" last Wednesday. The next day it ordered the five Russians to leave "as quickly as possible."

[From the Christian Science Monitor, Apr. 7, 1971]

MEXICAN-SOVIET STRAINS

For years, Mexico has maintained relatively cordial relations with the Soviet Union. All throughout the years of the cold war, when Soviet activities in most of Latin America were on a very limited basis, Russian diplomats moved easily in and out of Mexico City where the Soviet Union maintained a

large embassy. There were, however, numerous accusations during this period that the embassy was a staging ground for clandestine Soviet activities in the rest of Latin America.

Now, just at the time when Soviet diplomacy is gaining respectability in the rest of Latin America, the Mexicans seem to be cooling. In quick succession, the Mexicans expelled five top-level Soviet diplomats and recalled their ambassador to Moscow over alleged Soviet complicity in the training of 50 young Mexicans in guerrilla tactics in North Korea. The young Mexicans, for the most part exchange students in Moscow, spent considerable time in North Korea and on their return to Mexico last month were arrested on a wide range of charges including conspiracy to overthrow the government.

Some of the details in the case are lacking and there is some uncertainty over the exact nature of the alleged training in North Korea. But the import of the Mexican action in expelling Soviet diplomats overshadows the reasons behind the action. Moscow, for its part, issued a mild protest, disclaiming any responsibility in the alleged training of the young Mexicans, but the Soviets are worried.

Already Costa Rica, which was moving toward establishing ties with Moscow, has suspended talks on the subject. Uruguay, which has ties with the Soviet Union, announced following the Mexican action it was looking into alleged Soviet interference in internal affairs. And there were reports of a Colombian investigation of an alleged plot involving Soviet personnel.

The whole Mexican affair is embarrassing to the Soviets. They can be expected to make efforts to restore an image of moderation, but there is some doubt whether they will be able to quickly undo the damage caused by the Mexican charges. Indeed, the episode is one more evidence that the United States is not alone in having a credibility gap in Latin America. For whatever comfort it gives Washington, it is clear Moscow has its own problems in dealing with that region.

PROBLEMS OF THE CITY LANDOWNER

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. BOGGS. Mr. Speaker, the Press Club of New Orleans recently voted a first place award to a gifted reporter in my city, Mr. Clint Bolton, for an article on the problems of the inner city landowner. This article, which originally appeared in New Orleans magazine, is pertinent to every city in our country. I am inserting it in the RECORD and commending it to the attention of my colleagues:

THE ART OF BEING A SLUM LANDLORD

(By Clint Bolton)

The subtitle might be "Or How to Make a Buck Out of Real Estate in New Orleans." Which can be done if you learn the rules of the game even in this period of tight money. That's the rub. The rules of the game. They are not simple. In fact the very confusion surrounding the rules of the game is one of the main reasons you can make a good buck in certain forms of New Orleans real estate.

Just to get something straight at the beginning, I'm not talking about buying a choice square fronting on St. Charles and building a deluxe high rise apartment. One of those condominium jobs, for instance. For opens you would have to pay about \$25 a square foot for the land and throw in a demolition fee to raze the buildings on that land. Then you'd have to go through all the motions to build this top flight Xanadu and those motions would really have you mixed

up with heavy money before the first bulldozers hit the site. As a matter of fact, on St. Charles hard by that delightful caravanseral, the Pontchartrain Hotel, is such an empty plot of ground. A whole big block of it which represents one and one-half million bucks. With new building money tight as it is and the interest rates what they are, plus taxes and a few other things, that particular piece of ground is going to sit there for quite a spell and nobody is going to get a dime out of it for some time to come.

On the other hand, a block off St. Charles, over on Carondelet, an identical piece of land with buildings on it may be bringing in as high as 30%. One look at that block of Carondelet would give you the creeps. It will contain several big old houses that in former days were definitely mansions. There would have been a landau out front with a pair of matched grays hitched to it with coachman and groom and a very charming lady coming out of the big house to go "calling." That ancient custom whereby ladies of quality got some fresh air and preserved the amenities by stopping at this mansion and that whilst Jason or Jonah knocked on the right doors, left the lady's card on a silver salver held out by Samantha just for that purpose and trotted back to the landau which went on to the next stop and finally paused for the cup of tea and gossip that was the highlight of the afternoon—the "at home tea" at another quality residence.

But times have changed all that. The big houses in many cases are still there but the 1970 equivalent to the matched grays and the landau is a couple of beaten up old cars stripped of everything, even the wheels. Raunchy dogs and feral felines shelter under them and there is probably a several months supply of rat breeding garbage in those junked cars. What's more to the point the elegance of those big old homes are "as one with Nineveh and Tyre." Yet they are not gone with the wind. Even the most dispirited late summer breeze will prove that. You can actually smell them.

The smell is slum smell, ghetto smell. It is compounded of more evil wretchedness and wicked filth than Macbeth's witches ever brewed up on a blasted heath. It is blighted city, not blasted heath, and where once a proud, prosperous and possible numerous family lived with a gaggle of black servants to polish ancestral silver, wax fine woodwork and draw pleasantly scented baths, these old houses have been converted into tenements in which there can be as high as ten rental units averaging around \$35 per month, per unit. That comes in at \$350 per month. Which adds up to \$4200 a year. Own enough of those and you are going to be making a very nice piece of change. Ten such tenements would bring a gross of \$42,000 per year and among the people who own this kind of real estate that kind of holding would be a minimum. Privately owned slum housing in New Orleans is big time stuff.

There are, to be sure, many small time property owners in this field. But vast urban acreages on which are large and small slum dwellings is in the hands of individuals on wholly owned family corporations and the rentals over many years, in some cases three or more generations, have provided college educations, summers on the Riviera, junkets for skiing at Aspen and gracious living almost anywhere.

However, if you had a hundred grand floating around and thought you could do handy in slum real estate you would be a very large chump indeed. Anybody with any experience in the business would tell you this is not a game for amateurs.

"First of all," the Old Pro would tell you, "you would have to forget a thing called conscience. You throw that out the window just the way your tenants throw out the garbage. Then you've got to have some contempt. A hell of a lot of contempt, Baby. Just like your tenants when they punch

holes in the walls, knock out window panes, clog plumbing and leave your property vandalized when they blow owing a couple of weeks rent. You would also have to have contempt for laws and ordinances, housing codes, and things like that."

The Old Pro would be right because when he bought that property thirty years ago it might have been in pretty fair shape and the people, white and black, might have been pretty fair tenants. People of humble circumstances, to be sure, but people who grew a few flowering plants in the front yard and maybe some tomatoes out back. People who took a hammer and some tacks to nail back that screen in the door that one of the kids knocked loose when he fell against it. But that was back in 1940 and World War II was just around the corner, the Depression was fading and folks were glad to get jobs, have food on the table and a pretty fair roof over their heads. By and large the tenants of those years were fairly good people. They'd survived the lean years on catch-as-catch-can and many of them were getting off relief rolls. Not on them. Of course, some never got off relief rolls and today, nation-wide, we have third generation relief rollers just as we have third generation slumlords.

But World War II with many restrictions which continued after the war may have done as much to create the blighted inner cities of the nation as anything else. Frozen rents created a "To hell with it attitude" in many landlords. Maintenance went up but the rents didn't. Paint cost more and so did the painters. So did carpenters and light fixtures and electricians. Plumbers and plumbing went out of sight.

Caught between rent controls and rising maintenance costs, many a landlord lost his conscience. Not that landlords as a breed ever get tapped for the Galahad Club, but once upon a time a lot of landlords took care of their property because it was just plain good business to keep it in good shape. But more than one real estate expert has assured me that it was the prolongation of rent controls after World War II which accelerated the deterioration of such areas as our Central City. The same is true in other sectors, such as Magazine and Annunciation Streets in the Irish Channel and over in Broadmoor between Washington Avenue and Melpomene and between Claiborne and Broad Street.

Many landlords, finding upkeep cost running ahead of revenue just stopped thinking about upkeep. One landlord added, "It wasn't enough to freeze the rents on us but at the same time union wage scales started climbing. Hell, in the Thirties you could get hold of a man who could do everything needed to keep up a whole block of houses for you. Paint, fix doors and windows, unstop a drain, repair a roof, fix the rain spouts. Do everything. Okay, I just mentioned five different jobs that the old time handy man used to take care of. Today you will be dealing with a union painter, a union tinsmith, a union roofer, a union carpenter, a union plumber, and don't forget unionized plasterers, electricians, and a few others. With low rental properties you may luck onto a small contractor who'll make you a pretty good price because you'll have work for him almost 365 days a year, but don't forget the increases in all building materials. Not to be nosy, how much are you going to get paid for this article?"

This being inflation times I inflated the price and he grinned at me.

"Go out to Delgado and take a course in tinsmithing. It pays more than magazine writing."

With this attitude it is easy to understand why even a "good" landlord skimps on maintenance, why his tenants become increasingly unhappy to the point of destructive frustration and you learn, in part, why slums are born.

But even in the most halcyon days more

landlords wore black hats than white. The guys in the black hats didn't give a damn about their tenants and the tenant, white or black, could ask every rent day when the shack was going to be painted, or the stair treads replaced and get the same old "Soon's I can get somebody over there" routine.

Now, of course, there are a variety of ordinances and agencies set up to protect the tenants against the do-nothing landlord. Having foresworn his conscience and having the same contempt for housing and zoning ordinances that the entire nation had for the 18th Amendment of the Constitution of the United States (we called it the Prohibition Law) the landlord in the black hat keeps on making a nice piece of change every month out of sub-standard housing and has a variety of ways of beating any citation he may get from any agency.

There are seven official agencies responsible for regulating housing. They are the City's Division of Housing Improvement, the Housing Authority of New Orleans, the Mayor's Advisory Committee on Housing, the City Planning Commission, Model Cities, Federal Housing Administration, and Veterans Administration.

Of these seven agencies Tulane's Urban Studies Center in a fact sheet entitled "A Look at Housing in New Orleans" has this to say:

"It has been charged that these agencies rarely communicate with each other and often duplicate each other's work. No one has vigorously argued that there is any real direction being given to New Orleans' efforts to solve its housing problems."

The Tulane report then goes on to point out that even if these agencies aren't doing a top grade job . . . "their efforts could not have been worse than that of the judicial branch of government."

"The Housing Court of New Orleans holds sessions only one morning a week. In the past three years, that court has collected all of \$175 in fines from property owners who have failed to maintain standards, the largest single fine being \$26." (Emphasis supplied by Urban Studies and it should be noted this fact sheet was issued in the fall of 1969. Possibly another \$175 in fines has been assessed since. Possibly.)

So even if an inspector comes around and hits the landlord with a citation, on past performance, which is what horse players and people with horse sense use to figure percentages in such matters, the worst that can happen to him is a slap on the wrist in the form of a twenty-six buck fine.

Speaking of horse players it would be interesting to have a bookie make a price on the chances of any landlord holding widespread sub-standard houses getting hit with an inspection of any single unit. According to Paul Sanzenbach of the Urban League there are 26 housing inspectors employed by the city. Studies indicate this figure should be tripled.

But even if the wicked landlord got hit with an inspection this is what would happen. He would receive a form letter stating that inspection of the premises at a certain location revealed the need to correct the following deficiencies. The faults are listed and what with one thing and another he can stall for about ninety days. Then, having gone this route before, he has his lawyer call and say, "Mr. Landlord has started repairs. Right now the living room is being painted."

If an inspector can be spared he drops by and reports "work in progress" and the painter finishes up a slapdash job with cheap paint in one room, calls it a day and that's that. The landlord has given evidence of compliance and the short handed inspection unit may be months, years getting around to that site. Chances are one cheap coat of paint will be all that came of the original citation. Leaks, faulty plumbing. Forget it. The landlord did.

Actually, a real hip landlord can ring-

around-the-rosy with the deftness of the Harlem Globetrotters playing the University of Sudan's freshman team. For instance, while he literally owns block after block of sub-standard houses, on the books the properties may be held by several different firms or individuals. He can shuffle houses around with the dexterity of a riverboat gambler and if he claims that the property in question belongs to an old lady in Milwaukee he has a pretty good out. Sure, he'll tell the old lady in Milwaukee that the nice inspector has cited her for a couple of dozen violations but what can he do if she ignores the citation? That the old lady in Milwaukee is his aunt is not mentioned.

For a while the city thought they had non-resident as well as local property owners on this dodge. After the usual round of citations and continued non-compliance the city would move in, make the necessary repairs and place a lien on the property until the city got the taxpayers' money back. This was tried and done. But the city was left holding a very empty bag. The courts ruled that the city could not walk into a building and fix it up. "Honor and faith and good intent" is a very nice thing but it can be, on occasion, unconstitutional. Today, the city keeps on making out citations, hauling a landlord or two into court every now and then but those tumbled down shacks don't really get much improvement.

Earlier I broke down rental figures on a monthly basis. Which is what an amateur with a hundred grand might do. But the Old Pro knows very well that low income tenants don't live on a month-to-month basis.

"In fact," the Old Pro will assure you, "if you lease by the month you'll go broke in no time at all."

So you rent to your tenantry on a weekly basis. Let's go back and see what happens to that old building with ten units that I quoted at \$35 a month. Assuming total, full time occupancy for a year you'd have \$4,200 annual rental. Well how about renting those ten units at \$12 a week? That gives you \$120 a week and again, assuming full time, total occupancy, at the end of 52 weeks you've got \$6,240 which is \$2040 more than you'd make on a monthly deal.

Now any landlord, good or bad, will tell you that in the kind of housing we're talking about you will have to figure as a minimum 25% off for skipped rent, etc. On the weekly rate if you automatically write off 25% you still have \$4680 which is \$480 MORE than a one hundred percent payoff of the monthly rental. That only came to \$4200. Remember?

So another rule of the game is get the rent each week and if, at the end of 52 weeks you've collected 75% you are lucky and making money. But even if you are a very wicked landlord you aren't going to take all of that 75% to the bank. You will have to pay some taxes but anyone knowing the tax structure in New Orleans will know these aren't going to break your back or your pocketbook. You'll probably have to pay somebody to hit the streets collecting rents for you although the number of heroic gents who want to risk a mugging or worse collecting your rents for you is rapidly diminishing.

"In the old days," the Old Pro mused, "the rent collector and the insurance collector made his rounds in black neighborhoods with very little risk. But today things are different. Until NOPSI started that exact fare deal bus drivers were held up with monotonous regularity. Some were even killed. Same thing can happen to a rent collector. Today the tenant is supposed to come to the office with his weekly rental. He may do this for the first few weeks. Then he skips a week. He comes in, pays a week and a few dollars on the week he owes. Then he misses another week. And another.

Then he's a no-show and you drive around

to his place, find he has been gone ten days and he may have taken the stove with him or the hot water heater. If he hasn't, the neighborhood has. You wind up with a gutted house or apartment and while the city can cite you and fine you for not keeping a place up to standard, the city housing code has nothing in it about a landlord getting redress from the tenant who burns him."

Actually, there are legal measures. But these are effective only against people of substance. But a low income tenant can move around the corner and maybe even into another apartment owned by the same landlord, under a different name, and he's lost. Even if the police or a skip-trace agency catches up with him, what good does it do the landlord? Can the landlord prove the ex-tenant actually did all that damage? Or was it done after he moved? What damages can be assessed and what is more important, how are you going to collect them?

The answer is that you aren't and that's some more dough down the drain.

About this point the amateur brings up a dandy question. He says, "How about insurance?"

After the Old Pro is picked up from the floor where he has either been chewing the rug a la Hitler or rolling in laughter he will say, "What insurance?"

Today it is almost impossible to get any of the housing we are talking about insured. In fact, many major companies will not do business in Louisiana or elsewhere on slum housing. Even with the end-of-summer Black Panther flareup in the Desire area New Orleans has been remarkably lucky compared to many cities in this country. But if the local Black Panthers hadn't turned out to be pussy-cats in terms of real community violence the flames from Desire could have run up through the Central City and there would have been block after block of smoldering ruins. One cynical property owner said, "Yeah, it would have been a terrible thing. Many people killed and injured. Thousands left homeless. But can you think of a better, faster way to get rid of a lot of beaten-up buildings? Sure, I'd be hurt. I lose a lot of rental revenue, but when the bulldozers go through cleaning up the mess I'd still have the land, a big fat tax write-off and a chance to get going in the high rise luxury apartment field."

He grinned as he said this but it was a Mack-the-Knife grin. "The shark has pretty teeth, dear." City, state and federal agencies would clean up the mess and all those miserable blocks with row after row of buildings that no one should have to live in would be a wasteland. But if you think about it a little bit just the bare ground would be worth more than it is now. Ten years ago the 1960 census revealed that of all housing in New Orleans 62% was occupied by persons paying rent as opposed to homeowners. With all hands predicting a forward moving New Orleans in the burgeoning Seventies it is reasonable to assume that the 62% figure will increase. Yet in the ten years between 1960 and now the Parish of Orleans census figures dropped. Where the figures for Jefferson and St. Bernard shot upward. The answer is, of course, that middle-income people and up just can't find the housing they want in New Orleans. The exodus to the suburbs resulted and that trend is nationwide. The vacuum created by this exodus brought on slum expansion. Nobody sets out to build a slum. People create them. In this context it is interesting to recall a March 17, 1970 NBC radio broadcast by Chet Huntley who said the following:

"Throughout the sprawling city of New York can be found row after row of derelict houses slowly falling apart, most of them empty. If occupied at all, the tenants live in the second or third stories to seek some protection from burglars.

"In Washington, not very far from the capitol, there is a cluster of two and three story houses set on rolling hills amid lawns and

playgrounds. Again, most of them are empty. This phenomenon is being repeated in city after city as both landlords and tenants abandon the neighborhoods. The landlords say that the cost of maintenance, repair and taxes is higher than the rent they can get for the property and that rent collection is a hazardous business in the neighborhoods. So entire sections of this country's cities could become ghost towns if the trend continues.

"In New York City there are about a half million such abandoned buildings and they are being abandoned at the rate of 2,000 per year.

"The country has had repeated warnings about the crisis in housing. President Johnson's National Advisory Commission on Civil Disorder in its final report, you may recall, cited poor housing in particular as one of the principal causes of the urban rebellion. A year later the National Commission on the Causes and Prevention of Violence echoed these findings.

"For the past ten years and more the federal government has been searching for ways to make low income housing attractive to someone, but it seems that the right program has not yet been devised. Tight money is one economic fact of life which mitigates against housing for the poor right now; indeed against housing for virtually anyone. Builders have long had a general disinterest in low income housing because there simply is not enough profit in it. Congress passed four major housing bills from 1965 to 1968 but they were not enthusiastically nor vigorously implemented and consequently very little came of them.

"The rent supplement plan and the model cities program were significant experiments in national housing policy, but again the funding of both of these undertakings has been kept at a very low level. Public and low cost housing have lost many one-time champions in recent years because frequently the tenants have quickly made new slums out of the projects.

"And so the vicious circle goes on, remains unbroken, the ghettos become more and more unsightly, more and more unfit for human habitation. And the rhetoric goes on as well; millions of words about the need to rehabilitate and revitalize, but the rhetoric provides very poor shelter."

Chet Huntley could have added New Orleans or fifty other cities to those he mentioned in that broadcast. In fact he could have used up twice as much air time just reading off a list of communities. All afflicted with the same problem.

As Huntley noted, rhetoric provides poor shelter. And the poorest shelter is better than rhetoric. Which is why you can make money from misery in New Orleans if you know the rules of the game. Some of the rules have been outlined. But there is one great big fact that really makes all the rules. That fact is that in New Orleans "Negroes represent more than 40% of the population but occupy only 30% of the dwellings, which indicates how tightly they are squeezed into housing available to them. "Blacks occupy over half of all the sub-standard dwellings in New Orleans." (The quotation is from the Tulane Urban Studies Center report previously mentioned.)

If you concentrate on those two sentences you can understand why owning shabby shacks and tenements, especially if you've owned them a long time, is profitable. The initial investment was paid long ago. You may have some mortgages on some of the property, but if you have, they were also made long ago at rates so far below today's interest charges the difference is laughable, if you could get a mortgage in 1970. A couple of real estate men have told me that most financial institutions, banks and homesteads, take the same dim view of the real estate we are considering as do the insurance companies. In the nice, smiling phrases bankers

can use when saying no you get turned down. It is strictly no dice.

Up until now I have made most of the owners of deteriorated dwellings look like pretty shifty people. They are wheel-dealers and they know all about the fact that their tenants, mainly low-income blacks, have to have some place to live. They know that a roof is better shelter than rhetoric and they are grimly aware that if they don't give a damn about their tenants, their tenants don't give a damn about them. So they wheel and deal, stall and shift and follow good old Omar's advice to "take the cash and take the credit go." What if a tenant skips? The housing squeeze is on and there'll be another tenant tomorrow.

But every now and then you'll find a landlord here or there who tries to give his tenants a break. He is a landlord with a conscience although with each passing day it is harder to maintain a conscience in face of continual disillusionment.

Let us take the case of Michael W. Mayer III. He is 32 years old, has a wife and two children, a boy ten and a girl seven. He is a college graduate with a degree in Business Administration. His hobbies, when he has time for them, are photography and ham radio. He lives in the lower half of a duplex on State Street which he owns. He rents the second floor.

Five years ago it became necessary for young Mike Mayer to take over the supervision of the family business because of the death of his grandmother and his father's illness. He left a potentially good job with a well known investment firm and got back into the real estate business. Got back is the exact phrase because Mike Mayer is the third generation of his family to be heavily engaged in real estate. At 14, young Mike was spending school vacations in a sort of apprenticeship in the family business, which is Mayer Investments, 1608 St. Charles Avenue. Well, over 90% of the Mayer real estate holdings are concentrated in low rental black housing.

The Old Pro will tell you that five years ago Mike had stars in his eyes and maybe a hole in his head because he thought that by upgrading and maintaining the dwellings in his charge he could give blacks low cost housing in good condition and that "tenant pride" would result.

Despite the Old Pro, this was and is a good idea but Mike Mayer said to me, "One of the reasons we can at least try to keep up our places is that we own them outright. We don't have a mortgage on a single piece of property. If we did, it would be impossible to keep up our standards."

The Mayer standards are pretty high. An ad for one of his rental units might read like this: "Living-dining area, modern kitchen, two bedrooms, ceramic tiled bath. Tiled floors, paneled throughout, off-street parking, hot water and utilities, paved rear patio. Fully furnished. \$100 per month."

If that doesn't sound like a bargain you've never heard one. Any young couple would jump at the chance to get that. Only thing wrong with it is that it is up on Dryades, and that's black country.

To create two apartments as described above Mike Mayer had to get city housing and zoning agencies to waive a few things here and there. While he was actually making what in essence were two deluxe first floor apartments out of a very battered building and definitely upgrading the entire block, a rule had to be bent a little here and a waiver had to be obtained there. But Mayer got the go ahead and did build out of an old shell two very nice apartments as described above. In the closing days of September, I visited one of those apartments. It was vacant. It was also empty. What furniture had not been taken by decamping tenants, Mike Mayer had a cleanup crew haul off.

"It was so beaten up, I wouldn't even offer it to Goodwill or the Salvation Army. So I

pay a \$25 bill to have it cleaned out of here and hauled to the dump. But that's just the beginning. Take a look around."

I did, while Mike leaned up against the kitchen counter and smiled ruefully. In the bathroom the medicine cabinet was gone. So were most of the light fixtures. Just wires hanging out of the walls and ceilings. The fairly good and reasonably heavy duty floor tiling was gouged. In one room, window glass and screens were broken out. In the other bedroom, Mike pointed out a head-high scar on one panel.

"Bullet?"

"Yeah, they had a poker game one night and some shots were fired. I don't know if anyone was hurt. I'd be the last to hear. I don't think even the police were called. But there was blood on one of the mattresses I had to junk."

"How did you find out?"

"After it was all over. One of the other tenants told me."

"What happens now?"

"I call the plumber, the electrician, the man I get my furniture from and we start all over again."

"Does this happen often?"

"Look, you walked into my office cold. I'm not showing you a hand-picked place. Let's get in the car. I'll show you what we've got. You can check anything out."

We rode around some more. We talked about everything from housing to ham radio. Young Mike IV is at NOA and the seven-year-old daughter is at Newman. We picked up Mike at school. He's fifty pounds and playing football. He wants to play pro football.

"It could happen, Mike. But afterward, what? Pro footballers don't last forever. How about the real estate business?"

"I don't think so. Too many headaches."

Mike III laughed, "I swear I didn't brainwash him for you."

I don't think Mike III did. As a matter of fact Mike III didn't try to con me. He did make his points and among them was that the housing code may protect the tenant but doesn't do too much for the landlord.

"I've heard that before, but I've been nosing around a bit. You sound very much on the level but I gotta lot of Irish in me and you know us Irishmen get suspicious the minute a landlord says hello. How about the bobbing and weaving when a housing inspector hits you with a list of violations?"

"Let's go back to the office. I'll show you a few things."

At the office Mike Mayer pulled open a file and said, "Here's a typical citation. We get them as often as anybody. Only we never ignore them." The form letter was dated June 2, 1970. Attached to it was another form listing 18 violations. Ten were exterior. Four were interior. There was one each covering plumbing and electrical requirements in each of two units. The location was 3205-09 Dryades Street.

"We've never ducked a citation," Mike III said.

I'll take that. Because there was a third document attached to the first two. It was dated September 17, 1970. It was also from the Division of Housing Improvement. It stated that "inspection of the referenced property reveals that work requested by this Division has been compiled with."

I didn't bother to ask Mike Mayer what the repairs had cost. But later, back in his office, he pulled out a sheaf of bills. I read off the amounts on a batch of plumber's bills. Mike totaled them up on an adding machine. For eight months, January through August, it added up to \$2060.

Then we did the same with a batch of maintenance bills. This would cover repainting, replacing window panes, replacing fixtures and other odds and ends. Now and then there'd be just a \$3 item but there were enough \$100 and up bills to bring the total up to \$4717. These bills were rendered on a weekly basis and as Mayer pointed out, some weeks in which only a three to five buck bill

was involved indicated probably only an hour's work.

We counted up the bills. There were 41 in all. But Mayer said, "I think it would be fair to state that it amounts to about 26 weeks if the odd days here and there were condensed. With colder weather coming we'll have a lot of problems with water heaters, overloaded electric supply . . . you know, the TV going, the refrigerator going, maybe a record player and a couple of electric heaters. When you come right down to it, the electricity overload will apply from a sium house over around Willow Street to an old mansion in the Garden District, regardless of who lives in it. That Urban Studies report you are holding makes that point. Of all housing in New Orleans 67% was constructed prior to 1939. You get through with air conditioning, a refrigerator, a couple of TV sets, a hi-fi, electric can opener, the vacuum cleaner, and all the other gadgets like shavers, toothbrushes and it is a wonder a lot of that 1939 wiring can handle the load. Don't take my word for that. Check it out with NOPSI."

"Yeah, I've blown a few fuses in our apartment because we had too many gadgets all going at the same time. But I just put in a new fuse and make sure we don't have everything going at the same time. Pretty simple."

"For you. But you'd be surprised at all the tenants, low income, high income, that can't even find the fuse box and don't have sense enough to balance the power pull."

"Well, that's that. But how about these bills. The two batches add up to \$6,777. Does that cover all the units Mayer Investment controls?"

"Not by a long shot. Juanita, how many units do these bills cover?"

Juanita Ariot is a pleasant, smiling-voiced young black woman who is Mike Mayer's secretary and backstop. She keeps in touch with him while he's out of the office via his car radio telephone. She acts like she's good at her job. Now she called in from the front office.

"Those bills are for only 56 units."

Fifty-six units is small stuff in the overall Mayer setup.

"I don't want to make you punchy with figures. Call that a sampling and come back when my bookkeeper is here. I'll get you a breakdown on the whole spread."

"Don't bother, Mike. This breaks down to right around \$120 per unit for the first half of the year. I don't want to be a landlord."

If you are a landlord "with a conscience," promptly take action when it is needed or called to your attention and automatically knock off 25% from your gross potential revenue to cover the skips and vacancies, replace stolen or totally wrecked furniture, the temptation to trade in the white hat for the black one must be very strong. I said as much to Mike Mayer.

"It is. But we've always tried to do right by the tenants. Come on, let's go over and see my uncle. He's 75 and has been in this business about as long as anyone. Still in it. Every day."

Mike's uncle is Alvin P. Lichtenag, with offices at 3424 South Claiborne. I didn't get to meet him because it was after five by then and he'd called it a day. But behind the one story building which houses his office is a neat row of small apartments. Mr. Lichtenag has another senior citizen, also 75, named Louis Bowen for his backup man. He lives in the first apartment behind the office and he's proud of his more than fifty years of association with Alvin Lichtenag. At 75 he stands over six feet and comes in around 210. I kept trying to think of who he reminded me of. Back in my head I saw a flickering of old black and white film running jerkily. It was Jack Johnson losing the world's heavyweight title to Jess Willard in Havana, Cuba, April 5, 1915. It took Willard 26 rounds to knock Johnson, then 35 years old, out. Big, black Louis Bowen is a Jack Johnson type. Right now at 75 I'd hate to have him backhand me off a bar stool.

Bowen wasn't doing any backhanding. And he wasn't doing any Uncle Tom stuff. A guy proud of his work, proud of the place in his charge and, very obviously, devoted to Mr. Lichtentag. We sat on Bowen's front steps after touring the row of apartments. It had been a long hot day and it was good just to sit there in the shade with the first stir of an evening breeze.

"Sit out lots on a good night like this. Tune up the radio and listen to some baseball. Pass a little time with the neighbors. Good folks. See this lady comin' pushin' the market cart? She's been with us quite a spell. That's her uniform. Works over in Baptist Hospital. Does her shopping on the way home. Yeah, tenants okay here.

But you oughta see some of our places. People can mess up a place in a week, ten days. Man, I mean really wreck it. Trash for tenants. Lotta them that way. Too damn many."

"But black folks like you, Louis. They don't get too many breaks."

"They ain't like me. Relief roll chippies, hustlin' chippies. Take that welfare money, blow it on vodka an' work the joints between checks. Welfare worker comes around. Some nice white lady mos' likely. They give her all this an' that. Laugh like hell at her back when she walks down the street."

"Ever been on relief, Louis?"

"Never. Not even back in the real hard times. Me and Mr. Lichtentag did the best we could. Got my old age pension now and I make out OK."

"Yea, you got Medicare and stuff like that." "Okay. I put in my time workin' to get it. I'm 75. Honorable Discharge World War One. VA hospital took good care of me 'bout ten years ago. Heart attack. But relief. No time."

I looked down that black long alley with the neat apartments. I thought about Cabot's Alley over off Danneel. Not too far distant but a million miles apart.

We said goodby and I grabbed a cab home.

The next day I roamed around the Central City area. On foot. I wore old sunstans and a beat up sport shirt my wife has been trying to throw away since 1967. I didn't wear my wrist watch and carried under ten bucks. I had a two-day beard and looked like a kinda beaten-up old type who wouldn't be worth rolling or mugging. Broad daylight but part of the slum atmosphere is the smell, the little tension of violence. I ambled slow and easy and didn't stop too long looking at the beat up houses, the hordes of kids, the old, old, very tired black folk and the strident young slatterns, the big, bold eyed bucks in front of the corner bar-pool hall. They looked at me. The hostility was passive. Jes' another wore out ole Honkie, I could hear them thinking. Not worth messin' with.

You don't have to stand and stare at slum housing. Count the meter boxes on an old house that has fallen on evil times. Ten, twelve boxes on what once was a prideful home housing a proud and prosperous family. Ten crummy apartments now and you can make book that each apartment will average out to around four occupants. Forty people living jammed up together. Bathrooms? One to a floor and follow your nose. Eight to five the old type overhead toilet tank has half the pull-chain broken off. If it clogs up, to hell with it. Let Mr. Whitey Landlord fix it an' let the damn water flood the joint. Old Mister Honkie hasn't got half the leaks from Betsy fixed. Betsy hit back in '65.

Hot summer sun bouncing off garbage strewn streets. The old, old slum stench and a black kid about thirteen holding a transistorized radio-cassette to his ear. Other hand finger snappin' to the rock beat. Very few thirteen-year-old black kids in a slum in any city can afford that kind of gear. A top brand radio-cassette which will record and has a mike comes in at around \$120. I'd like one myself and I spotted the brand name. It was right up there. No mike but maybe he'd left that home.

One hundred and twenty bucks, you think, and wonder if the kid shoplifted it, slid through an open window and grabbed it or maybe his older, hustlin' sister brought it home. It was a cinch that kid's play-pretty was hotter than the sidewalk but it wasn't my business.

Misery Town is in every city in the nation and making money out of misery has been going on ever since men made the first city, back in the pre-Babylonian mists. You can make a million surveys, write a million well researched papers and have a million smiling cities on the planning boards. But you are still a puppy dog chasing his tail. Good is being done and more will be done. But Mike Mayer pointed out one of his houses which on the books in his office shows occupancy by a married couple with two children. We drove by it and he said, "Want to get out and make a one man census? You'll find about a dozen people living in there."

"Looks that way from here. But can't you put 'em out? Isn't there an ordinance on overcrowding you can invoke?"

"But if I did, where would they go?"

And that's one question nobody has the answer to. Just around two thousand years ago a guy named Matthew said it. In the New Testament. He wrote, "For ye have the poor always with you . . ."

Yeah, the poor are always with us. Walking around, talking around, you find out a lot of things. But the slum story is a very old one. Black Harlem, Spanish Harlem, Bronzeville, Chicago, Watts. Who are the guys in the white hats? Who are the guys in the black hats? Some very black faces are under white hats and some very black faces are under black hats.

Not all slumlords are lily-white. Black men prey on their own people. They know the rules of the game. A rough game. Tough game. Baby. Duck and weave, bob and sway, just be sure you get all the rent today. Sounds like a pretty fair blues tune. Maybe so. Call it "Black and Blue Bruise" and make another survey, pass another zoning law. Tighten up this ordinance and that. But there isn't any magic Kickapoo Indian Remedy, that golden elixir you can huckster off the back of the old medicine wagon that's going to take away the Black and Blue Bruise. A big ole bruise, Baby. Right on the fair face of the City That Care Forgot.

If, as and when this piece gets published, I expect some folks will write in and want to know who the villains are. They'll want to know "why somebody doesn't do something about it" and take it from me, save the time and postage. I didn't list any "bad" landlords, not that I can't and can make it all stand up in court if they want to call their lawyers down on me. It just isn't going to change things much and some way, somehow, there will always be somebody making a buck from the poor that are always with us. As to "why doesn't somebody do something about it", the answer is that a lot of people are trying very hard against very great odds. But this is one ailment for which there isn't any Pill. Don't look to tomorrow. Just hope by the year 2000, which is thirty years from now, about fifty percent of what has to be done has been accomplished.

Bad landlords make bad tenants some will tell you. Others will say it is just the reverse. Somewhere in between is the truth and, hopefully, the answer. But I could give landlord and tenant this piece of advice. Another line from the Bible. Old Testament this time. Preacher man named Ecclesiastes who was a pretty smart old party. Some Biblical scholars think he was really Solomon writing under a phony byline. Whoever he was, in Chapter 10, Verse 19, he wrote this:

"By much slothfulness the building decayeth; and through idleness of the hands the house droppeth through."

A good comment and very nice rhetoric as Mr. Huntley pointed out.

Goodnight, Chet.

VIRGINIA'S FOURTH ANNUAL HEALTH EDUCATION FAIR

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. WHITEHURST. Mr. Speaker, the health and physical education department of the Norfolk, Va., city public schools, in cooperation with the Cosmopolitan Club of Norfolk, will present its fourth annual Health Education Fair from May 10 through May 16, 1971, at the Military Circle Shopping Mall.

This is the largest health project ever undertaken in the city of Norfolk. Students from all the city junior and senior high schools will participate in this outstanding endeavor.

In order that my colleagues may be aware of the tremendous effort in planning and community participation, I am introducing for the RECORD the announcement which was prepared to publicize this fair. I know that my colleagues will join me in wishing the Cosmopolitan Club and the Norfolk city schools every success.

I include the material as follows:

PURPOSE OF THE HEALTH EDUCATION FAIR

The purpose of the Health Education Fair is to motivate interest on the part of students in the development of proper health habits and practices. Youth today, because of advances in medical science, is healthier than at any previous time. Some of the positive aspects of health that youth has to look forward to are longer life expectancy, chances of living to start school are better, chances of living through school years are the greatest in history. Today's youth is bigger and heavier and gains against diseases are phenomenal.

On the other hand, there still remain many problems which are of such grave nature that teachers, the community and all of the resources of our country must be brought to bear in order to provide youth with the knowledge to combat them. Some of these areas of concern are nutrition, accidents, sex education, heart disease, dental health, mental health, communicable diseases, exercise, drugs and narcotics, alcohol, nicotine addiction and consumer education.

The objective of health education is to present the facts involved in these areas to children. The purpose of the Health Education Fair is to motivate interest on the part of students in health education and to enlist the support of community groups in assisting with this challenge.

GREYSON DAUGHERTY,
Supervisor, Health, Physical Education
& Safety.

THE EXHIBIT

All of the projects will be on display in Military Circle Shopping Mall on Monday, May 10, 1971 through Sunday, May 16, 1971. During this time the judges of the various areas will visit the displays and make their selections for the awards. All winning numbers must be called in by Friday, May 14, (441-2394). This is important since the display must be dismantled Monday and will allow the Cosmopolitan Club to select its winners from all of the first place winners.

THE AWARDS NIGHT

Everyone, including students, parents and sponsoring groups, is invited to attend the Awards Night, to be held at Lake Taylor Junior High School auditorium at 8 o'clock, Friday, May 28, 1971. Teachers are urged to have students bring their parents and friends

for the Awards Night. Winners will not be announced until the night of the awards.

The purpose of the Awards Night is to provide an opportunity for students to receive their awards from the judges of the participating organizations, and to bring all school and community groups together.

PARTICIPANTS

Students in all of the junior and senior high schools are invited to submit projects to their teachers. These projects must grow out of the instruction in the health classes. The teachers will enter the best projects in the City-Wide competition.

AWARDS

Awards will be given for the best projects in all areas taught in the health education classes.

See your health education teacher for a list of organizations and awards to be made.

All pupils who enter projects in the Fair will receive certificates.

In addition to awards in all areas of instruction, the Cosmopolitan Club will give a grand award of a \$300.00 bond for the best project in the exhibit. They will also give awards of a \$200.00 bond for the second place winner and a \$100.00 bond for the third place winner.

CRITERIA FOR EVALUATING PROJECTS

1. All projects must originate in the health education classes.

2. *Originality*: The originality of the project is of tremendous importance.

3. *Scientific Accuracy of the Project*: It is important that the project be accurate in detail and structure.

4. *Quality of Project*: It is important that the quality of the project be taken into consideration. In the case of booklets, merely using pictures from books and other sources is not enough.

5. *Neatness*: All projects, including booklets, should be neat. This means that the materials used should be selected carefully and constructed neatly. For instance, a plywood backing for a particular project would be more desirable than a piece of material from a corrugated or cardboard box.

6. *Electrically Operated*: No electrically powered project will be accepted unless operated by batteries.

COOPERATING AGENCIES

Several groups and organizations throughout the community that are interested in health education, are supporting the Health Education Fair again this year. These agencies will give awards for the best three projects in the areas in which their organizations are primarily concerned. The organizations and the awards are shown below.

Emphysema and tuberculosis projects

Sponsored by Southeastern Virginia Tuberculosis and Health Association. Mr. Thomas Sully, President; Mr. Richard T. Bowman, Executive Director.

Awards: 1st place, \$50.00 bond; 2nd place, Prize; 3rd place, Prize.

Heart disease projects

Sponsored by Tidewater Heart Association. Dr. Eugene Poutasse, President; Mr. W. Raleigh Alexander, Executive Director.

Awards: 1st place, \$100.00 bond; 2nd place, gift; 3rd place, gift.

Behavior problems projects, 8th grade

Sponsored by Louls M. Saunders Co., Inc. Mr. Louls M. Saunders, President.

Awards: 1st place, Bicycle; 2nd place, Prize; 3rd place, Prize.

Cancer and smoking projects—Junior high school

Sponsored by American Cancer Society, Mr. Ernest A. Morgan, President of the Board of Directors, Mr. James A. Hagemann, Area Representative.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, Prize.

Boating safety projects

Sponsored by Elizabeth River Power Squadron, Mr. Charles C. Richardson, Jr., Commander.

Awards: 1st place, prize; 2nd place, prize; 3rd place, prize.

Emotional health projects

Sponsored by Tidewater-Virginia Association for Mental Health, Mrs. Sarah J. Nichols, President, Mrs. Betty Berg, Executive Director.

Awards: 1st place, \$25.00 bond; 2nd place, pen set; 3rd place, certificate.

Smoking projects, 10th grade

Sponsored by Southeastern Virginia Tuberculosis and Health Association, Mr. Thomas Sully, President, Mr. Richard T. Bowman, Executive Director.

Awards: 1st place, \$50.00 bond; 2nd place, prize; 3rd place, prize.

First aid projects

Sponsored by Tidewater Chapter—American Red Cross, Mr. John L. Roper, III, Chapter Chairman, Mr. Paul D. Jackson, Acting Chapter Manager.

Awards: 1st place, \$50.00 bond; 2nd place, first aid kit; 3rd place, prize.

Alcohol education projects

Sponsored by Virginia Council on Alcoholism and Drug Dependence, Mr. W. R. Moore, Jr., President, Mr. Gorman Brinkley, Executive Director.

Awards: 1st place, \$50.00 bond; 2nd place, \$25,000 bond; 3rd place, certificate.

Drug abuse projects—junior high school

Sponsored by Suburban Junior Woman's Club, Mrs. Garland Payne, President, Mrs. Donald Doyle, Vice President.

Awards: 1st place, \$50.00 bond; 2nd place, prize; 3rd place, prize.

Venereal disease projects

Sponsored by American Legion Women's Post 118, Mrs. David Terada, Commander, Mrs. Reginald A. Grantham, 1st Vice Commander.

Awards: 1st place, \$50.00 bond; 2nd place, gift certificate; 3rd place, gift certificate.

Nutrition projects

Sponsored by Mary Jane Bakery, Mr. Alexander P. Kotarides, President, Mr. George P. Kotarides, Vice President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, \$25.00 bond.

Physiology of exercise projects

Sponsored by Woman's Auxiliary to the Norfolk County Medical Society, Mrs. Charles Sale, President, Mrs. Joseph Passantino, President-Elect.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, prize.

Driver education projects

Sponsored by Norfolk Safety Council, Mr. J. B. Ruth, President, Captain William Powell, Secretary-Treasurer.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, prize; teacher sponsor, \$25.00 bond.

Dental hygiene projects

Sponsored by Virginia-Tidewater Dental Association: Dr. J. W. Atkins, President; Dr. J. H. McCoy, Health Fair Chairman.

Awards: 1st place, \$50.00 bond; 2nd place, \$10.00; 3rd place, \$5.00.

Home and fire safety projects

Sponsored by Norfolk Association of Independent Insurance Agents: Mr. Robert Henderson, President; Mr. Ralph Hamilton, Vice President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, prize.

Birth defects projects

Sponsored by March of Dimes: Mr. Charles Moss, President; Mr. Robert Haynes, Vice-President.

Awards: 1st place, plaque; 2nd place, desk set; 3rd place, medallion.

Gun safety projects

Sponsored by Izaak Walton League of America, Mr. E. T. Hamlet, President; Mr. Sterling N. Yoder, Jr., Chairman Health Fair.

Awards: 1st place, \$100.00 bond; 2nd place, prize; 3rd place, prize.

Foot projects

Sponsored by Hofheimer's Shoe Store, Mr. Alan Stein, Manager.

Awards: 1st place, \$50.00 bond; 2nd place, gift certificate; 3rd place, gift certificate.

Ear projects

Sponsored by Baker's Hearing Aid Center, Mr. Kenneth Baker, President.

Awards: 1st place, \$50.00 bond; 2nd place, prize; 3rd place, prize.

Drug abuse projects—senior high school

Sponsored by Kiwanis Club, Mr. William H. Gatling, President; Mr. Robert F. Boyd, Vice-President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 gift certificate; 3rd place, \$10.00 gift certificate.

Safety in physical education and athletics projects

Sponsored by The Sportsman's Shop, Mr. Dwight Casterline, General Manager.

Awards: 1st place, \$25.00 gift certificate; 2nd place, \$15.00 gift certificate; 3rd place, \$10.00 gift certificate.

Eye projects

Sponsored by Traylor Optical Company, Mr. Kingsley Traylor, President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, prize.

Disease control projects

Sponsored by Norfolk Business and Professional Women's Club, Mrs. Ann Diffe, President.

Awards: 1st place, prize; 2nd place, prize; 3rd place, prize.

Elementary bicycle safety projects

Sponsored by Health and Physical Education Department, Norfolk City Public Schools.

Awards: 1st place, trophy; 2nd place, certificate; 3rd place, certificate.

Drug abuse projects (elementary)

Sponsored by Midtown Kiwanis Club, Mr. C. John Alley, President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, \$25.00 bond.

Health careers projects

Sponsored by District IV, Virginia Nurses' Association, Sister John Anna, President, Mrs. Jean Miller, Vice-President.

Awards: 1st place, \$50.00 bond; 2nd place, \$25.00 bond; 3rd place, \$25.00 bond.

GRAND AWARDS

Sponsored by The Cosmopolitan Club of Norfolk.

1st place winner, \$300.00 bond; 2nd place winner, \$200.00 bond; 3rd place winner, \$100.00 bond.

COSMOPOLITAN CLUB COMMITTEE

Linwood F. Perkins, Jr., Chairman, Jack R. Wilkins, Albert E. Powers, E. R. McAllister, Rhea L. Walker, Curtis W. Baskette.

TO REPEAL OR NOT TO REPEAL
TITLE II, THAT IS THE QUESTION.

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. MATSUNAGA. Mr. Speaker, there is now pending in the House Rules

Committee two bills which represent diametrically opposing views on the question: Is there a need for concentration camps in America?

The one bill, H.R. 820, reported from the House Internal Security Committee, chaired by the gentleman from Missouri (Mr. ICHORD), in effect says "yes."

The other bill, H.R. 234, reported from the House Judiciary Committee, chaired by the gentleman from New York, the dean of the House (Mr. CELLER), says "no."

Both bills relate to the Emergency Detention Act—title II, Internal Security Act of 1950—which had its genesis as a Senate floor amendment to the so-called McCarran Act—which became title I of the Internal Security Act of 1950—after the House had passed a similar measure. Title II, therefore, was never considered in a House committee prior to its enactment.

In this situation, the Washington Post has elected to take a clear and convincing stand:

The Emergency Detention Act ought to be erased in its entirety.

The editorial notes that the Nixon administration is for repeal of the abhorrent act.

Mr. Speaker, I submit for inclusion in today's CONGRESSIONAL RECORD the Post editorial of April 24, 1971, entitled "Detention Camps," which provides the reasoning to support its stand on this question. I commend the editorial to the attention of my colleagues who will soon be called upon to vote their conviction on this important issue.

The editorial follows:

[From the Washington Post, Apr. 24, 1971]
DETENTION CAMPS

It is not generally known to Americans that they have on their statute books a law authorizing the establishment of concentration camps in the United States. They are not called concentration camps, of course; they are referred to euphemistically as "detention centers," concentration camps being repugnant to all Americans as a symbol of totalitarianism. Nevertheless Title II of the Internal Security Act of 1950—that hangover from the hysteria of McCarthyism—authorizes the President to declare, under certain circumstances, an "internal security emergency." Once such a declaration has been made, the President, acting through his attorney general, may, in the words of the statute, "apprehend and by order detain . . . each person as to whom there is reasonable ground to believe that such person probably will engage in, or probably will conspire with others to engage in acts of espionage or sabotage."

Can you imagine how that law could be put into operation once an internal security emergency has been declared? No more fooling around with such old-fashioned formalities as due process or trial by jury or proof beyond a reasonable doubt. Safety first would be the watchword then, not liberty under law.

As a member of the only minority group in America ever to be incarcerated in concentration camps on account of racial ancestry, Rep. Spark M. Matsunaga has introduced in the House of Representatives, along with more than 110 colleagues, legislation, as he put it, "to repeal this repugnant statute and to remove the spectre of concentration camps from America's future." Hope Eastman, speaking for the American Civil Liberties Union, declared in testimony before the House Judiciary Committee: "The overall

impact of this Act is to suspend the Constitution during an 'internal security emergency.' The Act deprives the courts of their constitutional role. Abandoning both the substantive and procedural guarantees which the Constitution contains, it allows imprisonment on account of a man's ideas."

The bill to repeal this monstrosity was approved by the Judiciary Committee and is now awaiting a rule by the House Rules Committee. The Senate voted for it unanimously in its last session, although the House never got round to action on it. The Nixon Administration, and Attorney General Mitchell personally, has given it unequivocal approval.

There appears to be nothing in the way of repeal—except that the House Internal Security Committee, with its usual ham-handedness, has cluttered up the prospect by proposing an alternative measure which would merely tinker with the existing law, improving it somewhat but leaving its essential vices in effect. Concentration camps in any form have no place in American life. The Emergency Detention Act ought to be erased in its entirety.

MORE ON THE 18-YEAR-OLD VOTE AMENDMENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. RARICK. Mr. Speaker, during the brief debate on the 18-year-old vote resolution, efforts to amend to include full emancipation and grant full legal citizenship to the 18-, 19-, and 20-year-olds was ruled not germane.

Veteran Capitol Hill Correspondent Willard Edwards of the Chicago Tribune in his column "Capitol Views" of April 17, 1971, raises some pertinent questions with regard to the impact that State ratification of the 18-year-old voting amendment will have because of the inequities resulting from 18- to 20-year-olds being allowed to vote while not having legal status as full-fledged citizens.

State legislators, considering ratification of the 26th amendment, should read and ponder Mr. Edwards' remarks as well as those of Columnist James J. Kilpatrick.

I insert Mr. Edwards' article, an article by James J. Kilpatrick, and my report to my constituents entitled "The 18-Year-Old Vote Amendment" in the RECORD:

[From the Chicago Tribune, Apr. 17, 1971]

THE 18-YEAR-OLD VOTE RAISES QUESTIONS (By Willard Edwards)

WASHINGTON, April 16.—An 18-year-old citizen, assuming ratification of the constitutional amendment now under consideration by the states, may drive to a polling place in November, 1972, and cast his vote for all candidates, national and local.

A few minutes later, he is involved in an auto collision. State government laws and insurance company regulations provide, in such an instance, that his parents are completely responsible for any damage.

Congress has decreed that young Americans have achieved maturity at 18. State laws almost everywhere declare them immature until they are 21. Until they reach that age, they must have guardians to legally control their properties.

These reflections on the impact of the 18-year-old voting amendment have been for-

warded by Homer V. Lundeberg, director of a Chicago management consulting firm.

They seem worthy of study, especially since Lundeberg scents a "conspiracy of silence" by the news media in connection with serious consequences of the amendment.

He speculates that newspapers and television are bidding with each other to capture the interest of young adults and thus hesitate to publicize the negative aspects of giving them the vote at 18.

Any neglect in this respect, it is suggested, is due to the unseemly haste with which Congress acted on the issue and the rush of state legislatures [18 in the 23 days since congressional action] to ratify. Action by 38 states is required to give the franchise to an estimated 11,000,000 young men and women, 18 to 21.

The main objections publicized thus far have been political. The recent election results in Berkeley, Cal., where a radical coalition of students and blacks won near-control of the City Council, have stimulated fears in other college towns where students could, theoretically, take control.

There can be little doubt that inadequate consideration has been given to other side-effects of the lowered voting age. Some of Lundeberg's examples of potential problems are provocative:

The 18-21 voters would be empowered to help decide issues of local importance, such as local option for liquor sales. Most states and local communities bar sales of alcoholic products to those under 21 and, in some areas, their parents can be jailed if such sales are negotiated.

In Nevada, prostitution is a matter of local option. The 18-21 group could help legalize prostitution in a community; but the parents of those under 21, by state law, could be put in jail for permitting them to consort with prostitutes.

Two big insurance firms checked by Lundeberg said they would have to make a re-survey of their policy structures and premium rates to meet a new situation where parents are responsible for minors only until 18.

University and college administrators admit informally that large numbers of students attend because parents have legal obligations until their children reach 21. They believe there will be a substantial reduction in overall enrollment if those obligations end at age 18.

Every state legislature, before ratifying the 26th amendment, Lundeberg suggests, should consider the granting of complete majority, for all purposes—with its responsibilities as well as its benefits—to all individuals reaching the age of 18.

Admittedly, this might slow down the rate of ratification. But, if logic prevails, why shouldn't 18-year-olds, subject to military service and now to be given the vote, own property, sue or be sued in their own names, and run for Congress?

[From the Washington Post, Mar. 30, 1971]

STATE LEGISLATURES SUBJECT TO EXTORTION

(By James J. Kilpatrick)

The House of Representatives last week completed congressional action on a constitutional amendment extending the vote to young men and women at age 18. Within hours, Minnesota, Delaware, Tennessee, Connecticut and Washington had ratified. The rush is on.

It is an exercise in futility to voice dissent in the midst of a bandwagon's brassy roar; but, such an exercise may be useful all the same. To extort, by definition, is to obtain some object "by force or undue or illegal power or ingenuity." What we are engaged in here, by the grace of Congress and the whim of Hugo Black, precisely fits that definition. What it is, is extortion.

This crime against the Constitution began

last year, when Congress undertook by simple statute to extend the vote to 18-year-olds in all elections. President Nixon, against his better judgment, signed the bill. A test case, challenging the act, went to the Supreme Court in October. In December, the court split 5-4, in one of the most bizarre decisions in its history, holding the law valid in part and void in part.

Black was the swing man. The aging Alabamian agreed with the court's conservatives that Congress had no power to fix a minimum age for voting in elections to state offices; but he flopped to the liberals in ruling that Congress may exert its will as to national offices. His reasoning, if so it may be termed, went along these lines: Congress has power, under the Constitution, to make its own regulations or to alter state regulations prescribing "the manner of holding elections for senators and representatives." The word "manner," Black decided, embraces the minimum age of voters. And though the provision is limited explicitly to senators and representatives, Black ruled that the provision is just bound to apply to the election of Presidents also. *Et viola!* The deed was done.

The result was not only to rape the Constitution but also to create chaos for the states. Election officials in 47 states—all but Alaska, Georgia, and Kentucky, which already have fixed a minimum age of 18 by their own action—face the expense of maintaining two sets of registration books, one for state elections, the other for national elections.

To eliminate this costly and confusing prospect, the Congress now has approved a proposed 26th Amendment to the Constitution. The resolution is clumsily worded but the intent is plain:

"The right of citizens of the United States, who are 18 years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. The Congress shall have power to enforce this article by appropriate legislation."

That is the proposition sent forth last week for ratification. If 38 states agree within a seven-year period, the amendment will become part of the Constitution.

Whatever the law may be, it is wrong—simply wrong—for the states to be put in this impossible position. The legislatures are not free to consider the proposal on its merits. They are being told to ratify or else—or else face the chaos and expense of two sets of books. Probably the states will cave in; but many of them, in doing so, will act against the expressed will of their own voters. The people of Connecticut, for one example, in November rejected a state proposal to lower the age to 18; but now Connecticut's General Assembly has ratified the amendment.

Connecticut's voters are not alone. The people of nine other states last year rejected lower-than-21 proposals. In all of them, the state legislatures face the uncomfortable prospect of approving a proposition their own people have specifically disapproved.

It has to be acknowledged, again, that doubtless it is futile to protest at this point. But the states, if they value the integrity of the amendatory process, should refuse even to consider ratification until Congress has first repealed its own 18-year-old statute. This would free the states from extortion. In the blessed name of federalism, it seems little enough to ask.

THE 18-YEAR-OLD VOTE AMENDMENT

The U.S. Constitution is the basic law of our country. Any proposed change to it should not be adopted in haste but only pursuant to Article V and after considered and ample debate and deliberation. This slow,

cautious, and deliberative process of law making helps to assure that good and just laws will be made—to slow down or prevent emotional reactions from passing bad laws. This was not the case regarding Section 302 of the Voting Rights Act Amendments of 1970 nor the recent proposed amendment.

The House of Representatives held no hearings on the 18-year-old vote resolution and consideration of it by the House was limited to two hours. I couldn't even get recognition from the Committee Chairman for time to talk in general debate. For me to speak, it was necessary to get recognized from the floor by the acting Speaker. And that I did. I was sorely disappointed that the Chairman ruled as not germane an amendment to the 18-year-old vote resolution which would have emancipated and given full legal citizenship to the 18, 19, and 20 year olders in addition to granting them the right to vote. By ruling the amendment not germane, the members were denied any vote on any alternative to the bill as drafted by Congressman Celler of New York.

The constitutional power to fix age qualifications of voters is vested solely in the sovereign States by the Constitution. Congress has no constitutional authority whatever for setting age qualifications for voting in federal, State, or local elections.

Yet, last June, the media generated "public opinion" of the hour so clouded reason that many members ignored the clear language of the Constitution which they had sworn to uphold by enacting a statute—passing a law—enfranchising voters between the ages of 17 and 21 to vote in all federal, State, and local elections. Congress passed the buck to the President who, while openly stating that the measure was of doubtful constitutionality, nevertheless signed it into law and passed the buck to the Supreme Court. The Court in turn by one vote, a 5 to 4 decision, expediently compromised the bill by holding that the act of Congress amended the Constitution as to federal voter qualifications but was invalid as to the States. To hold that this law was made pursuant to the authority given by the Constitution flouts all rules of law, logic, and reason. At most it is justified as good politics. These good men of all three branches of government surrendered to emotion and the political hysteria of the hour.

Congress should repeal Section 302 of the Voting Rights Act Amendments of 1970 so that legislators of the States will be able to deal with the proposed amendment as free and deliberative men and not as men stampeded into action by the confusion caused by the usurpatory legislation of Congress as validated in part by the Supreme Court. Congress created the problem of dual voting—not the States. Congress should clean its own house first.

I have introduced H.R. 385 to repeal not only Title 3 of the Voting Rights Act of 1965 but to repeal the act in its entirety inasmuch as the other sections are discriminatory as applying only to that region of the country known as the South and thereby denying citizens of the South equal protection of the laws—which, by the way, was the legal argument used by the Supreme Court in upholding the 18-year-old vote in federal elections.

While passage of the 18-year-old resolution—limited only to granting the right to vote—offers a solution to but one of the pressing desires of youth to get involved in the action, I suggest it will but create additional problems and inequities. If the teenager is old enough to vote, he should be old enough to own property, to sue or be sued in his own name, to give consent to marry or to have an abortion, to own an automobile, or carry a firearm, and be able to buy a drink of hard liquor. By limiting this

amendment to merely suffrage, are we not opening a Pandora's box for "causes" and "crusades" as we should have learned from experience over second class citizen status?

Since we are granting the vote to youth 18 and above, can it not be that we will later be accused of discriminating against those 16 or even 14 years of age? If age 18 was selected merely because it was easy to adopt an argument for because they can be forced into military service—"old enough to fight, old enough to vote"—then could we not ask, "Why not reduce the voting age to 16 or 14 years of age?" After all, I know school children even six years of age who do not like being forced to attend school and who would like to be able to vote so they could vote against their school board members just as it is suggested that the 18-year-olds will be mobilized to vote against the draft in the expectation that by so doing they will end the war.

If we are going to give the 18-year-old the right to vote portion of citizenship, then why should they not be given full citizenship—the responsibilities of American citizens including the vote instead of just a privileged right to use the vote allowing them to protest against the government but escape accountability? We should not leave them half teenager and half citizen—a second class citizen. What more equitable proposal for full citizenship could Congress have considered than an amendment I had offered to the 18-year-old vote resolution to provide that "neither the United States nor any State shall make or enforce any law which shall have the effect of treating as other than an adult any citizen of the United States who is 18 years or older?"

LEGISLATION FOR RETIRED FEDERAL EMPLOYEES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 27, 1971

Mr. WALDIE. Mr. Speaker, today I am pleased to introduce three bills which constitute the main legislative goals of the National Association of Retired Federal Employees.

These bills will provide for a graduated increase in Federal annuities; an increase in the Federal Government's contribution for health insurance benefits; and for the elimination of the survivorship reduction during periods of nonmarriage of certain annuitants.

All these bills are designed to provide a more equitable benefit package for retired Federal employees.

Mr. Speaker, all of us in the Congress are aware of the difficulties those Americans who live on a fixed income are facing.

Retirees especially are hard hit by rising medical costs and increased prices for foods and other basic necessities of life.

We in the Congress must respond to the needs of these retired Americans who have devoted a good deal of their lives in a productive and valuable service for their country.

I am hopeful the Congress will act on these bills.