

morrow, after the two leaders have been recognized, there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes, and that at the close of morning business the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. I assume it will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, when the Senate convenes tomorrow,

it will meet at 11 a.m. Following the recognition of the two leaders under the standing order, there will be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements therein limited to 3 minutes.

At the conclusion of morning business, the Chair will lay before the Senate the unfinished business, and the pending question will be the amendment by the distinguished Senator from Colorado (Mr. DOMINICK). There will be no vote on that amendment tomorrow, an order having already been entered to vote on the amendment on Monday next.

However, it is expected that there will be debate on that amendment tomorrow. It is also anticipated that the debate on the Dominick amendment will not consume the entire day tomorrow.

That being the case, it is expected that Senator ERVIN, Senator ALLEN, Senator RANDOLPH, or other Senators will call up amendments, with unanimous consent having been given to temporarily lay

aside the pending Dominick amendment. Senators should be alert to the possibility, therefore, of votes tomorrow on amendments other than the Dominick amendment, and I would hope that the cloakrooms would bring to the attention of Senators that there is a good possibility of rollcall votes tomorrow on amendments other than the Dominick amendment, the vote on which will not occur, as I have stated, until Monday.

ADJOURNMENT UNTIL 11 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 4:44 p.m.) the Senate adjourned until tomorrow, Friday, January 21, 1972, at 11 a.m.

EXTENSIONS OF REMARKS

"DELTA QUEEN"—NAUTICAL TRANQUILIZER

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. McCLORY. Mr. Speaker, on September 28, 1971, several of our colleagues and I joined the distinguished gentleman from Ohio (Mr. McCULLOCH) in introducing H.R. 10926, a bill to exempt from certain deep-draft safety statutes a passenger vessel operating solely on inland rivers. A similar bill, S. 2470, was introduced in the Senate by Senators TAFT, SCOTT, and SAXBE on August 6, 1971. Both bills provide for permanent exemption from the 1966 Safety at Sea law as it applies to the steamboat, *Delta Queen*.

The *Delta Queen* is the last overnight steamboat operating on the Ohio, Mississippi, and Tennessee Rivers and has been listed by the Department of Interior in the National Register of Historic Places. It is truly a living monument to a bygone era.

Mr. Speaker, in spite of the fact that the *Delta Queen* will never encounter the hazards of the open sea it has, quite unfortunately, fallen within the category of vessels that require regulation under the Safety at Sea law. The steamboat's owners have diligently complied with every single requirement set by the U.S. Coast Guard, and they have met and exceeded safety recommendations by independent experts and by the National Aeronautics and Space Administration.

Nevertheless, because the way the law was written it has been necessary for supporters of the *Delta Queen* to seek temporary exemptions from the Safety at Sea law in order to keep this landmark afloat. The last exemption is set to expire on November 1, 1973. At that time it is quite possible that this vessel will

be banned from the scenic rivers which have been its home—unless another temporary exemption can be obtained.

On the other hand, we have an opportunity in this session of the 92d Congress to settle this matter once and for all by passing legislation which will provide a permanent exemption for the *Delta Queen*.

Mr. Speaker, there has not been a single passenger life lost in a riverboat fire in over 60 years. The last time it happened, a drunk under ship-arrest set the brig on fire and burned himself to death. In the process, the vessel also burned, but all 1,200 passengers got to safety when the boat—the excursion steamer *J.S.*—pulled into the bank near Winona, Minn., in 1910.

Mr. Speaker, a very excellent article about the *Delta Queen*, written by Edward J. Wojtas, appeared in the January 16, 1972, edition of the Chicago Tribune. I am inserting this article in the CONGRESSIONAL RECORD at this point, and I invite my colleagues to indulge in a little nostalgia as they read the article—and then to join the growing number of people who are engaged in an all-out effort to "Save the *Delta Queen*."

The article follows:

RIVERBOAT CRUISES

(By Edward J. Wojtas)

The country's only overnight river steamer, the *Delta Queen* begins another year of cruising on Feb. 3 when the huge white vessel leaves New Orleans for a six-day cruise to Memphis. Before the 1972 season is over, the venerable riverboat will have completed 49 separate trips up and down the Ohio, Mississippi, Cumberland, and Tennessee Rivers. But newly added to this year's schedule are the Arkansas River, with a cruise to Little Rock, and Illinois, with trips to Peoria and Starved Rock.

As things stand now, the *Delta Queen* still has at least two more years of life in her solid steel hull. That's the result of some last minute legislation signed by President Nixon on Dec. 31, 1970, which gave the old river

queen three more years of life. The proud queen had been doomed by a Safety at Sea law that was enacted by Congress in 1966 in reaction to fires on two cruise vessels at sea. Two separate two-year extensions already had been granted prior to this latest law. Although the *Delta Queen* never leaves the sight of a river bank, she was included in the legislation because she was an American flag flying vessel, built from "nonfireproof" materials, and had overnight accommodations for more than 49 persons.

After the President signed the legislation, the *Delta Queen* was upgraded to the tune of half a million dollars. Among other things, fire retardant paints—approved by NASA—were used throughout the ship. An automatic fire detection and warning system was installed. The entire ship, too, is equipped with an automatic sprinkler system. In a very true sense, the *Delta Queen* now is a Victorian relic in a space age hide.

New legislation was introduced in late 1971 to exempt permanently the riverboat from the 1966 law. Both senators from Ohio and Senate Minority Leader Hugh Scott of Pennsylvania sponsored the new bill. If the law is enacted, the steamer will be saved for posterity to take her place with the Silverton train, Williamsburg, Greenfield Village, and Mystic Seaport as authentic links to America's colorful past.

The *Delta Queen* is 285 feet long, 58 feet wide, weighs nearly 2,000 gross tons, draws seven feet of water, carries a normal passenger complement of 186, a crew of 76, and travels 35,000 miles a year under the command of Capt Ernest Wagner, a virtual giant of a man—6 feet 4 inches tall and 250 pounds—gruff of voice but with patient and graceful manner and a mariner's skill gathered in 42 years on the river.

The *Queen* was built in Glasgow, Scotland, in 1926, shipped to Stockton, Cal., where her wooden superstructure was added, then put into service between Sacramento and San Francisco. After a colorful career there, she was purchased by Greene Lines in 1946, towed to Pittsburgh, refurbished, and put into service on America's inland waterways in 1948.

So what is it that attracts people to ride the riverboat?

Probably one of the most peaceful and relaxing experiences available in today's helter-skelter world. Even a "land cruise" on a cross

country passenger train pales by comparison. Leisure and pleasure are the forte of an inland waterway cruise. There is no seasick-inducing swaying, no rolling up and over. The shoreline inches past smoothly with a continuous change of scenery from farm plots, to shipyards, to power plants, to paralleling railroad tracks, to huge splotches of greenery.

At each town and lock—word travels well ahead of the boat—the Queen is met by crowds that come to wave and shout and then demand a tune or two from the rear deck calliope which easily can be heard at least five miles away. And at each town the calliopiist obliges.

The calliope is now a tradition on the Queen altho most of her predecessors never did have such an extravagance. As a matter of fact, each passenger even gets a chance to play the howling screecher and then is awarded a "Vox Calliopus" certificate attesting to the momentous achievement.

One bit of modernity that stuns the first-time boarder is the captain's shiny Volkswagen "moored" on the lowest deck. It's used at shore stops for land errands. The VW is last to board over the Queen's huge "stage" or gangplank, putt-putt-putting aboard just before the shore lines are set loose. The car is even officially "nautical," with decals of red and green running lights on her port and starboard windows.

But there are many things to do aboard the Queen besides listening to the calliope. There are many moments of just peaceful contentment when passengers can get absorbed in that book they've been saving to read, write letters, stroll around the deck—11 laps equal one mile—or just lie on the sun deck and bask in the warm solar rays.

Birdwatchers can identify a variety of geese, ducks, gulls, herons, or even a few egrets or a pelican or two in the lower reaches of the Mississippi.

River commerce continually passes by in the form of freight. The great barge tows pushed by huge towboats carry thousands of tons of coal, ore, grain, petroleum and chemicals up and down the rivers.

They can watch the steamboat's own operations, deck hands manning lines, officers shouting orders, the engine room with its throbbing pumps and pistons and rods and wheels, inspect the intricacies of passing thru locks and past the many dams, and enjoy the marine ballet that accompanies each docking procedure the Queen must go thru to tie up at shore stops. And at these shore stops passengers can get off and inspect the quaint old river cities.

A few river fans actually come aboard armed with Corps of Engineer charts that show each individual bluff, island, chute, bayou, sand bar, dike, village, factory, bridge, or power line, plus virtually every other topographic feature. They revel in pointing out each as the Queen continues to waddle down the river like a big placid duck.

Chief hazard on the river is fog. But, when it does get too pea soupy, Capt. Wagner simply moves over to shore and ties up until it lifts.

In between all the relaxing there are meals to savor. All food is included in the passage. On the first day aboard each passenger is assigned a table and his own personal waiter. Meals are announced by one of the waiters making a circle of all decks, ringing musical chimes to announce that the next setting is ready.

And what meals! Lamb chops, corned beef and cabbage, beef stew, prime ribs, ham and grits, shrimp creole, cat fish, French toast, ice cream of many flavors, and a virtual unending supply of fresh fruit. It all culminates in a gala champagne party and captain's dinner on the last night out.

And if the regular meals are not enough

to sate one's palate, late night snacks are piled high in the Orleans Room after 10 p.m., and sandwich and coffee will be rustled up by any steward at any time of the day on request. On the Queen, the passenger is king!

Two bars serve a variety of specialty drinks blended to perfection along with most prosaic libations. One specialty is a "Blue Monday," which virtually is guaranteed to produce an even bluer Tuesday if too many are downed. And the Queen's bartenders insist they concoct the best mint juleps in the entire South.

Dinner usually is accompanied by an organist, but the real show starts later in the evening. Each night the Orleans Room is converted into a mini-nightclub, and entertainment rocks from the walls. There's a professional band aboard, headed by veteran jazzman Vic Tooker, who only played 18 separate musical instruments when he took over as head entertainer on the Queen. He quickly added a 19th. Quite naturally, it was the calliope.

For those who like such things, there are organized games. Participation is strictly voluntary, and if one just wants to sit and relax, no one will badger him to do otherwise.

There's only the unforgettable sky, per-simmon colored sunsets, the placid, meandering river, and 24-hours-a-day pleasure.

In today's fast-paced, progressive world, the Delta Queen serves as a slow-moving nautical tranquilizer.

Specifically of interest to Chicagoans this year, because of their proximity, are a nine-day trip from Cincinnati to Starved Rock, beginning July 5; a Peoria weekend junket, starting July 14; and a Peoria-St. Louis journey, leaving July 16. Several other trips are available from nearby St. Louis and Cincinnati. For complete details on the coming year's excursions and a schedule of rates, write Greene Line Steamers, Dept. C. T., Public Landing, Cincinnati, Ohio 45202.

THE SPACE SHUTTLE PROGRAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, January 20, 1972

Mr. THURMOND. Mr. President, it is a pleasure to commend the editor of the Augusta, Ga., Chronicle, for the fine editorial which was published January 7, 1972, in support of the recently approved space shuttle program. This excellent editorial correctly recognizes that our future role in space hangs on this vital program.

In my judgment, the space shuttle is a practical approach which will allow continued space research within reasonable costs. Since the booster and the orbiter will be reusable in the shuttle program, the operation will be more economical.

The editorial quoted the President as saying that the space shuttle program—

Will go a long way toward delivering the rich benefits of practical space utilization and the valuable spin-offs from space efforts into the daily life of Americans and all people.

The list of potential benefits for all mankind is so long, and is increasing at such a rate, according to experts, that no compilation has ever been possible.

Mr. President, I congratulate the Augusta Chronicle for its succinct and logical assessment of this important

program. It is particularly noteworthy that although the defense aspects of this program have not been highlighted, the Chronicle very properly pointed out that the defense benefits rank high in the space shuttle program. This critical capability alone should be sufficient to justify the costs which is far below many other programs.

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

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

HISTORIC MOMENT

A turning point in the history of the earth and, for that matter, the solar system seems to have been reached with President Richard M. Nixon's decision Wednesday to authorize development of a \$5.5 billion space shuttle project.

Designed to create shuttles which can carry freight and men back and forth between the earth and the space vehicles which orbit the earth, the research and development is expected to take six years and be ready for its first flight in 1978. Four points of significance appear:

"It will go," said the President, "a long way toward delivering the rich benefits of practical space utilization and the valuable spin-offs from space efforts into the daily life of Americans and all people." The most extensive and up-to-date survey of such benefits, present and potential, appears in Frederick I. Ordway's new book, "Dividends From Outer Space," whose main points were reviewed Sunday in The Chronicle's Book Notes column. What Ordway had to concede as potential, however, can be made a reality as the shuttle system establishes routine contact with scientific laboratories in space.

The system should lower the per-unit cost of space activities. Whereas now a space vehicle is a one-trip mechanism, these projected shuttles could be used up to 100 times, thereby, as the President said, "taking the astronomical costs out of astronautics."

Not the least of immediate considerations will be the estimated 25,000 jobs which would be created in the shuttle development activity. This, it is true, is only about one-fourth the approximately 200,000 jobs which were lost in space industry cutbacks of recent years. It will, however, help correct the abysmal error of giving in to latter-day Know-Nothingism which insisted that spending money for doles was more important than spending it for job-producing science and technology—thereby increasing unemployment—the very thing the dissidents professed to be concerned about.

Not mentioned by the President—but emphatically by NASA—was the tremendous boost which the program can give to the United States' defense capacity. The President is a canny politician, and he knows at present there are men who have the ear of unthinking elements in the public, filling them with the idea that all defense capacity is an evil. Whether naive or unscrupulous, these vociferous pacifists are trying mightily to sell the idea that if a nation is able to resist aggression, it must of necessity use that ability to enter needlessly into wars. They would, therefore, reduce our defenses to an approximation of those of The Netherlands, whose "neutrality" proved to be an ironic joke as Nazi hordes swept across the low countries some three decades ago.

The defense aspect of the shuttle program, though unmentioned by the White House, must rank high in the benefits of the proposed space shuttle—along with its civilian economic benefits. There will be opposition, as there has been too many advances in science and technology. In most such forward steps,

however, reason has prevailed, else we would even now be still in the age of the ox cart and of recurrent plague epidemics.

PHARAOHS NEVER LEARN

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BRASCO. Mr. Speaker, over the centuries only one people has known the heavy hand of oppression with a constant, depressing frequency. The Jewish people have written and rewritten the book of suffering in a hundred lands, living always in the knowledge that another persecutor would always come—that another exile was always in store for them—that torment, torture, and death awaited some of their children, no matter what they did.

And virtually all the prophecies came true over the centuries. The list of Jewish martyrs and massacres is almost as endless as the history of various countries themselves.

Yet these people have managed to not just survive, but in turn to even prevail over their various enemies. Torquemada is gone and the Inquisition with him. The Jewish people live. The Pharaohs of ancient Egypt are gone and the Jewish people live. The Nazis and Hitler are gone, vanished into the oblivion from which they originally emerged. And the Jewish people live. Nasser is dead and eventually will be forgotten, and the people he sought to exterminate are alive and thriving. Surely, there is some inner spark within the collective breast of this people which will allow them to surmount any future challenge we can foresee.

Among past persecutors of these people have been a variety of Russian rulers. The Romanoffs were notable among the slaughterers of the Jewish people. When the serfs grew restless and threatened to rise against these rulers, it was a standard practice for the elite to send agents provocateurs among the people. It was their task to rouse already existing prejudices to fever pitch, which in turn would find expression in programs against the surrounding Jewish population. Decade after decade, such massacres occurred, with deaths running from several hundred to several hundred thousand.

Today, millions of Americans have seen and enjoyed the popular play and film, "Fiddler on the Roof," which portrays Jewish village life in Eastern Europe. Although many people see the warmth and closeness of this life, intertwined in the presentation is the bitter reality of that existence. The few scenes depicting the horror of pogrom and discrimination are only a pale allusion to the ugly agony these people endured.

Today, the czars have been replaced by the Communist regime of Soviet Russia. Some of the cruder aspects of mass annihilation have disappeared. Otherwise, matters are still very much the same. While allowing a few Soviet Jews

to emigrate, the regime bears down with callous cruelty and hard hand upon those remaining.

Rabbis cannot be trained. Prayer books are not printed. Yiddish is literally a proscribed language. Production of religious articles is minimal. Religious education is hamstrung as part of a deliberate government policy. It is hard indeed to live as a Jew in Russia today, just as it was in the past. Tevye's grandchildren drink the cup of bitterness to the very dregs as their forefathers did. All in all, it is a shabby episode in a long, dreary volume of endurance.

Remarkably, the spirit of the Jewish people does not flag, much less wink out under this pressure. Rather, it glows and lives anew in spite of everything the Soviet regime attempts. Free men and women the world over thrill again and again to the sight of this tiny minority and its spirited resistance to the Soviet regime's attempts to wipe it out. Sit-ins, protests, and struggles are being constantly waged across the face of Soviet Russia by the Jews who constantly reiterate their ageless theme of liberty.

Such themes are spoken again and again as they are carted off to asylums and labor camps. No hand of oppression has been able to still their voices. No hand ever will. And virtually every observer can almost sense that after these dictators diminish to a few lines in the history books, the Jewish people will continue to live and thrive.

Recently, a concerned, active group of American Jews contributed their share to the struggle here in the west that seeks to tell the world and the Jews of Russia that they are not alone. What they did was to call one of their religious compatriots in Russia. The message was simple, "You are not alone."

Over the endless miles separating the parties this message flashed, and it was to me a moving reaffirmation of man's irrepressible spirit. No human being can be permanently silenced. Even when he is in a labor camp, an asylum or in his grave; if his message is the truth, it will repeat itself again and again, drowning out the most urgent efforts to stifle it. I witnessed a living illustration of the truth of this when I, too, spoke to this man.

An account of this event was contained in a press release put out by this group, "The Concerned Canarsie Citizens for Soviet Jewry."

Mr. Speaker, I offer the text of that release at this point.

PHONE CALL TO RUSSIA IS A GREAT SUCCESS

"We will succeed in our struggle," said Gavriel.

"You keep up your struggle there," said Congressman Frank J. Brasco, "and we will continue our struggle here."

Gavriel was extremely pleased that a Congressman had spoken to him.

The Thomas Jefferson Democratic Club was the site of a new breakthrough in the Canarsie community in the struggle to save Soviet Jewry. The Concerned Canarsie Citizens for Soviet Jewry placed a phone call to Moscow last Sunday, January 16th, to Gavriel Shapiro of Moscow, one of the leaders of the Soviet Jewish resistance movement in Moscow. Despite dismissal from his job as a chemical engineer, the 26-year-old freedom fighter has

participated in sit-ins and hunger strikes at the Kremlin for Jewish emigration rights.

Rabbi David Haber began the conversation with Gavriel, who speaks fluent Russian, Hebrew, and English, by sending regards from friends who met Shapiro while in Moscow. When the Russian heard the names of old friends, he "opened up" and much of his suspicions were dampened. After asking a number of questions, the Rabbi turned the call over to Congressman Brasco, who wished Shapiro good luck in his hard-fought struggle. Brasco assured Gavriel that the majority of the members of Congress stand behind him and behind all his brothers in their struggle for liberty. His conversation with the Congressman gave Gavriel tremendous spiritual uplift. Svetlana, whose last name we cannot publish, is a Russian Jewish girl who recently emigrated and moved to Canarsie. She spoke with Gavriel for a while in Russian.

Those present, members of CCCSJ, and Dave Frank, President of the Canarsie Jewish Community Council, and Irving Schwartz and Leon Guttman, also active members of the Community Council and past presidents of Remsen Heights Jewish Center, joined in the singing of "Am Yisroel Chal," which means "The Jewish People Live," over the phone. At the end of the song, Gavriel said, "Thank you. That song was a beautiful gift."

And what else did Gavriel say? Among other things, he assured us that all protests and demonstrations for Soviet Jewry are definitely good. Moreover, he wants us to demand not only emigration, but quality emigration. Emigration from Moscow ceased on December 1st, because most Moscovite Jews applying are engineers, doctors, teachers, students, etc. He asks us to please keep up the struggle here, and eventually, we will win this fight. As the Congressman assured him, we shall continue.

The next call will be made from Remsen Heights Jewish Center, on Sunday, January 23rd, at 12:00 noon. All interested people in the community are invited. Special to Local Organizations!—A tape of this phone call is available and will lend itself beautifully to a program of Soviet Jewry. If interested, please call Alan Roth at 251-5389. We hope that these two phone calls will be the kickoff to a campaign of phone calls in the community, whereby every synagogue, organization, and even individuals could make phone calls to Russia periodically.

The CCCSJ, sponsor of this call, wishes to thank, especially, Shirley Weiner, Meade Esposito, and Irving Polk, officers of the Democratic Club, for the use of their facilities and Congressman Brasco, who took time out of his schedule to be with us.

Mr. Speaker, dictators never learn from the lessons of history. Santayana said that those who do not learn from such errors are doomed to repeat them. Time after time such pharaohs have been destroyed because of their unwillingness or stubbornness in the fact of the overwhelming force of an idea whose time has indeed come. Such a time has surely come for Soviet Jewry.

It is vital that we here in this Nation maintain our concern and activism on behalf of these people. Our protests and the attendant publicity embarrass the Soviet regime, which desperately yearns for international respectability and all that this carries with it. By protesting their intransigent, barbaric stand, we hold their feet to the fire of protest, allowing some of these people to escape their fate. Let us never cease our protests until every last person who seeks emigration is allowed to leave.

THE 1971 REPORT OF SENATOR
WILLIAM B. SAXBE, OF OHIO

HON. WILLIAM B. SAXBE

OF OHIO

IN THE SENATE OF THE UNITED STATES

Thursday, January 20, 1972

Mr. SAXBE. Mr. President, a year ago I offered on the floor of the Senate a report to my constituents containing highlights of my first 2 years here. The response was highly favorable and, for my fellow Ohioans, hopefully informative.

I have decided to review the year just ended in a similar manner, with two thoughts foremost. First, to the men and women who sent me here, I ask that you regard what follows as an "accounting" of my activities during 1971. Second, I want you to share with me some of the thinking that went into my decisions on the major issues of the first session of the 92d Congress.

I was honored at the very start of the year to have been appointed a Republican regional "whip," a post regarded as a part of the leadership in the Senate.

According to Minority Leader HUGH SCOTT, who named me to the post:

The Regional Whip will assist the leadership in all areas of floor activity. This will include one day of full-time floor duty each week, active participation in debate, and all general floor work.

I am one of five such appointments nationally and represent, besides Ohio, the States of Pennsylvania, Michigan, Illinois, New York, and New Jersey.

I firmly believe that appointments such as these have a definite "spinoff" benefit for the citizens of my State. They move the Senator closer to the leadership, for example, nearer the heart of the major decisions; they heighten his "visibility" within the corridors of power and they provide an avenue in which the Senator can better learn to ply his trade.

Taking an overview of the legislative year, I was the primary author of 18 bills, amendments or resolutions ranging from matters dealing with Federal election reform to social security increases for the elderly to halting military aid to West Pakistan. In addition, I was a cosponsor of 35 other bills or amendments. I shall detail each of these throughout this report.

And there is always the mail. For a State as large as Ohio, the mail—receiving, sorting, reading, assigning, and answering it and making sure my constituents are well served—is one of the major functions of my office.

During 1971, I received 96,900 pieces of "legislative" mail. Legislative mail, as the word implies, deals with a legislative matter that interests the writer in any of a variety of ways. The letter might range from a statement of position on a bill coming to the Senate floor to a request for information about a particular proposal.

These 96,900 pieces of mail do not take into account our casework letters, where the writer generally has some kind of problem with the Federal Government and needs help, personal mail or that

relating to the press. These letters totaled roughly another 54,000.

Another way of saying this is that my office during 1971 received 150,000 pieces of mail, most of which required an answer. For legislative mail, this averages out to 367 letters each day, every day.

What this means, as I am sure you recognize, is that a successful Senate office is much more than the day-to-day business you so often read about in the papers—activities on the Senate floor, committee meetings, speeches back home, inspection trips, and all the rest.

But the best yardstick for learning what is on the minds of my constituents is the mail. So keep it coming.

FOREIGN POLICY

The early part of the first session of the 92d Congress revolved around issues of foreign policy. My new assignment to the Senate Armed Services Committee enabled me to play a greater role in these matters than I had during my first 2 years in the Senate. The full Armed Services Committee held extensive hearings on the selective service and the defense procurement bills. In addition membership on this committee enabled me to keep briefed on Vietnam, South Asia, and the Middle East. I was assigned to the Subcommittees on General Legislation, Strategic Arms Limitation Talks—SALT—Stockpile, Status of Forces, and the Subcommittee on Drug Abuse in the Military.

The key foreign and military issues raised in Senate debate this year were: First, Vietnam withdrawal deadlines; second, selective service extension; third, troop reduction; fourth, foreign aid; fifth, defense spending; and sixth, the India-Pakistan conflict.

PRESIDENTIAL DIPLOMACY

During the year of 1971, President Nixon took the diplomatic offensive in an effort to move from an era of confrontation to an era of negotiation. In his inaugural address January 20, 1969, the President said:

Let all nations know that during this Administration our lines of communication will be open. We seek an open world—open to ideas, open to the exchange of goods and peoples—a world in which no people, great or small, will live in angry isolation.

The President in an effort to seek a detente made two startling announcements this year. On July 15, he announced that he would visit the People's Republic of China and on October 12, he announced he would travel to the Soviet Union. The China trip which was an outgrowth of ping-pong diplomacy has created a great deal of public comment, both pro and con. I am pleased to know, however, that most of it reflects the realization that 800 million Chinese, no matter what their form of government, cannot be ignored. As Life magazine said:

If there is credit to be found (and we think there is) in ending the U.S. isolation of mainland China, it belongs in good part to Richard Nixon.

The Presidential trip to Moscow is also paved with good intentions. The Soviet Union—as well as China—can help in arranging an American withdrawal from Vietnam, prevent another conflict in the Middle East, encourage a European se-

curity conference with mutual balanced force reduction between NATO and the Warsaw Pact, and finalize some arms limitations in the Strategic Arms Limitation Talks—SALT.

President Nixon has meticulously prepared for these talks with top level meetings with Prime Minister Trudeau of Canada on December 6, President Medici of Brazil on December 7, President Pompidou of France on December 13 and 14, Prime Minister Heath of Great Britain on December 20 and 21, Prime Minister Brandt of West Germany on December 28 and 29, and Prime Minister Sato on January 6 and 7, 1972. The President will obviously be well prepared for meetings with Chairman Mao Tse-tung and Premier Chou En-lai of China on February 21 through 28 and those with Chairman Brezhnev and Premier Kosygin of the Soviet Union in May.

I harbor no illusions or overconfidence from these summits. I have not forgotten the collapse of President Eisenhower's journey in 1960 with the U-2 crisis and President Johnson's trip in 1968, because of the Soviet invasion of Czechoslovakia. However, I am hopeful for success in this period of diplomatic transition.

VIETNAM

The most recurrent Senate battle over our withdrawal from South Vietnam revolved around amendments suspending funds after a certain date, and policy declarations for withdrawal at a specific date, namely the McGovern-Hatfield amendment and the Mansfield amendment. These amendments were offered during the debates on the selective service bill, military procurement bill, and the foreign aid bill.

The attempts at fund cutoffs failed and were superseded by the Mansfield amendment which passed the Senate in all three of the aforementioned bills. The first Mansfield amendment called for a "U.S. policy" of withdrawal of all American troops within "9 months" of enactment, subject to the release of all U.S. POW's held by North Vietnam and its allies. A House-Senate conference committee removed the deadline and declared that it be "the sense of Congress" that our troops be withdrawn "at the earliest practicable date." The amendment passed the Senate again in the defense procurement bill calling for a "U.S. policy" of withdrawal within "6 months" of enactment contingent upon release of our prisoners of war, but a conference committee again deleted the deadline, leaving only a "declaration of U.S. policy" to withdraw at a date to be announced by the President. The last attempt to legislate a date for withdrawal failed in the foreign aid bill.

I opposed both the McGovern-Hatfield fund cutoff and the Mansfield policy of a specific date for withdrawal. There are those who sincerely feel that if we pick a date out of the air and say, "on this day the last American will step out of South Vietnam," it will somehow speed up and make more certain the safety of the withdrawal of our remaining forces and the release of our prisoners of war. I do not agree with their argument. No such promise has been made. The North Vietnamese and Vietcong simply say:

Disengage all your units, leave the country, and then we will begin to talk about the prisoners.

The enemy makes two conditions for a possible prisoner release: First, we must withdraw lock, stock, and barrel; and second, we must cease our support of the Government of South Vietnam even after our withdrawal. Even if we were willing to meet both these conditions, might they then not up the ante and require us to cease support of other allies if we wish to see our prisoners back?

I returned from Southeast Asia in April and was pleasantly surprised to find that the winding down had accelerated, that the units were being detached from combat, and that there were assignments with troops going into relatively safe areas. When I arrived in Washington to assume my Senate responsibilities there were 542,500 troops in South Vietnam. By February 1, 1972, there will be 139,000 troops there and by May 1, 1972, there will be 69,000 troops there. I would be the first to criticize the administration and the Department of Defense if the withdrawal could not continue at the present or increased rate, but I think that this administration must be given the credit for its accomplishments. To those who say, "this is Nixon's war," I say, "this is Nixon's withdrawal."

Finally, I am opposed to any "withdrawal by widening" of this war. I was dismayed by our Cambodian invasion last year and our support of the Laos invasion earlier this year. I am a sponsor along with other Senators of a measure to prevent the invasion of North Vietnam, if the situation ever turned to this point—not only the invasion by our troops, but also an invasion by South Vietnam with our support. Furthermore, I am opposed to the massive bombing of North Vietnam, which is a reversion to the position of the previous administration.

SELECTIVE SERVICE EXTENSION

The Congress, with my support, extended the draft for 2 years after a bitter debate which lasted 4½ months. The opponents of this measure engaged in a filibuster which allowed the draft to expire for 2 months. In addition to extending the draft, the bill provided for a \$2.4-billion annual increase in military pay, which some believe will hasten the day of an all-volunteer army. The measure also authorized the President to abolish undergraduate-student deferments. The final bill contained many procedural reforms and limited the number of men who could be drafted to 130,000 in fiscal 1972 and 140,000 in fiscal 1973. Yet, last year only 96,000 men were drafted, compared to a peak of 364,000 in 1966.

I voted to extend the draft, because I believe that we have to maintain a civilian army and a civilian-controlled military. I do not think that in a democracy we should have a mercenary army. We have an obligation that each American should feel necessary to perform and it should be performed with pride. If this is not so popular as it once was, perhaps we should have it in a way of a national service, such as VISTA and the Peace Corps, because we will never need the

tremendous number of men available at age 18 every year.

I understand the growing feeling of antimilitarism in our country, but I do not understand what these people stand for in regard to their country's future, because many of these assumptions made in doing away with the dangers of militarism are not true and cannot be proved by history.

It will be recalled that in 1946 and during World War II we said that never again would we allow ourselves to become so weak in the world that evil men and evil people could build a regime that threatened the freedom of the individual. We talked a great deal about liberty, democracy, and freedom, but these words are not as popular today, because time has caused us to forget.

I am the first to recognize that the Army could benefit by severe cutbacks which would make it leaner, harder, and a more effective military force. But our manpower requirements are still related to our worldwide commitments and not just the Vietnam war.

It seems to me we are like a law man giving up the idea of policing the world, but we must still be able to protect what we stand for and believe in. I am old-fashioned enough to believe there are bad people in the world who do not agree with the concept of liberty, equality, and justice and who would take it away from us without the protection of our Armed Forces.

TROOP REDUCTIONS IN EUROPE

We must, then, reduce our commitments before we reduce the manpower needed to meet these commitments. One place to start is in Europe.

I supported the Mansfield amendment which would have prohibited us from maintaining more than 150,000 military personnel in Europe. This amendment would cut in half our troop commitment to the North Atlantic Treaty Organization—NATO. The NATO Alliance to which we are a party was formed well over 20 years ago. By cutting our force levels in half, we would put U.S. troop levels in a contemporary perspective.

Since the NATO Alliance was formed conditions have changed, military technology has changed, and international financing has changed. Britain and France are now nuclear powers. They have their own nuclear deterrent. One hundred and fifty thousand American troops would still insure our nuclear umbrella not only to them, but also to West Germany. Our military technology allows us to fly troops from the United States quickly to Europe, thereby permitting a reduction of our force level there.

Finally, the shabby treatment received by some of our troops, particularly in West Germany, is scandalous. The western European nations have prospered and can contribute much more to their own defense.

A cutback in U.S. forces is not related to mutual balanced force reductions—MBFR. These can still be made if NATO and the Warsaw Pact agree. It must be remembered that the Russian troops stationed in Eastern Europe are there for political control of those countries as well as a threat to the NATO Alliance.

If the West Europeans want us to keep the additional 150,000-troop level, then they should help pick up our balance-of-payment deficit resulting from their being there. I sponsored a substitute amendment to the Mansfield amendment allowing our troop level to remain intact if our NATO allies picked up at least one-half of the balance-of-payments deficit resulting from the presence of U.S. military personnel not already compensated for. This amendment failed as did the Mansfield amendment.

FOREIGN AID

On October 29, 1971, I voted to kill the \$2.9 billion foreign aid program. The bill was defeated by a vote of 41 to 27. The Senate then divided foreign aid into an economic assistance bill and a military assistance bill, both of which passed by large margins, with my support. Since the House of Representatives has not yet passed the conference report, Congress passed a continuing resolution extending aid at a reduced level of \$2.7 billion until February 22, 1972.

The foreign aid bill was brought up for discussion the day after the expulsion of Taiwan from the United Nations. I immediately moved that the bill be re-committed to the Foreign Relations Committee so that the Members of the Senate could have a period of time to reflect upon the action of the U.N.

Anyone who watched the sad affair at the U.N. on television saw a lynching party with the shouting and the dancing, the slapping of backs and the heaping of abuse on this country. There are those of us who feel that, however ill-advised our actions have been in the world, we nevertheless have been altruistic and well-intentioned. Therefore, I was greatly disappointed to find that the people to whom we have given most have turned against us, not only by their votes in the U.N., but also by their actions.

I would like to think that the selection of Kurt Waldheim of Austria as the new Secretary General will bring in a new era of cooperation in the U.N., but I doubt it. The organization needs almost \$70 million to settle its current deficit and \$119 million to settle outstanding bonds. Despite these deficits the Assembly voted to increase its regular budget by 10.5 percent. I hope that the members do not expect us to pick up the tab.

Until we call the attention of the world to the fact that we do not have unlimited funds, that we have serious domestic problems where this money can be used, we are going to continue to have Christmas tree foreign aid bills—gifts for everyone. There are schools in Ohio that are closing, because they do not have funds, yet at the same time we are spending money to open a school someplace else. We have villages by the hundreds in Ohio that have no sewer and water facilities; yet, we take this money and build sewer and water facilities someplace else. We must reorder our priorities and a cutback in foreign aid is a good place to start. When we do give foreign aid, it should be to a multilateral consortium where other countries match our own contributions.

DEFENSE SPENDING

My membership on the Senate Armed Services Committee has enabled me to closely evaluate our weapons systems development. Secretary of Defense Laird said on January 3, 1972, that—

The United States is second to no one with respect to overall military power.

I intend to do my part in keeping us No. 1. However, I intend to scrutinize closely their cost and performance to eliminate cost overruns and waste.

For example, I tried to limit the expense of domestic production of the Harrier—an operational vertical-short take-off and landing, V/STOL, combat aircraft. Each branch of the armed services is developing three close support aircraft which perform overlapping functions: The Harrier, the AX, and the Cheyenne. Beyond this some Members of the Senate urged domestic production of the Harrier which we now purchase from Britain. As ridiculous as it may seem, only 12 planes of the total purchase of 114 planes could be completely produced in the United States. The total price of such domestic productivity could run as high as \$275 million. My amendment to delete this item from the military procurement bill lost in a 40-to-40 tie vote. The item was then eliminated in the House-Senate conference.

I have opposed the development of the antiballistic missile—ABM—system in past years, but this year I was persuaded by Senator JOHN SHERMAN COOPER of Kentucky, who led the opposition in the past, that continued development at Malstrom, Mont. and Grand Forks, N. Dak. would aid our negotiators at the strategic arms limitation talks—SALT. Many of us who have had little confidence in the effectiveness of the ABM have gone along reluctantly with that view. I offered and then withdrew an amendment that when a treaty between the Soviet Union and the United States is reached on an ABM limitation, all authority for continued development in areas of the agreed limit be terminated at the date of the agreement. I withdrew it in fear that such an amendment might jeopardize negotiations, but I continue to oppose expansion of the system.

THE WAR BETWEEN INDIA AND PAKISTAN

In October of 1970 I criticized a decision of the administration to ship military equipment to Pakistan in violation of our existing embargo. I predicted dire consequences and they soon followed.

In December 1970 Pakistan held its first national elections since its creation in 1947. Sheikh Mujibur Rahman's Awami League won an absolute majority in the national assembly that was called to write a new constitution for the country. The assembly was prevented from meeting by Gen. Yahya Khan and on the night of March 25 he imposed martial law. His army of West Pakistani Punjabi troops conducted a reign of terror in East Pakistan. The military repression included the systematic slaughter of Bengali civilians. Most westerners estimate the death toll ranges from 300,000 to 1 million deaths, 10 million refugees in India, and another 20 million displaced persons.

Senator CHURCH and I introduced an amendment in a bipartisan effort to cut off both military and economic aid to Pakistan, because genocide by any other name is still genocide and must be condemned. However, the administration was less than candid on our arms shipments. The Saxbe-Church amendment was accepted as part of the foreign aid bill, but events were proceeding too rapidly. War was near.

I traveled to India and Pakistan where I talked to both Prime Minister Gandhi and President Yahya Khan. I tried to impress upon them the dangers of the war they were plunging into, but to no avail. I was there when the war broke out. India won the war and it would appear that a new nation called Bangladesh has been born, but the specter of communal riots hangs over the subcontinent.

ECONOMY

The year 1971 found the Nation's attention riveted to economic matters. Foreign policy issues appeared to wane somewhat and the Nation found itself faced with severe international monetary problems and an unprecedented economic crisis both inflationary and recessionary in scope. On August 15, 1971, the President startled the Nation by announcing a series of fiscal policy measures designed to stimulate our domestic economy and restore once again the world's confidence in the dollar. Some of these measures required congressional approval; some did not.

Those direct measures imposed by the Executive were a \$4.7 billion cut in Federal expenditures; a freeze on all prices and wages throughout the United States for a period of 90 days; the appointment of a Cost of Living Council to establish the mechanism to achieve continued wage and price stability; a temporary suspension of convertibility of the dollar into gold or other reserves; the temporary imposition of a tax of 10 percent on goods imported into the United States.

Those measures advocated by the President and requiring congressional approval included the Job Development Act of 1971; repeal of the 7-percent excise tax on automobiles; acceleration of the personal income tax exemption scheduled for January 1, 1973, to January 1, 1972.

After several months of hearings and debate the Congress late in the session cleared for President Nixon's signature the Economic Stabilization Act. This legislation extended the authority previously given the President to impose economic controls and expanded the Executive power provided by the act.

Principal provisions of the legislation as passed granted the President authority to control interest rates and dividends. It eliminated a provision of the act as formerly passed which prohibited application of controls to a single industry or any one particular segment of the economy. The act also exempted from controls earnings below the minimum wage and those earnings below officially established poverty levels. Another important section provided for retroactive pay raises provided for under labor agreements, but deferred by the wage-price freeze. In addition, the act man-

dated the pay raise for Federal employees commencing in January 1972, rather than in July as planned by the administration. The legislation also required Senate confirmation of the Chairman of both the Pay Board and the Price Commission. Passage of the Economic Stabilization Act in addition to the Revenue Act of 1971 culminated this year of innovative economic legislation.

In late October, President Nixon again addressed the Nation and announced the establishment of the Pay Board and Price Commission. These agencies were to implement the provisions of phase II of the President's new economic policies. I am hopeful that these policy decisions, plus the conferences that the administration has conducted with the other major trading nations in the world concerning international monetary reform, will once again restore to America and the world sound economic growth.

I was further encouraged that the administration deemed it advisable to take these economic steps, inasmuch as I had introduced and cosponsored with 13 other Republican Senators a bill to establish a national committee on wages and prices. The Economic Stabilization Act provision for the Cost of Living Council, Pay Board, and a Price Commission incorporates the concept set out in that bill, which was introduced prior to the President's original imposition of wage and price controls.

The Revenue Act of 1971 was a necessary part of our domestic economic resurgence and a companion piece of legislation to the Economic Stabilization Act. On December 9, Congress cleared for President Nixon's signature a bill which reduced corporate and individual taxes in order to stimulate the domestic economy. President Nixon subsequently signed the Revenue Act of 1971 into law in late December.

An important provision of this legislation provides for a 7-percent investment tax credit on expenditures for plant and equipment ordered after April 1, 1971, or delivered after August 15, 1971. The passage of this legislation responded to the President's request for enactment of a Job Development Act for 1971.

Title II of the tax legislation increased the amount that a taxpayer may claim as a personal exemption for dependents from \$650 to \$675 for the taxable year 1971 and increases it to \$750 in taxable year 1972. The act increases the minimum standard deduction that may be claimed by a taxpayer from \$1,050 in 1971 to \$1,300 in 1972 and also allows for a deduction of up to \$4,800 a year for day care of children or a disabled dependent if the taxpayer's adjusted gross income is less than \$18,000.

Title IV of the legislation provides for repeal of the 7 percent excise tax on new automobiles purchased on or after August 15, 1971.

Two other important features of the measure are special tax treatment for domestic international sales corporations, which will stimulate the private sector of the economy to exert a concerted effort on increasing America's exports to other nations, and a tax credit for certain expenses incurred in work incentive programs.

Further highly publicized features of the law provide for tax incentives for contributions to candidates for public office, and a provision which will allow for financing of presidential election campaigns by a checkoff on the taxpayer's return effective after 1972 in the event Congress elects to appropriate the funds.

Another important piece of economic legislation predated the President's New Economic Policy. It was adopted in June of 1971 and made retroactive to January of 1971. This measure which codified IRS regulations concerning depreciation, provides for accelerated depreciation rates for business. This, of course, has the net effect of stimulating the capital goods sector of our economy.

I must note at this point that, which I believe changes in our tax structure are a necessary and important ingredient for the ultimate solution of our economic problems, I voted against the Revenue Act of 1971 as passed. This was because of my longstanding belief that this particular act will ultimately perform a great disservice to the American people. For example, the tax cuts for individuals will result in deficits for the Federal budget for at least this year and the next 2 years, and will perhaps result in an inestimable tax loss over the next decade. Recently the Office of Management and Budget projected Federal income of \$188.4 billion, with expenditures at the rate of \$211.4 billion and a resultant deficit for fiscal 1971 in the amount of \$23 billion.

Informed sources estimate that the Federal budget for fiscal 1972 will reach \$199 billion. Expenditures of \$227.2 billion will result in a deficit of \$28.2 billion. In fiscal 1973, these same informed sources estimate Federal income at \$217 billion with expenditures at \$249.5 and a net resultant deficit of \$32.5 billion. The ultimate result of four consecutive budget deficits will be continued inflation. It is interesting to note that most responsible economists blame our present inflation problems on the deficits that occurred during the mid- and late-1960's, due to the increased military activity in Vietnam.

This Nation cannot continue to have large deficits in its Federal budgets without losing the faith and trust of our world trading partners. That loss of faith must ultimately result in disruptions in the international monetary system as we presently know it, plus rampant inflation on the domestic economic front.

What I have previously stated on the floor of the U.S. Senate and in my annual report for 1969-70 holds equally true today. When we as a nation spend in excess of what we take in we must borrow to make up the difference. Our borrowing capacity is based in part on our credit. It is paper and stands for nothing more than an IOU, a check from our own Government, and as it becomes cheaper in value the people are paying more money for the same thing.

One final action which rounded out the Government's fiscal moves must be noted. That was President Nixon's decision to devalue the dollar by 8.57 percent and to remove the 10-percent surcharge on imports originally imposed at the initiation of the wage-price freeze.

This decision also encompassed extending the 7-percent investment tax credit to foreign-produced equipment.

In return the other member nations in the Group of Ten agreed to an upward revaluation in their currencies against the dollar. Authorities place the total devaluation of these two complementary actions at 12 percent. Of course, the dollar devaluation will require approval of Congress during the second session. Most observers agree that Congress will give it approval early in the second session of the 92d Congress.

LAW, ORDER, AND JUSTICE

A recent survey published in Life magazine indicates that 78 percent of Americans feel unsafe in their own homes. Of big city residents, approximately 80 percent are afraid in the streets at night. More than four out of 10 of those who responded said that they or a member of their family had been victimized by criminals last year. Approximately 30 percent keep a gun for self defense and 41 percent feel that their police protection is inadequate. Because of the facts behind these statistics, I introduced the Model Criminal Justice Reform Act, S. 400, early in 1971.

The bill, which was more than a year in the planning and drafting stage, is aimed at spurring comprehensive reforms in police professionalism, the courts, and our correctional institutions.

In its present form, the bill provides for better management of increased Federal funding for criminal justice reform, improved law enforcement recruiting, training, and personnel procedures, as well as better pay for police, prosecutors, judges, court officials, and correction employees.

At the heart of the program set forth by the legislation is a Federal subsidy for law enforcement, prosecution, and courts in States which agree to provide matching funds roughly equal to their normal budget. These governmental bodies would also meet Federal guidelines, and to qualify for Federal funding local police departments must agree to statewide coordination and cooperation in such areas as training, equipment, and pay.

The police departments have traditionally approached crimefighting in a very independent manner. Now, more Federal money tends to increase the fragmentation of our present law enforcement system. My legislation attempts to correct this situation by coordinating all elements of criminal justice reform on the voluntary State-administered basis.

Several Senators have expressed interest in this legislation, and I am hopeful that we can make some progress if early committee action on this bill can be accomplished. I intend to reintroduce the bill during the second session of the 92d Congress, giving special attention to emphasis on the correctional facilities portion of the bill. In this regard, the prison riots that have occurred in New York and several other States indicate that something must be done to quickly reform our criminal correction procedure. I sincerely hope that my legislation provides a starting point for the Congress. And that the

legislation will help repair the breakdown in justice and order, restoring confidence in our criminal justice system and give it prompt rational reform.

HEALTH CARE AND GOVERNMENT OPERATIONS

The first half of the 92d Congress brought forth two major advances in the health care field: The Comprehensive Health Manpower Training Act and the National Cancer Act. I voted for and actively supported both these measures, and I was especially pleased to see Congress authorize such generous sums for these purposes.

I was in strong support of several notable features of the health manpower bill; namely, the strong incentives for medical schools to increase enrollment and to encourage early graduation; the support to hospitals for the training of interns and residents especially in the field of general practice; and the generous scholarship and loan provisions to young doctors who agree to practice in rural and urban poor areas. These particular features should have a strong beneficial effect on our health manpower shortage problems.

The National Cancer Act provides a billion and a half in Federal funds to launch a national attack on the dread disease of cancer. Besides greatly expanding the research programs within the National Cancer Institute, 15 new cancer research centers are now being set up across the country.

National health insurance is a major issue before Congress and one in which I have been an active participant for some time. Extensive hearings were held last year in both the Senate and the House, but final action on the bill was postponed until the second session. In February, I testified before the Senate Health Subcommittee, expressing the necessity for reforming the health care delivery system as well as the need for some type of national insurance program to help people pay costly medical bills without ending in bankruptcy.

More recently, I introduced legislation of my own, entitled the Medical Resources Development Act. This bill is designed to improve and expand the Nation's health resources. It authorizes planning agencies throughout the country to identify areas where there are shortages of services and personnel, and then authorizes funds to set up new services or to improve existing ones in order to eliminate these problem areas. In addition to fostering new health centers, the bill would provide funds for the training of allied health personnel who could perform supportive services now being performed by the highly trained physician. My bill, now being considered by the Senate Health Subcommittee, is an essential forerunner to any national health insurance program because it would prepare the health care system for the increased demand sure to come.

As a member of the Senate Government Operations Committee and the Subcommittee on Executive Reorganization, I was active in supporting the establishment of the new Action Agency, a consolidation of all volunteer programs of the U.S. Government into one single agency. "Action" is composed of the

Peace Corps, VISTA, and numerous other volunteer service programs. It is an agency which has given new visibility and strength to the existing programs, and at the same time, has promoted the volunteer spirit among all Americans.

Similarly, as a member of the Government Operations on Executive Reorganization, I cosponsored and strongly supported the establishment of a new Drug Abuse Office. Drug abuse has increased by such alarming proportions in this country that special combative action has become necessary. The President, therefore, created a Drug Abuse Office in the White House, and the Government Operations Committee passed legislation authorizing this office. The Special Action Office on Drug Abuse coordinates existing drug prevention, treatment, and rehabilitation programs throughout 13 different Government departments and agencies, and brings them under the authority and direction of one office and one director. Programs involving the military, at home and abroad, as well as those touching the civilian drug-affected population are coordinated, strengthened, and expanded under the guidance of this new office.

SUPREME COURT

With the deaths of Supreme Court Justice Hugo L. Black and Justice John Marshall Harlan, two vacancies were created on the U.S. Supreme Court. To fill these seats on our Nation's highest court, President Nixon, by using the constitutional power and responsibility of the President, nominated Judge Lewis L. Powell and William R. Rehnquist.

Believing that both nominees were solid advocates of the law, morally sound and ethically righteous, I was in favor of their respective confirmations. The Senate Judiciary Committee found Judge Powell to be "thoroughly qualified" and he was then confirmed by a vote of 86 to 1 in the full Senate. In accordance, I believed him to be a moderating influence, seeking always to avoid hasty and extreme solutions while simultaneously striving to obey the law of the land.

The confirmation of Mr. Rehnquist seemed to be somewhat more difficult to resolve for a few of my colleagues. In essence, the thought that the nominee's ideology or political philosophy disqualified him for a position on the Supreme Court. I do not believe this to be a proper criteria for either rejection or confirmation. A Supreme Court nominee and I may disagree on some matters of judicial philosophy and perhaps if the power of nomination were mine I would have put forth someone whose views coincided more closely with my own. But that is not the issue here. Supreme Court nominees should be considered on the basis of intellectual and legal ability, veracity, integrity, and ethical and personal conduct. They should not be considered on the basis that they will stand in my stead and adjudicate as I, or any of my colleagues would.

It seems as if many of Mr. Rehnquist's opponents were seeking a political court and not a judicial one. Even those who hold the strongest of liberal views, however, have admitted that to reject a

nominee solely on his political views would tend to politicize the Court. In the final analysis the Senate Judiciary Committee found the charges of Mr. Rehnquist's insensitivity on questions of civil rights were "totally unfounded."

In conjunction with my above-stated reasons, I believe the necessary criteria for a Supreme Court Justice is that he must carefully weigh the strengths of competing arguments and public policy considerations. Both Judge Powell and Mr. Rehnquist have the unique ability to see both sides of difficult legal questions which require working out the delicate balances established by the Constitution between the rights of individuals and the duty of the Government to enforce laws. I am also convinced that the new justices are within our great tradition of legal philosophy and are solely interested in equal justice under the law for all Americans.

SOCIAL SECURITY—AGING

The year 1971 has great potential for being one of the most forward-moving and progressive years for our Nation's older Americans. Not since 1961 has there been a White House Conference on the Aging, and a great deal has occurred in these past 10 years regarding provisions and care for the elderly.

Many far-reaching and innovative ideas emanated from the conference. However, it will take time and further study to see any of these recommendations activated. Therefore, while the past year was one of many blueprints for the future, there was also legislation introduced and passed which will lay the groundwork for the many present needs of the elderly.

In May of 1971, I introduced a bill to amend the Social Security Act, which would increase from \$70.40 to \$100 the minimum monthly insurance payments for retired and disabled persons 65 and over who are on social security. The bill would also guarantee a minimum social security check of \$160 a month to an individual, and \$220 to a couple whose total income now falls below the poverty level. Thirdly, my bill would lift the earnings limitation for retirees from \$1,680 to \$2,600 a year. This means a retiree may earn up to \$2,600 a year in outside income without having his social security check lowered.

Although this bill is still pending in the Senate Finance Committee, hopefully to be incorporated into the social security and welfare reform bill during this session of Congress, I was delighted to see President Nixon sign into law last March legislation increasing the social security benefits by 10 percent. There are still some necessary improvements in the social security system, however, particularly in increased benefits to the elderly. My bill is attempting to do this.

As a member of the Senate Special Committee on Aging it was clearly brought to my attention, through many hearings, that with today's inflationary spiral, the ones hardest hit are our older Americans. We must have a minimum income for the elderly, and certainly someone willing and able to work should not be penalized because of his age, and more so because of the present restrictive

limit on outside earnings. As it stands now a person can collect social security even though he draws huge sums in unearned income. But once he becomes a wage earner, he puts his payments in jeopardy. To me, this is not fair. A change in the earnings limitation would affect an estimated 18 million retired and disabled Americans covered by social security.

Thus, with the start of the second session of the 92d Congress, I feel quite certain that with the passage of the social security and welfare reform bill the beginning of a new era for our older Americans will become a fact, not a fantasy.

POLLUTION CONTROL

The Senate passed a 4-year, \$16.8 billion bill aimed at making the Nation's waterways virtually pollution free by 1985. The legislation dramatically increases the Federal investment in construction of sewage treatment plants and requires local governments to charge user fees for the treatment of industrial polluters. It also requires Federal permits for discharging any wastes into navigable waters, and industrial polluters would be required to install the most up-to-date abatement equipment.

I supported the legislation, but was extremely disappointed when my amendment to fund the research work of Water Conservancy Districts was not adopted. The bill has been reported by the House Public Works Committee and should be ready for floor action by early February.

Also, I introduced Senate Joint Resolution 28 which is directly related to Ohio. The legislation designates Cedar Swamp in Champaign County as a national monument. When enacted, the resolution will stop highway construction and drainage near the swamp which could cause irreparable damage or death to the animals and plants in the bog.

We have destroyed too much of the scenic beauty and natural ecology of our country. It is time to begin and continue programs to insure that we will always have peaceful woodlands and wildlife sanctuaries, as well as a quality environment.

SST

Near the close of the 91st Congress, funds for the SST were struck from the Department of Transportation appropriations bill by a Proxmire amendment that was agreed to by the Senate. Immediately after this action, the conference committee recommended \$210 million for SST development, and the recommended amount passed the House on December 15. However, when the bill again reached the Senate floor, it was promptly filibustered.

A compromise agreement was worked out to allow Congress to adjourn. The compromise permitted a continuing resolution to be passed by voice vote in both houses that continued funding for the SST until March 30, 1971. The compromise, to stifle the filibuster, included assurances that there would be a vote in the Senate on future funding of the SST during fiscal year 1971.

Early in March, the House passed another continuing resolution for the De-

partment of Transportation which carried an amendment from the House Committee on Appropriations funding the development of the SST in the amount not exceeding \$290 million. The House struck the amendment by a vote of 217 to 203.

The Senate Appropriations Committee restored the SST amendment and the legislation, House Joint Resolution 468, reached the Senate floor on March 24. The Senate rejected the SST amendment by three votes.

I voted to fund the completion and testing of the prototype phase of the SST. The two prototype aircraft would have had no significant adverse impact on the environment, and we had already contributed 12 years of research, design, development, and two-thirds of the cost of building these prototypes. With that enormous investment of time and money, I was convinced that we should test the technological, economical, and environmental feasibility of the aircraft.

A great deal of the prototype development was done by Ohioans, and many of the potential 150,000 new jobs created by full development of the SST would have gone to Ohioans. Only three States ranked above Ohio in number of subcontractors bidding successfully for construction of the prototypes and future SST components. Ohioans were directly responsible for the engines, landing gear, and many other important parts of the aircraft. For this reason, I was confident that the SST would prove itself by contributing jobs, returning the Government's investment as well as tax revenue, and bolstering our balance-of-trade deficit, while at the same time providing fast, comfortable transportation to compete with the European and Russian supersonic transports.

While well-intentioned, many of the opponents of the SST were not willing to realistically support completion of the prototypes to test environmental theories.

I felt we should finish the prototype aircraft and test them thoroughly emphasizing the environmental factors. If the SST did indeed cause significant damage to our atmosphere, or if its speed and capacity proved unnecessary, I would have been among the first to call a halt to its construction and use.

AGRICULTURE

Farmers made 1971 a dramatic year of recovery from the short feed grain crop of 1970 caused by drought and corn blight. Another short crop this year would have led to reductions in beef, hogs, dairy cattle, and poultry, spelling higher prices for consumers. Instead, farmers courageously produced the highest per acre yields and the largest corn crop in history. This gave consumers the benefit of reasonable prices for red meat, poultry, and eggs, but put a severe burden on farmers as the bumper crop lowered prices.

To help farmers, changes were made by the administration last fall in feed grain programs for the coming year. These changes were made under the compromise Agriculture Act of 1970, which

I supported last year because of its basic flexibility.

The new rules under the act provide more freedom for farmers: Allowing shifting of crop patterns for better utilization of resources, elimination of controls for overplanting, marketing quotas, cross-compliance, and early announcement of 1972 programs.

Beyond adjustment in the Agriculture Act of 1970, the administration's new economic policy stabilized costs of equipment and materials to the farmer, but exempted raw agricultural products from price control. I supported the President with sincere hope that it improves farmers' earning opportunities as market demands for their products expand and with increased prices while costs hold steady.

Farm market expansion includes increased export of farm products which reached an all-time high of \$7.8 billion in fiscal 1971. Ohio's share of this total export was \$232 million.

The removal of the 10-percent surtax on imports reduced the chance of retaliation and should further develop foreign farm markets. Additionally, the President removed the requirement that 50 percent of the shipments of U.S. grain to Russia, China, and certain other countries be carried in U.S.-flag vessels. This should give farm exports an additional lift.

Domestically, the administration implemented and expanded many other programs which I support. In December, the President signed the Farm Credit Act which provides readily available and more flexible credit for individual farmers and agricultural groups. Basically, the bill consolidates the hodgepodge of farm lending regulations under the full control of the farm credit system. Also, a rural telephone bank was established by other legislation to provide supplementary funds for building or expanding rural telephone systems. The \$127 million in Farmers Home Administration emergency loans during fiscal 1971 was the highest in the program's history. And, maximum food purchase programs were ordered to lessen the effect of price-depressing market surpluses.

Also, the national school lunch program doubled during the last year, while the money spent on the program more than tripled. For fiscal year 1972 a total of \$615.2 million will be available to provide cash assistance to participating schools to purchase food for the program.

Flexibility is the watchword for farmers in the future. Concentrated efforts must be spent on marketing and bargaining, as well as in the development of freer, more market-oriented production. Agriculture can be the catalyst that molds solutions for the critical problems of hunger, foreign trade, rural development and, creating a quality environment.

I am optimistic that we are just beginning to fashion a favorable climate in which farmers can contribute to these solutions and at the same time realize an adequate return for their efforts and disproportionate capital investment. I am dedicated to assisting farmers when-

ever and however possible and will continue to urge the administration to do the same.

OHIO MATTERS

The "complete" senatorial office, in my view, is the one willing to fight hard on a wide variety of matters affecting the home State. By that, I simply mean the office must assign a high priority to "affairs of State," often to the exclusion of other things. Toward that end, the year was a very active one. Some of the major accomplishments that my office, often working with the rest of the Ohio delegation, helped bring about:

The Federal Department of Transportation announced in midsummer after deliberating for a year that it was going to build a \$10 million auto compliance test center near Bellefontaine in southwestern Ohio. The decision came only after some intensive lobbying by the delegation, and its awarding to Ohio was a victory of major proportions.

At roughly the same time I began receiving reports that a sophisticated foreign technology operation at Wright-Patterson Air Force Base in Dayton, with some 1,750 highly-paid technicians, was going to be transferred to Florida. Again, the delegation closed ranks and impressed on the White House and the Pentagon that the move would be unwise. The result: I was able to announce that the FTD would remain in Dayton for the present.

The new national rail service—Amtrak—came out with its original schedules last spring and, unaccountably, omitted any rail passenger stops in such huge northern Ohio centers as Cleveland, Toledo, and Akron. While this story had an unhappy ending, we were able through intensive pressure in early summer to get the new rail corporation to amend its schedules and offer Cleveland and Toledo daily passenger service. This decision was to be rescinded as 1972 began when some of the other participating States failed to come up with the necessary pledges to keep the service operating. Amtrak thus cut its service to northern Ohio.

Here is another example of what I mean about going to bat for the State: The National Environmental Protection Agency disclosed several weeks ago that it was thinking of moving from Cincinnati to Washington the Offices of Solid Waste Management. The move would have meant, among other things, a loss of jobs in Cincinnati in excess of 100. We immediately got busy on that one and, after several letters and telephone calls, prevailed on the agency to leave 117 jobs in Cincinnati and move only 20 to Washington.

Another major cause which occupied many hours of my time centered on efforts by the city of Cleveland to acquire the mammoth Cleveland Tank Plant for an addition of services at Cleveland Hopkins Airport. As the year ended, the General Services Administration informed me that, after intensive negotiations, it was prepared to offer the plant to the city for lease or sale. GSA said specifically that it is willing to negotiate the sale or

lease to Cleveland of 162 acres and 32 buildings. Again, this was no small victory.

There was much more, but the above were all good examples of how a Senate office can go above and beyond to help the State. Moreover, during the year my office was able to announce literally millions of dollars in grants, contracts, and related agreements to Ohio agencies, governments, and educational institutions.

We made breakthroughs in other areas as well. One of the matters that made me especially proud was the nomination by President Nixon of Ohio Supreme Court Justice Robert Duncan to a vacancy on the U.S. Court of Military Appeals. This nomination of Mr. Duncan, a friend whom I have long known and admired—and whom I strongly supported for the post—was a major one. The military appeals court is the Supreme Court for the military and consists of only three judges.

In late summer I made an intensive survey of my constituents on a wide range of matters, extending from the war in Vietnam to the economy to crime, pollution, and all the rest.

I sent questionnaires to some 200,000 Ohioans who make up my general mailing list. What I regarded as perhaps the key question dealt with the issue most bothering people today. Thirty-eight percent of the respondents picked inflation. Second was the war in Vietnam or some aspect connected with it—drawing 26 percent of the replies. Third place went to crime, with 18 percent, followed by unemployment and drugs, each 5 percent, and pollution, 4 percent.

As I mentioned earlier, the year was also punctuated frequently by trips back to Ohio. The primary purpose for going back has generally been speeches and appearances, or matters requiring my personal attention.

CONCLUSION

As the year ended, I found myself taking part more frequently in floor debate in the world's greatest deliberative body.

As you know, many feel this is the essence of the Senate—a body conceived by our Founding Fathers as a great, civilized forum for exchange of ideas, arguments, concepts, and philosophies. A review of the 11-month session disclosed that I took the floor 93 separate times to address my colleagues on topics ranging from Pakistan to NATO, from farm prices to health care.

It was a busy year in many respects, as you have gathered from reading what came before this. And already we are into the second session of the 92d Congress. In fact, by the time this report reaches your homes we will be debating hot and heavy such measures as campaign financing, higher education funds, and various other issues carried over from 1971.

Here, briefly, to climax this report, are some of the major items of business that will occupy the Congress in 1972:

Economy: The Nation's economic health will come before us as part of a raft of bills being pushed by the admin-

istration as President Nixon and his men work to halt inflation, increase production, and slowly switch from a wartime to a peacetime economy.

Welfare: Welfare reform and its guaranteed annual income proposal for the poor and work program for welfare recipients, already has passed the House and is due to come before the Senate by March 1.

National health: Some kind of national health insurance legislation will come before us, with proposals already ranging from cradle-to-grave federally financed health insurance to a program limited to catastrophic illness coverage.

Foreign affairs: A wide range of business, from the Vietnam war to NATO to our Strategic Arms Limitation Talks—SALT—will be before the Senate throughout the year.

And if that is not enough, there are also more than a dozen appropriations bills that we must pass to keep the Government operating.

In addition to all of this, remember that it is a national election year. To say that the imponderables of politics will be lingering in the wings is putting it mildly.

I shall look forward to your comments on this report. In closing, permit me to offer all of my fellow Ohioans a happy and meaningful New Year.

COMPREHENSIVE BUDGET SCORE-KEEPING: CONGRESSIONAL ACTIONS AND INACTIONS IN THE FIRST SESSION OF THE 92D CONGRESS, AFFECTING THE FISCAL YEAR 1972 BUDGET

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. MAHON. Mr. Speaker, in reporting to the House on adjournment day, December 17, on the appropriations business of the first session, I pointed out that while most of the spending side of the budget on which Congress annually acts is handled in the appropriation bills, congressional actions—and inactions—on budget proposals in various legislative bills significantly affect the budget and fiscal picture. They weigh importantly in any comprehensive comparison of congressional results with the President's budget and fiscal recommendations—as to obligational authority, as to expenditures, and of course as to revenues.

A few days after adjournment, the staff of the Joint Committee on Reduction of Federal Expenditures issued its comprehensive budget "scorekeeping" report. Copies were made available to each Member of Congress, to the press, and others. I should like to supply a capsulization of the scorekeeping report and some selective listings of the major variations from the 1972 budget recommendations.

Briefly, it shows:

First. That Congress, in all its actions and inactions on the 1972 budget, made a substantial net reduction in respect to new budget obligational authority. It made many changes and failed to take certain recommended actions, but the overall effect was a substantial net reduction from the Executive recommendations for new spending authority.

Second. That congressional actions and inactions in their impact on Executive estimates of 1972 expenditures—budget outlays—were about a standoff—slightly below the estimates, according to the scorekeeping report, but essentially a standoff.

Third. In respect to 1972 revenue proposals by the Executive, congressional actions and inactions, according to the scorekeeping report, did not reduce projected budget revenues quite as much as proposed—by about one-half billion dollars.

SUMMARY OF CHANGES—OUTGO SIDE OF BUDGET

In summary, the Congress in its action on the appropriation bills reduced the President's request for new budget obligational authority by about \$2.2 billion with a resulting decrease of about \$744 million in expenditures—budget outlays—from that proposed in the budget estimates.

Congress in its actions on certain non-appropriation bills also affected materially the amount of new budget obligational authority and expenditures. The staff analysis estimates that the non-appropriation bills on which Congress completed action in the first session will result in a grant of new budget obligational authority of about \$1 billion in excess of the budget proposals with an estimated increase in expenditures of about \$3.8 billion. This latter increase includes the social security benefit increase estimated to cost \$1.4 billion which was approved without the proposed increase in tax rate and base; \$1.2 billion due to approval of the Federal employee pay raise effective January 1, 1972, instead of July 1, 1972; and an increase of about \$485 million in the cost of the all-volunteer army as compared with the budget request. These increases in new budget authority in non-appropriation bills were more than offset by budget authority reductions in the appropriation bills in respect to fiscal 1972, but in terms of expenditures—budget outlays—this was not the case.

However, by its inaction—to date—on certain legislative proposals in the 1972 budget, Congress did not approve about \$5.3 billion in proposed new budget obligational authority involving about \$3.1 billion in outlays. Major programs in this category include revenue sharing, medicare liberalization, and emergency school desegregation assistance. Of course, to the extent Congress approves these pending legislative proposals in the second session of the 92d Congress, the presently approved level of new budget obligation authority and expenditures would be affected.

The following table summarizes the comparisons:

COMPARISON OF CONGRESSIONAL ACTIONS AND INACTIONS AFFECTING FISCAL YEAR 1972 BUDGETARY RECOMMENDATIONS—OUTGO SIDE (AS OF THE END OF THE 1ST SESSION OF THE 92D CONGRESS, DEC. 17, 1971)

[In thousands of dollars]

	Budget authority			Budget outlays (expenditures)		
	House	Senate	Enacted	House	Senate	Enacted
1. The appropriation bills.....	-3,974,753	+521,054	-2,221,507	-1,872,500	+700,300	-744,000
2. Legislative bills:						
(a) With backdoor spending authorizations.....	+50,000	+50,000	+50,000			
(b) With mandatory spending authorizations.....	+1,750,588	+2,292,575	+702,075	+6,677,988	+5,249,275	+3,585,575
(c) Affecting certain proposals in the 1972 budget.....	+15,735	-187,065	+271,735	-921,000	-248,200	+207,000
Subtotal, legislative bills.....	+1,816,323	+2,155,510	+1,023,810	+7,598,988	+5,497,475	+3,792,575
3. Inaction on legislative proposals in the 1972 budget.....	-4,668,174	-4,809,374	-5,268,174	-3,121,540	-3,162,740	-3,121,540
Total, congressional action and inaction affecting fiscal year 1972 budgetary recommendations.....	-6,826,604	-2,132,810	-6,465,871	+2,604,948	+3,035,035	-72,965

Note: For details on a bill-by-bill basis, see table No. 1, Budget Scorekeeping Report of the Staff of the Joint Committee on Reduction of Federal Expenditures, Dec. 17, 1971.

THE APPROPRIATION BILLS

In the appropriation bills with respect to fiscal 1972 amounts, there was a net reduction from the requests for new budget obligational authority of \$2,221,507,000.

The House totals were \$3,974,753,000, net, below the requests considered.

The Senate totals were \$521,054,000, net, above the requests considered.

These changes in the new spending authority requests translate—according to joint committee staff estimates—into changes from executive expenditure estimates—budget outlays—as follows: House, -\$1,872,500,000; Senate, +\$700,300,000; enacted -\$744,000,000.

The \$2,221,507,000 net congressional reduction in new budget authority requests for fiscal 1972 in the appropriation bills breaks down by bills this way:

[In thousands]

	Net change from budget
1. Education.....	-\$6,875
2. Legislative.....	-6,040
3. Treasury, Postal Service, General Government.....	-280,229
4. Agriculture, Environmental and Consumer Protection.....	+1,172,086
5. State, Justice, Commerce, Judiciary.....	-149,686
6. Interior.....	+29,386
7. HUD, space, science, veterans.....	-882,721
8. Transportation.....	+44,983
9. Labor-HEW.....	+581,025
10. Public Works, AEC.....	+59,043
11. Military construction.....	-92,708
12. Defense.....	-3,025,366
13. District of Columbia (Federal funds).....	-16,600
14. Foreign assistance.....	-1,581,708
15. Summer feeding programs for children (H.J. Res. 744).....	+17,000
16. Supplemental, 1972.....	+151,461
Total, 16 measures.....	-2,221,507

There follows a selective listing of some of the major increases and decreases involved in the net overall reduction in budget authority of \$2,221,507,000 in the appropriation bills:

SELECTED MAJOR INCREASES ABOVE THE FISCAL YEAR 1972 BUDGET REQUESTS (IN THE APPROPRIATION BILLS)

[In thousands]

HUD, water and sewer grants.....	+\$500,000
REA loans.....	+216,000
Food stamps.....	+198,816
School milk program.....	+104,000

Urban renewal programs (half-year funding provided for program requested as supplemental for proposed revenue sharing legislation which was not enacted).....	+650,000
Model cities program.....	+150,000
Veterans medical care programs.....	+190,000
Mental health.....	+112,750
Medical facilities construction.....	+167,827
National Institutes of Health.....	+142,130
School assistance in federally affected areas.....	+172,580
Elementary and secondary education.....	+138,000
Vocational and adult education.....	+100,115

SELECTED MAJOR REDUCTIONS BELOW THE FISCAL YEAR 1972 BUDGET REQUESTS (IN THE APPROPRIATION BILLS)

[In thousands]

Higher education (proposed authorizing legislation for student loan fund not enacted, and funding eliminated).....	-\$400,000
Community development, open space land programs.....	-100,000
Manpower training services:	
Public sector on-the-job training.....	-90,400
Special targeting.....	-120,800
Defense budget:	
Procurement funds falling authorization.....	-662,600
Research, development, test, and evaluation funds falling authorization.....	-257,000
Reductions in NOA requirements offset by application of excess prior year and stock fund balances.....	-945,600
Reduction associated with 56,000 man-year force reduction mandated in Selective Service Act.....	-286,800
Termination of main battle tank program.....	-66,600
Reduction in intelligence programs.....	-222,300
Reduction in civilian personnel cost.....	-49,435
Reduction in SAFEGUARD anti-ballistic missile system.....	-177,400
Foreign assistance (at the interim annual rate provided through February 22 in the continuing resolution, Public Law 92-201).....	-1,581,708

NONAPPROPRIATION BILLS

Completed congressional actions in the recent session in certain nonappropriation bills out of the legislative committees having a direct or mandatory effect on the 1972 budget estimates are estimated

by the staff of the Joint Committee on Reduction of Federal Expenditures to result in an increase of \$1,023,810,000 in new budget obligational authority and an increase of \$3,792,575,000 in expenditures—budget outlays.

The major legislative actions involved in this calculation are:

	Budget authority	Budget outlays
Social security benefit increase without requested rate increase and rise in tax base.....	-\$833,000,000	+\$1,385,000,000
Federal employee pay raise.....	+1,200,000,000	+1,200,000,000
Cost of all-volunteer army above amount requested in budget.....	+484,800,000	+484,800,000
2 actions raising Railroad Retirement benefits above request, without full requested rate increase.....	-24,000,000	+238,000,000
Elimination of proposed 110 percent limitation on public assistance administrative grants.....	+232,000,000	+232,000,000
2 school lunch actions (funded through CCC).....		+215,000,000
13-week extension of unemployment benefits (eligibility begins; probable future appropriations).....		+196,500,000

INACTIONS ON 1972 BUDGET ITEMS

The Congress failed to complete action during the last session on a number of legislative proposals in the President's 1972 budget, several of which would have resulted in reductions. The Joint Committee on Reduction of Federal Expenditures has estimated that the net effect of these inactions as of the close of the first session is to reduce the budget totals by \$5,268,174,000 in new budget obligational authority and \$3,121,540,000 in expenditures—budget outlays.

The major inaction items are:

	Budget authority	Budget outlays
Revenue sharing (general and special, including HUD community development).....	-\$3,506,000,000	-\$2,569,000,000
Medicare liberalization.....		-977,500,000
Emergency school desegregation assistance.....	-1,000,000,000	-300,000,000
International financial institutions.....	-845,000,000	-57,000,000
Medicaid reform.....	+444,000,000	+444,000,000
Farmers Home Administration—Reduction in direct loans.....		+275,000,000

Much of this legislation will still be pending in the second session of the 92d Congress; some may be enacted in the second session; and much may possibly be included in some form or another in the new 1973 budget to be submitted later this month.

CHANGES IN FISCAL YEAR 1972 BUDGET REVENUE PROPOSALS

Mr. Speaker, in the aggregate, according to final "scorekeeping" report estimates of the joint committee staff, there was not much change reflected in congressional actions from the total of the revised budget revenue proposals for fiscal 1972.

As amended and enacted by the Congress, the President's tax reduction package amounted to net revenue reductions of about \$1.4 billion less than the President requested, largely due to inclusion of depreciation rollback. However, the Congress failed to complete action on about \$800 million in proposed social security revenue increases. These are the major congressional scorekeeping items contributing to the relatively slight net increase of \$497 million over the 1972 budget revenue requests.

CLEVELAND'S DR. PAUL BRIGGS PRESENTS "MOST SIGNIFICANT TESTIMONY" ON EDUCATION

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. MINSHALL. Mr. Speaker, the distinguished chairman of the House Committee on Education and Labor, Mr. PERKINS of Kentucky, has heard a lot of testimony during his near quarter-of-a-century service in the U.S. House of Representatives. It is impressive, therefore, though not surprising to us who know Dr. Paul W. Briggs, superintendent of Cleveland Public Schools, to learn that Chairman PERKINS has called Dr. Briggs' recent testimony before the Education Committee, "the most significant I have heard in 23 years."

My good friend Dr. Briggs' testimony requires no elaboration on my part; I commend his remarks to the attention of all Members of Congress, and, at the same time, wish to pay personal tribute to the remarkable job this brilliant educator is doing in Cleveland.

The testimony follows:

TESTIMONY OF PAUL W. BRIGGS, SUPERINTENDENT OF SCHOOLS, CLEVELAND, OHIO, TO HOUSE EDUCATION AND LABOR COMMITTEE, JANUARY 13, 1972

Mr. Chairman, Members of the Committee: It is with great pleasure that I appear before you today. I always appreciate the opportunity to meet with you and to share with you views on elementary and secondary education needs. Once again I am honored to address this distinguished and industrious committee—one which perseveres in seeking solutions to the problems confronting our schools.

I am particularly pleased to visit your chairman's home state of Kentucky. In Mr. Perkins, Kentucky has a son of whom she may be very proud. Mr. Perkins, who has served

on this committee for almost a quarter of a century (23 years), and as its chairman for the last five years, has been instrumental in drafting and supporting many significant bills relating to education. He supported, in 1956, the Library Services Act, and in 1957 he was among a group of 28 congressmen who presented a program to their contemporaries which included, and in fact demanded, federal aid to schools and the use of agricultural surpluses for school lunches. Later in 1959 Mr. Perkins supported the School Construction Assistance Act. In the 88th Congress he was credited with being the architect of the Vocational Education Act of 1963. He sponsored and conducted hearings on the Elementary and Secondary Education Act of 1965 and he is credited for having guided it through Congress. He was responsible for the Child Nutrition Act in 1966 which enabled Cleveland's School Breakfast Program.

In the 23 years that Mr. Perkins has served in the House of Representatives, he has shown exceptional insight and devotion to problems and needs of this country's young people. For this, I thank you.

With the help of Mr. Perkins and this committee we have made tremendous strides in education—but there is little question that further and new challenges lie ahead.

At the beginning of this century, the primary concern of urban education was the Americanization of the multitude of immigrant children. Today, we find yet another changing population in our cities—the children of the poor. Since World War II, there has been a massive exodus of the more affluent from the city to the suburbs. At the same time, the city has received an in-migration of the poor from various minority groups.

The move out of the city—among white and non-white citizens—has involved the economically more able. Consequently, increasing proportions of the people remaining in the city are victims of poverty. This situation presents an extraordinary challenge to all public agencies, especially the schools.

The emphasis and direction of education in the decade of the seventies must seek solutions to the basic problems of the people—the sociologically and economically based problems of the poor.

The school program that is geared to urban American in the seventies is certainly one which focuses attention on its instructional program, but it also is one that goes beyond instruction.

An essential factor of improved instruction is a massive effort to mitigate the impact of social, economic and racial isolation.

Cleveland is not unique in this regard. Cleveland's population is largely a poor population. As people are deserting the city for suburbia (and as industry is leaving as well), the inner city is becoming a pocket of poverty. Our city schools reflect this impoverished status.

At the same time there is a concentration of poor children, there is also a great decrease in the amount of tax revenue available to the Cleveland Public Schools. This decrease is due to a lowering of taxable values in Cleveland.

In 1965, 11 percent of Cleveland school children were recipients of public assistance. By 1971 the percent had more than doubled (24.9%) and now we find that nearly 47,000 school-age children in Cleveland are members of families receiving public assistance. One out of four children receive public assistance. Perhaps even more dramatic are the figures for the last 12 months when the number of children on welfare increased by 30 percent.

We have in Cleveland 25 elementary schools where more than half of the children come from families receiving welfare—and in one of these schools 97 percent of the pupils are on public assistance—in another, 89 percent. Moreover, some of our secondary schools have more than 50 percent of their pupils on welfare.

As the percentage of our inner-city school

children on welfare has increased substantially in recent years, the enrollments in these schools has declined. As the more economically privileged leave, the poor remain. Those who are left behind in the city need special educational services.

Additional federal funds are needed for the disadvantaged to assure that they acquire the same opportunity for a quality education as the more fortunate in our society. *As intriguing and appealing as the promise of general aid to education may appear, let us not forget that we must first be concerned with those who most need help.*

The role of the Federal Government in aid to education should continue to be precise and aimed at the solution of specific problems. This has been true in the past when the landmark federal bills to aid education have dealt with crisis needs. Federal aid, therefore, has included grants for agricultural education during a time when the problems of agriculture were acute; manpower training programs during a time when training and retraining much of the work force was desirable; establishment of the National Science Foundation and science education grants in the late 1950's when the Federal Government wanted to hasten our space program; and most recently, compensatory education grants to meet the educational needs of the poor.

Education Commissioner Sidney Marland's Career Education proposal is yet another sound example of an educational program which deals specifically with those who most need help. His proposal broadens the vocational education thrust of a few years ago in an effort to extend the total career education of the pupils in preparation for productive life activities.

The Federal Government, through its landmark laws and assistance programs, has played a significant role in meeting the needs of the poor children. I refer, of course, to the National Defense Education Act, the Manpower Development and Training Act, the Vocational Education Act, the Economic Opportunity Act, the Child Nutrition and School Lunch Acts, the Education Professions Development Act, and of course, perhaps the most significant legislation relating to education to date, the Elementary and Secondary Education Act of 1965.

Not only is ESEA part of a larger family of legislative enactments, but the law itself with its various titles provides the basis for a coordinated attack on educational problems. In Cleveland, for example, Titles I, II, and III have enabled us simultaneously to deal with the interrelated problems of educational deficiencies among disadvantaged children, the lack of library resources and the isolation of children from various sections of the city.

Perhaps I am one of the few superintendents of a major urban school system who can speak to you firsthand about the development of programs made possible by ESEA. Being Superintendent of the Cleveland Public Schools before the ESEA became law and remaining in that position, I can speak to you with the experience of having watched the impact of the legislation from the outset.

With funds provided under Title I, we have significantly improved reading abilities among the disadvantaged. With Title II resources we have provided books and other library materials throughout the city. Title III enabled us to open the nation's first Supplementary Education Center in which we brought together children from throughout the city to experience together the excitement of discovering the wonders of space, science and the arts.

Funds from both Title III and Title VI have helped us significantly with many of our programs for another special group of children—the handicapped. Included among these are programs for the retarded, the crippled, the blind, the deaf, the neuro-

logically handicapped and those with impaired speech.

The following remarks will deal specifically with Title I of the Elementary and Secondary Education Act.

Title I of the ESEA has been a major factor in Cleveland's effort to focus a variety of federal funds on the educational needs of pupils enrolled in low income area schools. Cleveland has coordinated the use of its Title I funds with other federal and state monies to provide supplemental services for students in low-income areas. For the record, by supplemental, I am referring to those services which are over and beyond those given to all pupils enrolled in the system.

At the same time we are receiving new federal revenue, the people of Cleveland have repeatedly voted for additional taxes. As a result, since 1964 we have had a 100 percent increase in the tax rate.

The additional federal revenue has enabled us to mount a variety of programs. Our efforts have been concentrated on improving and reinforcing basic learning skills for the children most in need of such assistance.

During the current school year we have in operation twelve Title I projects serving 11,000 pupils. The projects are described in the folders attached to my statement.

These programs emphasize improving basic skills of those children who most need help. They help prepare younger children for school experiences. Other programs are designed to prevent difficulties in basic subject areas. Emphasis is also placed upon individualizing and customizing instruction for those students with deficiencies.

After more than six years of experience with programs initiated through Title I funds, we have some exciting success stories to relay.

EARLY CHILDHOOD

In meeting the needs of pre-kindergarten children from disadvantaged families, the Child Development project has helped to significantly raise the school achievement and social competency of children.

The percentage of children in Title I schools exhibiting above average or average readiness for the first grade has increased from 61 percent in 1968 to 84 percent this year. This increase has paralleled expansion of our programs for the very young children as more and more funds have become available. Normal readiness for children throughout the country is 69 percent.

An intensive effort has been made to involve parents of all projects. These efforts have brought increasingly successful results. Last year more than 90 percent of the parents enrolled in a pre-primary project for special education children were involved in such continuous project activities as parent-teacher conferences, regularly scheduled group meetings, or project planning activities. Nearly two-thirds of the children participating in the Child Development project had their parents visit their classrooms periodically.

And, perhaps most encouraging of all, follow-up studies show that children with Child Development experiences have higher attendance patterns three years later than do children without Child Development experiences.

ELEMENTARY PROGRAMS

In a special reading improvement program for second and third grade children, the participating pupils, those whom our resources allowed us to serve, have made gains both in vocabulary and in reading comprehension. These gains exceed gains made by non-project pupils in the schools where we have the program by almost one and one-half times.

A mathematical skill improvement program produced equally dramatic results. Those pupils who participated in the project more than doubled the achievement of stu-

dents who did not have the advantage of the program.

Moreover, in two schools where we concentrated services, the reading and math scores of the lowest achieving children increased greatly from the previous year.

The English-as-a-Second-Language project is designed to equip children who lack satisfactory command of English with English language skills necessary for a successful classroom experience. Approximately nine out of every ten participants (89%) in the project were reported as having shown academic improvement in their regular classes. Previous to their participation in the project, many of these children sat passively in their classrooms because of the language barrier.

We have further seen encouraging results from our Follow Through project, a program which follows the child from the Child Development program through the third grade. The longer a child participates in this project, the higher is his attendance.

A survey of parents of children participating in various reading programs shows heartening responses. These parents value the individual attention given their children by the projects and they reported improved motivation for reading and a better attitude toward school in their children.

SECONDARY SCHOOL PROGRAMS

A Transition Project has been designed for those young people who need special assistance in making the move from the sixth grade to junior high school. These are pupils who lack certain basic skills and who need greater social maturity and academic preparation for the seventh grade.

The attendance rate for students participating in the project surpassed the rate established by all seventh grade students in the project schools. Now, keep in mind that pupils selected for Project Transition were those with substantial deficiencies in reading and mathematics, with adjustment difficulties, and with truancy case histories—clearly the children least likely to establish high attendance rates.

Furthermore, follow-up studies on the eighth-grade performance of these children reveal that they maintain better attendance records and school marks than do children of comparable scholastic aptitude.

An exciting program has been developed to prevent potential dropouts from leaving school. This program has had exciting results as well. Of the pupils enrolled in the program, the dropout rate (15.5%) was lower than the rate established by all other tenth grade pupils in the project schools. (17.6%) This lower rate is all the more noteworthy if you remember that pupils selected for this program were those who had a high potential for dropping out. Previous experience indicates that approximately 50 percent of these pupils could have been expected to drop out had they not participated in the project.

In Cleveland it is our policy to have only two exit doors from our high schools—one marked "college" and the other marked "job." We have been increasingly successful in ushering our graduates through one door or the other.

Over a five-year period, Cleveland has had a 100 percent increase in the placement of inner-city high school graduates in colleges. Perhaps even more significant, one of our high schools which is almost entirely black, has 52 percent of last year's graduating class in college—this is a better placement percentage than many suburban high schools have.

This year \$11,000,000 in scholarship money is available to graduates of Cleveland Public Schools as compared to only \$2,000,000 in 1964.

We also have been successful in keeping our "job" exit door open. On the average, Cleveland's Job Development Program has placed in jobs 95 percent of those inner-city

graduates who desire a job. In spite of the difficult economic times this past summer, 100 percent of the graduates of one inner-city high school were placed in jobs. This is not a small high school having middle-class students—it is a high school of 2,000 pupils having the highest incidence of poverty in the entire city.

FURTHER EFFECTS

Summers in Cleveland are no longer times of idleness for our school children. They are times of activity and learning. Enrollment in elementary and secondary summer programs in Cleveland has increased from 8,000 a few years ago to almost 87,000 this past summer. Not too many years ago our inner-city schools were closed during the summer, and now we have our schools on almost a 12-month program. We have used a large portion of our compensatory education money, both federal and state, to see that every inner-city school is open and available for summer activity.

Special assistance funds have enabled the Cleveland Public Schools to employ some 764 full-time teacher assistants and 325 part-time aides to work with school children. Almost all these aides live in the immediate neighborhood of the poverty impacted schools; and their wages have directed compensatory funds to poverty area residents.

In Cleveland schools 3,500 volunteers help youngsters. Volunteers are trained by a full-time member of our staff whose salary is paid by federal funds.

Once again, it should be emphasized that in Cleveland we have used our Title I monies, in every case, to supplement local and state resources. The success of Title I funded projects in Cleveland has encouraged the State of Ohio to offer additional supplementary funds to expand and sustain programs for the children of the poor.

These funds have increased from their initiation in January, 1968 to a point where the allocation from state funds will almost equal our Title I allocation for the current fiscal year. Consequently, with additional funds, the Cleveland Public Schools can provide a greater depth of service to a greater number of needy children.

Nonetheless, as I said at the outset, there is still a tremendous task before us. We must provide a greater depth of service to the youngsters presently included in our federally-supported programs and we must expand programs to reach the poor children who are not presently included.

There is little question that our urban crisis is a serious one and that it needs the full attention of us all. To deal with this crisis, the following items should be top priority on a Federal program for urban education:

1. Full implementation of the \$6.1 billion authorization of The Elementary and Secondary Education Act.
2. Multiple year funding to facilitate planning projects of more than one year's duration.
3. The establishment of high schools with only two exit doors—one marked "Job," and the other, "College."
4. Massive pre-kindergarten programs associated with each neighborhood school including early childhood education, nutrition education and health education. These programs should involve parents and community leaders.
5. Availability of federal funds for the expansion of work study and cooperative education programs.
6. Special job counseling and placement programs available to young people in advance of graduation.
7. Special matching funds to purchase books, reading materials and other educational supplies for disadvantaged children. These materials should be made available to the homes so that parents may become a part of the children's reading program.

8. Establishment of realistic adult job training and retraining programs at selected neighborhood schools and establishment of child care centers that will encourage mothers to continue education training or employment.

In Cleveland we have developed a comfortable relationship with officials in our State Education Department and with officials of the U.S. Office of Education. This good working relationship has enabled the Cleveland Public Schools to successfully implement programs which attack the problems of poor children. A large factor in the successful maintenance of these programs is that Cleveland, like most major school systems, is fiscally independent. Therefore, it is key that the delivery system for federal monies continue to be as direct as possible.

With the continued leadership of the House Education and Labor Committee and the cooperation of federal and state agencies, quality education will be made available to all children.

DEVALUATION OF THE DOLLAR

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. SCHMITZ. Mr. Speaker, one of the first orders of business when Congress reconvenes January 18 will be legislation authorizing the President to do what he has already—without prior authorization—committed this country to doing: devaluing the dollar in terms of gold, and in terms of the other currencies of the world.

To grasp the real meaning of this, first of all we need to understand one simple truth very clearly: a piece of paper, no matter what words are printed on it, no matter if it is called \$1 dollar or \$100, has no intrinsic value. People may accept it as valuable, or they may be forced to accept it in payment by legal tender laws. But if they have little confidence in its real value, they will demand more and more of it in payment for less and less, bringing about the all too familiar process we call inflation. Throughout history, the most dependable intrinsic economic value has been found in precious metal—gold and silver.

There are, essentially, three kinds of paper money: First, promises to pay in gold or silver, convertible into precious metal at the option of the holder of the money; second, paper certificates issued by a government which may not be converted into precious metal by its own citizens, but may be converted by foreign holders; third, power certificates issued by a government which may not be converted into precious metal under any circumstances.

During the past 40 years, the American paper dollar has changed from the first of these kinds of money through the second to the third. Until 1934 gold dollars circulated side by side with paper dollars, so there could be no differences in their value. Then all gold coins were called in and American citizens forbidden to own them except for small "coin collections"—an intolerable restriction on individual liberty and standing invitation to inflation which would be elim-

inated by passage of my bill, H.R. 6790, introduced last March. Finally, just a few years ago, silver dollars disappeared from circulation and were not replaced, and the Treasury stopped issuing the "silver certificate" \$1 bills which could be converted into silver on demand. That meant that American citizens could no longer obtain any precious metal in exchange for their paper dollars.

But foreign dollar holders could still do so, and this year they began a "run" on the dollar of such proportions that on August 15, 1971 President Nixon halted all payments of gold for dollars to anyone, anywhere. At that point, the dollar became a pure paper currency, without any "backing" whatever in material of intrinsic economic value.

In view of this we can see how essentially meaningless is the gesture of declaring the dollar now to be worth \$38 per ounce of gold instead of \$35, the former "official price." If no one in the world can obtain gold from our Government in exchange for a dollar, then any "official price" for the dollar has to be a fraud. An "official price" for the dollar in terms of gold could be justified only so long as our Treasury Department stood ready to buy gold for that price.

What the present devaluation really means is simply a recognition of the economic fact that other nations' currencies—notably those of our former enemies Germany and Japan—have become stronger relative to our own, so that dollars will now buy less in terms of marks and yen, and other foreign currencies. The recently agreed upon devaluation of approximately 8 percent means that imported goods and foreign travel will cost Americans that much more. In and of itself, it will not affect prices of American-made goods at home.

But in the longer perspective of history, we have good reason to predict that this will be only the first in a series of steps steadily reducing the value of the paper dollar—the inevitable fate of any currency not backed by precious metal. There was a time when the Italian lira, for example, meant a pound of silver. It is now worth approximately one-sixtieth of a depreciated American penny.

WARREN HARDING HIGH SCHOOL FOOTBALL TEAM, OF WARREN, OHIO, WINS OHIO STATE CHAMPIONSHIP IN 1971

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. CARNEY. Mr. Speaker, I am pleased to inform you of an outstanding achievement by a group of high school athletes in my congressional district. The group I am referring to is the Warren Harding football team from Warren, Ohio. The Warren Harding Panthers finished the season with the first unbeaten and untied record in their school's history and succeeded in capturing the Ohio State Class AAA Football Championship for 1971.

The accomplishment certainly did not come easily. Rather, it was the result of a tremendous team effort and a lot of hard work by each player as well as head coach, Tom Batta, and his assistants, Jack Rogers, Sam Bates, and Cullen Bowen. Nearly 1,000 fans and friends of the team attended a banquet held in their honor at the close of the season.

In addition to the outstanding team performance, certain team members merit special mention for being named to the all-Ohio Class AAA squad. They are: Doug Stubbs, offensive first team; Len Sernulka, offensive third team; and Mike Capellas, honorable mention. Individual team honors went to: Doug Stubbs, top defensive back and most valuable player; Chuck Cullins, best defensive lineman; Len Sernulka, top offensive back; and Jack Richards, top offensive lineman.

The Warren Harding Touchdown Club also presented several awards to team members. Ed Kvesich, president of the club, awarded the "Unsung Hero" Award to quarterback Tom Muir. TD Club game awards went to Joe Kirksey, James Douglas, Matt Lee, Dan Ross, Ron Cullins, Jim Tsilimos, Tony Elzy, Bob Stan, Eli Hilas, Randy Fabrizio, Wilbur Boggs, Mike Capellas, Gene Haplea, and Bill Hunter.

Mr. Speaker, I would like to take this opportunity to express my personal congratulations to the players and coaches of Warren Harding High School football team for their outstanding record during the past season. I also wish these fine young men continued success in their chosen careers.

TRIBUTE TO WALTER TROHAN

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 18, 1972

Mr. COLLIER. Mr. Speaker, I am happy to join my able colleague in paying tribute to Walter Trohan, who recently retired after having served as a Chicago Tribune correspondent for 43 years. Most of that period was spent in the Nation's Capital, where he was an able member of the newspaper's Washington Bureau and rose to the position to chief correspondent.

Having arrived on the national scene during Franklin D. Roosevelt's first term,

Walter Trohan was intimately acquainted not only with F.D.R., but with all Chief Executives who followed him. He reported the news of the executive branch and Congress during the days of depression and prosperity, war and peace. His readers numbered in the millions, as his dispatches appeared not only in the Tribune but in the papers that were affiliated with the Chicago Tribune Press Service. He also conducted a weekly news program for WGN, the Tribune's radio station.

He was a newspaperman from his youth. The story—which I admit is apocryphal—goes that young Trohan

applied to Robert R. McCormick, for many years the dominant force behind the Tribune, for a job as a reporter. He told the Colonel that he could decline Greek and Latin nouns, whereupon he was told:

I don't care whether or not you can decline Greek and Latin nouns—can you decline a drink? I'm glad you know Latin—you can cover Cicero.

I suspect that the real reason Colonel McCormick hired Trohan was that he was born on the Fourth of July; this would square with the Tribune's vigorous Americanism. Trohan learned early that a reporter's life is not all glamor—he was the first newsman on the scene of the St. Valentine's Day massacre of February 14, 1929, when Chicago gangsters killed seven of their rivals.

Walter Trohan, a versatile man who combined scholarship with down-to-earth practicality was not content to accept government publicity handouts. Instead he went after the news and as a result his columns were factfilled and highly readable.

Mr. Speaker, my best wishes go to Walter Trohan and his lovely wife, Carol. May their years of retirement be pleasant and may they live as long as they enjoy life.

**EDWARD SCHNELL—LOUISVILLE'S
PARK AND RECREATION EM-
PLOYEE OF THE YEAR**

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. MAZZOLI. Mr. Speaker, in this age of crowded cities and urban blight, we are coming to recognize the irreplaceable value of our parks and open space. Also, as automation frees our working force for the increased pursuit of recreational activity, we come to recognize the growing value of our playgrounds and picnic areas. Our children, of course, have long valued their parks and playgrounds.

Accordingly, I think it only fitting that we pay our grateful tribute to those who devote their lives to the upkeep and improvement of our parks and recreational areas. Just such a person is Mr. Edward Schnell, who last month was named the "employee of the year" of the Louisville and Jefferson County, Ky., Metropolitan Park and Recreation Board.

I have for some time been personally acquainted with Eddie Schnell because he is the caretaker of George Rogers Clark Park which is located just a block and a half from my home in Louisville and is the park in which my children play.

The fact that Eddie Schnell is also handicapped—he has been a cerebral palsy victim since birth—only serves to heighten his professional accomplishments as a park caretaker. It also stands as a shining example of the contribution the handicapped can make—if we just let them.

Mr. Speaker, I ask that the following article about Edward Schnell which ap-

peared in the Louisville Courier-Journal be reprinted in the CONGRESSIONAL RECORD. It is entitled, "Taking Care."

The article follows:

**TAKING CARE: A PARK IS A NEATER PLACE
BECAUSE A CARETAKER DOESN'T LIKE TO SIT
STILL**

(By Ben Johnson)

Edward Schnell is like lots of other folks—he likes order. And because he does, lots of other folks in southeast Louisville have one of the nicest parks in the city.

"Everything's in order here," he said during an interview yesterday. And indeed George Rogers Clark Park, which is along Poplar Level Road a few miles north of the Watterson Expressway, was immaculate.

There was no sign of the discarded beer cans and soda bottles evident at some parks. Firewood was neatly stacked beside the lodge, and the wading pool was spotless.

"I guess that's the reason I got the award," Schnell told a visitor who remarked about the condition of the * * * located in southeastern Louisville parks. Earlier this month, Schnell, 37, was named the Metropolitan Park and Recreation Board's employee of the year by Carl Bradley, executive director of the board.

The award, initiated only last year, is given to the park employe who "provides inspiration for his fellow employees." Schnell was picked from 325 permanent park employes.

"Eddie's one of the hardest workers we have," his supervisor, Thomas Mosee, said "If the department had 50 more men to work like he does, these parks would be in better shape than they are now."

Bradley also had compliments for Schnell. "George Rogers Clark Park is as nearly immaculate as any park we have."

But Schnell's accomplishment is heightened by his circumstances. He has been a cerebral palsy victim since birth. The disease left him with a speech impediment and poor muscle coordination. But his handicap hasn't impeded his progress. "I like to think that my handicap isn't a handicap," he said.

"Several years ago, Eddie made it known that he wished to make it on his own," Bradley said this week. "Instead of letting his handicap be an excuse for doing nothing, he decided to succeed in spite of it."

George Hauck, a local hardware store owner helped Schnell get the caretaker position almost three years ago while Hauck was a member of the Park and Recreation Board.

"I always felt he would make someone a good employe," Hauck said. "But he had never been given a chance. Business today makes it very difficult for handicapped people."

After Schnell was given the opportunity to prove himself, he amazed his fellow workers. "He hustles so," one said yesterday.

Area residents think as highly of Schnell as his superiors and fellow workers do. Several neighborhood youngsters stop by frequently to talk. Yesterday a 9-year-old took him a Christmas present.

"I don't know why everyone is doing all of this," Schnell said as he strained to pronounce each word. "I don't deserve it. I'm just a worker."

"Yeah, Eddie, but you're such a good worker," a neighborhood woman chimed in. She and several other women were at the lodge attending a Christmas party.

Schnell's duties as a caretaker include the general management and maintenance of the park. When all of his regular duties are finished, he works on other projects. "I just don't like to sit still. There must be half a million things around here that I do," he said. Right now he's painting the wall of the wading pool.

The 32-acre park contains tennis courts, basketball courts, a softball diamond, tot lot and picnic facilities. It is bounded by Mc-

Kinley, Thruston, Popular Level Road and Filson Avenue.

Schnell, explaining why he likes working at the park, said, "It keeps me in touch with a lot of people."

"I like the park and the people here." He and his mother moved to 1530 Goss Ave. so Schnell wouldn't be far from the park.

Schnell suggested that other handicapped persons "get out and work when they're old enough. It's the best thing for you. . . . But it's not as easy as I say it is. Sometimes you are lucky and get a job. Sometimes you're not so lucky."

**UNJUST TREATMENT OF NORTHERN
IRELAND CITIZENS DEPLORED**

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BIAGGI. Mr. Speaker, for the last few months I have been inserting a series of reports in the CONGRESSIONAL RECORD concerning the atrocities being committed in Northern Ireland. In my November 18, 1971, statement I included a report of the arrest, interrogation and treatment of Joseph Hughes under the Special Powers Act, which permits the imprisonment of civilians without charging them with a specific crime. This gentleman was treated with great abuse by the British Army. He suffered great physical harm as well as having to listen to verbal indignities.

This report so moved the members of the Ancient Order of Hibernians, Division No. 1, Delaware County, Pa., that their president, Mr. Joseph Kelly, has written a letter to the Prime Minister of Northern Ireland deploring such actions.

I commend Mr. Kelly and the other members of his organization for speaking out against the repression in Northern Ireland.

It is my hope that other citizens will continue to speak out and denounce the harsh and cruel treatment of the citizens of Northern Ireland.

The letter follows:

ANCIENT ORDER OF HIBERNIANS,
DIVISION NUMBER 1,
Havertown, Pa., December 7, 1971.

Mr. BRIAN FAULKNER,
Prime Minister of Northern Ireland, Stormont Castle, Belfast, Northern Ireland.

YOUR LORD: Your letter and press release of September 24, 1971, we are afraid shows your lack of understanding about the position of Northern Ireland. We kindly implore you and your ministers of Government to read the Sunday London Times of November 14 and 21 which has given a very objective report on the situation of Northern Ireland. On November 18, 1971, in our country, the land of freedom, citizens of Irish Heritage were moved with tears, when the Honorable Mario Biaggi, U.S. Representative of New York, in the Halls of Congress, uttered his fifteenth report on the Situation of Northern Ireland. The closing lines of this report were as follows: "The bigoted people of Northern Ireland have said the following in the lorry. Your Virgin Mary was the biggest whore in Bethlehem. Also in the lorry, Sure they all the Pope's bastards." We are enclosing a copy of this speech which was in the United States Congressional Record in our letter, we humbly implore you to read it your ministers of Government and to

your people as this Christmas season approaches. In the history of Christianity, such verbage was never uttered and such verbage would not be fit to be called to swine in a pig pen.

Remember my dear Lord, as you kneel before the Christmas Crib on Christmas morn, you will see this same woman in bended knee giving adorational to the One who brought peace to the world. Maybe you and your bigoted people can learn a lesson from this Christmas Crib to all Christian people throughout the world.

As the Christmas Season approaches we extend to you our sincerest prayers and best wishes and may there soon be a United Ireland.

Sincerely yours,

JOSEPH KELLY,
President.

SPACE SPINOFFS MANY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. TEAGUE of Texas. Mr. Speaker, Mr. Paul Recer in the San Antonio Express of Tuesday, October 12, 1971, discusses a number of significant spinoffs from our national space program. The applications cited in Mr. Recer's article describe many of the techniques, devices, and skills which are derived from our national space program and are bringing their benefits to the general public every day. In addition to those items cited by Mr. Recer in his excellent article, the publication of the committee, "For the Benefit of All Mankind," covers the subject of direct space benefits in more detail. I commend this article and the committee document to your reading.

TOUCH NUMEROUS AREAS—SPACE SPINOFFS MANY

(By Paul Recer)

SPACE CENTER, HOUSTON.—Tires screamed against pavement. A car goes out of control, spins and splatters into a bridge support.

The car is smashed so badly rescuers are unable to open doors or windows and pull out the injured.

A patrolman, arriving at the remote scene, unpacks a large silver gun-like device. He pulls a ring and an intense flame leaps from its muzzle. He cuts away a door of the smashed car and within minutes the injured are freed and en route to a hospital.

The patrolman was using what is actually a rocket motor adapted to cut through metal. The rocket, which gives a maximum of heat with a minimum of thrust, was developed by the United Technology Center and is based on research the concern did in the U.S. space program.

The company estimates that about 2,400 persons die each year from uncontrolled bleeding, shock or fire while waiting to be extracted from smashed autos. Company officials think the rocket torch may change that.

The torch is but one of literally hundreds of new products which have grown out of the nation's space program.

Problems which space engineers challenged and conquered to get man to the moon are rapidly being converted to use on earth. Such technology from space is beginning to touch many areas of life for Americans and even more innovations are on the horizon.

For instance:

Teachers in a Sacramento, Calif. high

school no longer have to keep tedious enrollment records. A 10-digit space-developed computer keyboard has been installed in each room and the teachers merely punch up the code number of any pupil who is absent. The signal is filed in a central computer and at the end of the day a printed readout gives the attendance record for every pupil in the school.

At the same high school, teachers wear or carry an alarm unit about the size of a fountain pen. Should a disturbance develop, a teacher has only to push a toggle switch on the pen to send an ultrasonic signal to the main office. Equipment there identifies the sources and location of the signal and help is quickly on the way.

A shock absorber system developed by North American Rockwell for use under the astronaut coaches of the Apollo command ship have been converted and used experimentally in highway guard rails. Engineers claim the system cushions shock so effectively that a 60 mile per hour impact on the guard rail has the effect of only a five mile per hour impact against a solid surface.

Ball bearings the size of pin points were developed for use in satellites. The same bearings have been adapted for use in dental drills, creating an ultrafast drill which developers claim is more effective, reduces pain significantly and eliminates the sense of vibration and grinding.

The rugged demands for a spacesuit to protect astronauts on the surface of the moon led to new fabrics and new weaving techniques. A featherlight, shiny plastic insulation material used in space has been developed into an emergency blanket for mountain climbers, outdoorsmen and aviators. The blanket folds up to a hand-size package.

The largest number of spinoffs from space program has gone into medicine.

An electronic switch developed for use by astronauts is being used experimentally to help paralyzed persons operate their own wheel chair.

The device is worked like glasses. By moving his eyes, the paralytic can send a signal to his motorized wheel chair and actually guide it where he wants to go. The device also can be used with other equipment to turn off lights, change television channels and turn the pages of books.

A sensor smaller than a pinhead was developed by space engineers for wind tunnel model testing. The device was converted for use by doctors to measure blood flow rates. It can be easily inserted into an artery because of its size. A California hospital is currently using it to measure the effectiveness of heart valve transplants.

The breathing of comatose children or elderly patients has always been a difficult problem. Doctors often insert a tube into the patient's windpipe to assist his breathing. The tube, however, can become clogged and the flow of air cut off. Usually a nurse must sit at the bedside to guard against this.

A new sensor, designed at the Ames Research Center for aerospace use, is now being used at some hospitals to monitor the breathing of comatose patients. The device measures temperature of the air passing through the tube. A temperature difference can trigger a signal within 10 seconds, alerting a nurse at a central control or in another room.

Other medical space spinoffs include:

An eight-legged lunar walker. Developed for use on the moon, it is now being used experimentally by paralyzed children. It can climb stairs, step over curbs and go other places blocked to wheel chairs.

Computer-enhanced X-rays. First used to improve the quality of television from space, the system can create great contrast in X-rays, allowing doctors to better study the heart, vessels and brain.

Laminar air flow systems and super-bacteria filters. Developed for use in manned

spacecraft, these are now being used in surgical suites and in burn wards to cut down on the amount of free floating bacteria.

Cardiac preservation chamber. Developed by Grumman Aircraft Corp. from lessons learned in producing the Apollo lunar module, the chamber keeps a donor heart alive for a transplant. It may make it possible for donor and recipient to be widely separated. The chamber is also being used at the Baylor College of Medicine in Houston to study the rejection of donor hearts by transplant patients.

The space agency estimates that there have been at least 2,500 technological innovations passed directly from the space program into general use. Many of these new techniques and devices are patented by the government, which makes them available to any firm.

So vast have been the advances in the space business that a system has been developed which allows companies with special problems to draw on the technology developed by the space agency. About \$5 million has been spent to help this new data to flow directly into the nation's economic mainstream. For a fee, the space agency will search its computerized knowledge banks for solutions to particular problems.

PAN AMERICAN HIGHWAY CONGRESS

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. DON H. CLAUSEN. Mr. Speaker, I recently had the privilege to serve as the congressional adviser to the Pan American Highway Congress in Quito, Ecuador. Our colleague, the gentleman from Texas (Mr. WRIGHT) also was selected to attend the Congress.

Congressman WRIGHT and I share a longstanding interest in the development of the Pan American Highway and an understanding of the benefits it will provide all the Americas. We were pleased to be offered the opportunity to address the plenary session of the Congress.

Quite frankly, Mr. Speaker, I feel our colleagues would be interested in the statements Mr. WRIGHT and I made in Quito outlining our views on the necessity for Inter-American cooperation and on the means to achieve our mutual goals. Therefore, I am inserting our remarks at this point in the RECORD:

ADDRESS OF CONGRESSMAN DON H. CLAUSEN

On December 9, 1967, you accorded me the high privilege of addressing your plenary session in Montevideo, Uruguay.

At that time, I referred to the Pan American Highway program as "the most important single undertaking of our time"—"a coordinated and integrated road and highway system for the Americas".

"As we work toward this desired multinational and intercontinental integrated system of highways, one cannot help but visualize the ultimate formation of a Common Market of all the Americas."

Today, it is with pleasure that we are able to report positive progress in the development of the Darien Gap Highway as the key segment remaining to be completed in the Pan American Highway.

Culminating 6 years of Darien Surveys, a formal report was prepared by the Darien Subcommittee entitled "Final Conclusions and Recommendations Regarding the Location, Design and Construction of the Pan

American Highway Through the Darien Gap of Colombia and Panama." This report was formally presented to the Permanent Executive Committee President, Eduardo Dibos D., during the meeting of the Permanent Executive Committee of the Pan American Highway Congresses in Lima, Peru, in February 1969.

March 19, 1969, in the Council Chamber of the Pan American Union in Washington, D.C., and attended by members of the Permanent Executive Committee, Darien Subcommittee, Officials of National and International Highway organizations, the Final Report of the Darien Subcommittee was presented to the Secretary General of the OAS, Dr. Galo Plaza, by Don Rumulo O'Farrell, our beloved Honorary Life Chairman of the Permanent Executive Committee—the "champion of the Pan American Highway System".

On June 10, 1969, in the House of Representatives of the United States Bill H.R. 12014 was introduced by myself along with colleagues Congressman John C. Kluczynski of Illinois and Jim Wright of Texas. The Bill would authorize the United States to cooperate with the Governments of Panama and Colombia in the construction of the Darien Gap Highway in these two countries to thus connect the Inter-American Highway with the Pan American Highway and authorize \$100 million to pay two-thirds of the cost of construction of the highway.

Passage of the Federal-Aid Highway Act of 1970, on December 31, 1970, was signed by President Nixon; thus the construction of the Darien Gap Highway was assured. This was a memorable occasion for all those who had worked for many years to make the closing of the missing link of the Pan American Highway System a reality.

In a historic ceremony May 6, 1971, at the Pan American Union in Washington, D.C., the Governments of Colombia, Panama and the United States executed the final agreements for the construction of the Darien Gap Highway.

In signing the agreements for the U.S., Secretary of Transportation John A. Volpe said, "The international project now agreed to will benefit all the Americas. It will bring both social and economic gains to all the countries of the Hemisphere".

Before the end of the fiscal year June 1, 1971, President Nixon requested supplemental appropriation by the U.S. Congress in the amount of \$5 million for the Darien Gap Highway. These funds were immediately obligated and an announcement made to call for bids August 31, 1971, on the section of the Darien Gap Highway in Panama between Canitas and the Bayano River including the Bayano River Bridge.

In the 1972 budget, President Nixon and the Congress appropriated \$15 million to continue to fulfill contract and construction commitments.

The continuing and intense interest of the U.S. Congress was next demonstrated when Mr. Wright, myself, and our House Roads Subcommittee, visited Colombia, Panama and the Darien Region to observe "on-the-spot" the construction problems to be encountered, the effect on the environment, the concerns of the native population of the area and, most importantly, to gain a greater understanding of the unique terrain, swamp and meteorological problems associated with this "impossible" construction project.

A helicopter flight over the proposed routing, an overnight stay in a Choco Indian village and meetings with native leaders—deep in the Darien Jungle—made a profound impression on all of us, as we sought to develop a fuller appreciation for the problems ahead.

All planning is aimed at "holing through" the Darien Gap within 5 years. If weather and construction conditions permit, it is our hope to accelerate the construction timetable. We are determined to complete the project

and "close the Gap" at the earliest practicable date.

This presents a tremendous challenge to everyone connected with the program—from the political, administrative and financial people of our governments to the scientific, engineering and builder personnel that must accomplish the work.

The Darien Gap—long famous and challenging as the "Impossible Road Construction Project of our Hemisphere"—will continue to intrigue the imagination until it is finally completed and the Pan American Highway—from Alaska to Argentina—linking the Americas—truly becomes Inter-Continental, thereby setting the stage for the unlimited economic, social, educational and cultural benefits that will become available to the people of North, Central and South America.

Where do we go from here?

In many ways, highways are comparable to the blood circulation system of our own body. The Pan American Highway is the main artery of the highway system for the Americas. Feeder roads form the vein network which carries blood into the main artery. When there is active circulation of blood through the veins and arteries, the surrounding body tissues are kept healthy. Likewise, when feeder and lateral roads stimulate the production, trade and travel that flows into the main highways of our lands, our economies prosper and the lives and living conditions of our peoples benefit.

This analogy has proven useful to me. It has helped me to understand and relate the role of highways, coordinated with other land, sea and air transportation, and how these, in turn, serve the ultimate goal of national and intercontinental development.

I have often talked about the need for integrated national transport systems as a vital ingredient of national progress. By that I refer to the rational, planned, coordinated and integrated system of different transport modes that function together efficiently and economically in serving the transport needs of our societies.

But just as the human brain directs and coordinates our bodily functions, so likewise national development planning through the Pan American Highway Congress and OAS must serve to integrate our transport systems into the total development process of the Americas.

We in the U.S. have long ago learned the lesson that a well-developed transport system operating alongside an inadequately developed agricultural or industrial structure has very limited benefits.

In this sense, highways and transport systems are instruments by which national development and individual mobility are served. They are not ends in themselves. For example, a farm-to-market road program which is not integrally linked to a well-conceived agricultural development plan, providing research, extension, farm credit, and marketing services, is unlikely to bring progress to the rural community or a better life for its inhabitants.

From this analogy, I arrive at the conclusion that the basic goal of all of us who are interested in highways is national development. Our job does not end when we plan and finish construction of a highway. We must not be satisfied when the main arteries and veins of a transport system are in place. We must all actively involve ourselves in ensuring that a vigorous flow of blood is pumped through these arteries and veins. That means we must concern ourselves increasingly with national development strategies, with sectoral plans for agricultural and industrial development, with plans for balanced regional economic growth and urban decentralization. Only by involving the technical and management capabilities of the transport sector in the broad tasks of national development planning will we realize our common goal—highway systems

which serve as the vital lifelines of growth and individual betterment.

MY VIEWS ON A NEW LATIN AMERICAN POLICY

In discussing U.S. policy toward Latin America, I have often said, "We do not wish to be looked upon as your fathers; we prefer to be your brothers." Behind this phrase, there is a long history of continuing debate as to what the proper relationship should be between the U.S. and our neighbors to the South. That debate spans long periods of our history from the Monroe Doctrine, through the Good Neighbor Policy, and the Alliance for Progress, up to the present. Each phase of our evolving policy toward Latin America responded both to an assessment of U.S. interests and of the realities of our relationships in the Hemisphere.

The change in our desired role from being "fathers" to "brothers" goes to the very core of President Nixon's concept of the "mature partnership" we wish to have with our Latin American friends. As I have observed our working relationship during the sessions of the Pan American Highway Congresses, I have come to the firm conclusion that we are all proud of our national heritage, yet we are also willing to share ideas that will be helpful to all.

Why have we moved to this new policy and new diplomatic style?

We have realized that our Latin American neighbors have made great strides in recent years in the complicated tasks of nation building and economic and social change. These nations are increasingly flexing their "muscles of maturity" as they develop their self-confidence, as they thrust ahead in their efforts to modernize, and to bring the benefits of growth to more of their people.

We, too, have assessed our national interests and the realities of contemporary Latin America.

We have come to the conclusion that the special relationship we seek with our Latin American friends must be such as to assist the processes of change in an atmosphere of mutual respect, confidence and cooperation.

That special relationship must recognize the need of our neighbors to reconcile their interests in close ties with us with their determination to mold their own destinies.

It must be based on an understanding that our neighbors must determine their own national structures, their own solutions to their national problems, and setting their own priorities. Above all, it implies that our friends in Latin America must also live with the results of their own decisions and actions.

This is the essence of the mature partnership we seek—

On our side, a strong commitment to assist and cooperate, as requested, in dealing with the problems of change and growth in the Americas.

On the side of the Latin Americans, a growing sense of constructive nationalism and maturity in making a better life for their own people.

As this partnership develops and mellow with time, we not only help each other, but strengthen the quality of our political, social and economic institutions that bind us together in the Inter-American system.

In presenting my personal assessment of our relations of the past, I am of the firm opinion that we must all accept a proportionate share of the blame for the problems that have not been resolved in an orderly manner.

Why has this occurred?

In my view, we have all wavered from one extreme to another—all the way from "benign neglect" on the one hand to the "bear hug" on the other.

When we needed each other desperately, we would join together to meet a common threat to our respective interests.

After the threat had passed, we would fail to communicate adequately, to "keep in touch", thereby neglecting to recognize or deal with promptly the increasing problems associated with the challenges of change in this jet-space-technological age.

The result has been smothering paternalism wrapped in a blanket of immaturity, misunderstanding, unfulfilled promises and mounting uncertainty.

The time has come for all Americans, North, Central and South, to stand up and be counted on a man to man basis—treat each other with mutual respect in a true spirit of brotherly love, as intended, originally, by our Creator.

We are all constructive, creative, dedicated and determined individuals and nations.

We must all realize, however, that by maximizing our organizational inter-dependence, we can enhance the cherished goal of independence.

We, the delegates of this Eleventh Pan American Congress, can and must show the way.

Just as the late President John F. Kennedy and the U.S. Congress said in the early 1960's, "We will put a man on the moon during this decade," I know it is the desire of President Richard Nixon and the U.S. Congress to cooperate in uniting the Americas during this decade of the 70's.

The closing of the Darien Gap, when completed, will serve as *The Symbol of Hemispheric cooperation and solidarity* and as a living monument to you, the delegates of these Eleven Pan American Highway Congresses.

STATEMENT OF CONGRESSMAN JIM WRIGHT

It is a very happy mission that we of the United States Congress perform here this week. We have the extremely pleasant privilege of informing you that the United States Congress in the past year has approved and authorized the expenditure of \$100 million over the next few years to assist in completing the Inter-American Highway through the entirety of the Darien Gap so that it will link up Colombia with the northern terminus of the Pan American Highway.

Our President, Richard Nixon, has given this project his highest priority. He has ordered our administrators to expedite its completion by every possible means. Our Congress, in its appropriation process, has cooperated fully.

For several generations, it has been the ardent dream of statesmen and engineers throughout the New World to complete one continuous hemispheric highway, linking all of the Americas in one ribbon of concrete. Men of good will in all of our countries have labored toward this goal confident that it will bring to the people of our Republics the mutual blessings of fresh hope and better understanding, raw materials for our mills, markets for our produce, jobs for our citizens, closer cultural ties, and an enriched standard of living for millions of people. Today, with the closing of the final gap approved, I am certain that this dream will come true.

When the Darien Gap has been spanned, we will have here in the Americas the longest continuous stretch of highway on earth. For almost 19,000 miles, one carpet of pavement will connect the entire Western Hemisphere from the icy tundra of Alaska to Tierra del Fuego at the southern tip of Argentina.

A century and a half ago, that incomparable patriot and patron saint of free men everywhere, Simon Bolivar, dreamed and struggled for a New World united in hope, united in spirit, and united in the aspirations of its people.

No nation can expect to exist as an island of affluence surrounded by an ocean of poverty, and no nation should desire such a condition. Nor could the flower of freedom flourish in a desert of despotism. Our futures

as free men in this hemisphere are inextricably interwoven and what benefits the least of us in our American family will benefit the whole of us.

To me, the real significance of a completed Intercontinental Highway is that it will permit, within these 19 countries, the interchange of persons of ordinary means, the people who ride in busses, automobiles and trucks, those who may never in their lifetime board a jet plane or an ocean liner. It is a great popular bridge which we are about to construct.

It is curiously significant that the final obstacle of the Pan-American Highway should be in the Darien region. This junction of the great land masses of North and South America was the territory which in the youthful dreams of Simon Bolivar should be the logical geographical focus of hemispheric unity. It was at the Pan American Congress of 1826, where Bolivar made his historic appeal for the spiritual fraternity of the young American nations. His legacy is our inter-American system and the dramatic task before us now, the closing of the Darien Gap.

I am proud that the people of my country have had the vision and determination to participate over the years in the construction of the Pan American Highway. The appropriation of one hundred million dollars which the Congress and President of the United States have authorized for this project is not an act of paternalistic generosity. I am pleased that altruism has played a role in this undertaking, for it is a noble sentiment.

But our contribution is more than that. It is the pursuit of our national interests. Not in the narrow and selfish sense, but in the conviction that our interests are served by whatever promotes the solidarity and wholesome relationships among the nations of this hemisphere. I ask that you accept our participation in this spirit: the recognition by the people of the United States that our fortunes are linked together by more than geographical propinquity and shallow sentiment attachments.

The name Darien Gap will soon become happily inappropriate and obsolete. I hope that some day soon it will be known as Friendship Link—Eslabón de la Amistad—or something equally appropriate.

In my country—and, I am sure, in yours as well—we have learned that a highway is more than just a valuable conduit of transportation and communication.

A great need made more apparent by the progress of the Inter-American Highway is the growing necessity for a lateral road system in each of the countries of the Americas.

While the Inter-American Highway has begun to bring a measure of prosperity and progress to those cities and localities which lie along its route, its full economic and social potential will be realized only when its benefits are shared with the thousands of now remote communities which lie beyond its reach.

Even a system of modest roads connecting to the Inter-American Highway will bring markets within reach of the many heretofore isolated towns and villages where for centuries millions of Latin Americans have historically lived out their lives without the benefit of any substantial contact with the outside world. If Latin America is to realize its great potential, a system of lateral roads is a necessity.

Ultimately, therefore, a uniform and concerted program should be undertaken to produce continued revenue sources for the all important work of highway maintenance and lateral road construction.

As an engineering feat of historical significance, a completed Pan American Highway open to all travelers of the hemisphere could rank with the imaginative communications network by which Alexander the Great connected Asia Minor in his day, or

the elaborate system of trails by which the Roman Empire first linked up Europe. A philosopher once wrote: "Make no little plans. They have no magic to stir men's blood."

We have made a good beginning. Let us continue together therefore in harmony and in mutual dedication to the greatest work of all—the work of creating an atmosphere of expanded opportunity for the humblest citizen of our hemisphere and an environment of true freedom and genuine friendship becoming to the children of God, and hospitable to the family of man.

The present generation will benefit from this enterprise, but the principal beneficiaries of the growing spirit of friendship to which this work gives living proof will be the generations yet unborn. Solomon said, "Where there is no vision, the people perish."

So, then, working together in our mortal imperfections we strive to build a better world for our own era, daring to labor and hope for the promised day when nations will beat their swords into plowshares and their spears into pruning hooks. We may find comfort in the words of the great Dutch astronomer, Tycho Brahe, when he said:

"... that this work of ours
May lead to victories for the age to come.
The victors may not remember us.
And if so, what matter?
For them shall be the joy, the victories and
the praise.
Ours will be the glory of the fathers in the
sons."

JEWISH ADVOCATE

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mrs. HICKS of Massachusetts, Mr. Speaker, Boston is indeed most fortunate to have the Jewish Advocate, an ethnic newspaper that is celebrating its 70th anniversary. This journal has for 70 years championed the rights of mankind and has labored unceasingly to secure redress of grievous wrongs suffered by humanity.

So that I may share with my colleagues an abbreviated history of the Jewish Advocate, together with some of the contributions it has made to the community, I am inserting an article by Joseph G. Weisberg, its copublisher and executive editor, which made a profound impression upon me:

THREE SCORE AND TEN

(By Joseph G. Weisberg)

Seventy years of publishing as an ethnic newspaper in this country is an undeniable rarity. For such a journal to be under the aegis of the same family for the past fifty-five years and still going strong at a time when nationally prominent and once firmly entrenched, widely-circulated periodicals have been disappearing like seltzer bubbles, is veritably a miracle.

Why has The Jewish Advocate endured? Perhaps more for reasons of spirit than of body. The differences that make a newspaper stand out from its fellows are frequently subtle, but when analyzed are usually found in the motives that govern the publishers. Such is the fact with the Advocate. It has attained a recognition not only among those thousands for whom it is published, but widely in the non-Jewish world as well. It is often quoted in the Congressional Record; it is a constant source of in-

formation on Jewish matters to people of all faiths, historians and organizations of all sorts and has come to be recognized as "The Voice of New England Jewry."

When the Advocate was born there was no New England Jewry. In 1902, if one reads the article in the Jewish Encyclopedia written by Godfrey Morse, it will be seen that Boston Jewry was a comparatively small community. It was neither prosperous nor ambitious. Immigration and natural growth had produced numbers. The creation of a communal ambition, the welding together of the one hundred and fifty Jewries of New England into something of a personality, this is the outstanding achievement of The Jewish Advocate. As Jacob de Haas, a former secretary to Theodor Herzl who immigrated to this country and was editor of the Advocate until 1917, could state by 1927: "There is no better homogeneity among Jews than in New England."

In the Silver Jubilee edition of The Jewish Advocate, by then in the hands of the present ownership, former editor de Haas reminisced:

"Sometime in 1910 a man named King came to the Advocate offices to urge the editor to support the Massachusetts Savings Bank Insurance Law which had been engineered by Louis D. Brandeis. I was invited to meet the 'People's Attorney' with the results described in the Advocate of November 12, 1926. Let me add that the first announcement of Justice Brandeis' interest in Zionism appeared in the Advocate of December 9, 1910. The Advocate contributed effectively to the creation of Justice Brandeis' leadership in Jewry."

In the hectic years between 1910 and 1914 the bitter alien immigration question demanded decision. This crucial issue guided Advocate politics. There was no American Jewish Congress in those days and the Advocate served as forum and creator of those committees without which nothing can be done.

It is of interest to recall that Bostonian Judaism has a strange religious history. On the Reform side it started with Rabbi Solomon Schindler who, to attract attention, as he confessed, had first preached the annihilation of every Jewish idea until he had nothing left to destroy. He had a fine mind and was hailed as one of New England's hundred intellectuals. Years after he retired from the pulpit he began to see things in a new light and the Advocate opened its columns to his reconstructive idea "If Moses came to Boston." Old-timers showed their tolerance by eagerly reading Rabbi Schindler's keen satire. Schindler was succeeded (at Temple Israel) by Rabbi Charles Fleischer, who shocked those attending his first Kol Nidre service by apologizing for making an appeal for the Jewish Federated Charities. The Advocate declared war on Fleischerism. But he fell because in order to go abroad a week earlier he wanted to change the date of the Shavuot celebration. There were other reasons, too, but in the main Fleischer was not in contact with the community and did not understand that it was not as indifferent to things Jewish as he was.

But there was as much trouble on the Orthodox side. There were some "baalbatim" who lived mentally in the 80's and the Advocate had regretfully to fight them on their habit of introducing "imported rabbis." One was presented to the Governor and made to believe, or assumed, he was designated Chief Rabbi of the community. The involved personal politics which produced these peculiar results were ignored and the Advocate stuck grimly to its opposition to the system of importing rabbis from Europe, of paying them poorly and of forcing them to foment trouble in order to hold their own in a community where the older generation already had its hands full with official and unofficial rabbis.

One of the most unusual types of Boston Jews in the beginning of the century was Edward A. Filene. He had an interest in organization quite apart from any specific purpose. He believed in getting together for its own sake and he once offered to finance a Kosher Club if it would pull the Jews together, although he had no interest—not the vaguest—in Judaism. But that plan was unnecessary when the Boston City Club, unquestionably the best non-sectarian club at the time in the United States, accidentally brought the three Jewish elements—Germans, Posen and Russo-Polish—together.

The three circles began to intermingle and Malden and Chelsea Jews joined the group and it became possible to do things in a new spirit. With a better Boston front the rest of the state began to depend on the capital city. The spread of Zionism and the Y.M.H.A. helped a great deal. The task of the Advocate became easier. Not only week by week did it address a larger audience, but one that established mutual confidence. Few can perhaps recall when Meritz and Baltermantz were grindstones to each other and the West End was anathema to the North End and both to the South End, particularly to the small group of Galician Jews settled on Harrison Avenue. And this was repeated everywhere.

But as the Advocate invaded Worcester, Providence and Hartford with local editions, as its subscription solicitors went from town to town in New England, there was built up not only a unique readership list, but a new kind of relationship among the Jews in New England.

One incident impressively evidenced the possibilities latent in so large a family of readers. A circus parade offended Boston Jewry by carrying a dollar bill in the procession as the Jewish flag. That circus moved rapidly from town to town, but not so swift but that the owners of the circus found themselves everywhere met with a protest demanding an apology and a cessation of the insulting trick. This victory was achieved by Advocate editorializing reaching prominent readers in many places.

Throughout 1915, 16 and 17, The Jewish Advocate not only kept abreast of every local event, supporting every forward move, but its columns constituted a good index to Jewish affairs everywhere throughout the world. There was no Jewish Telegraphic Agency supplying news regularly at the time and the realization must come forth of the tremendous effort put into the gathering of the endless variety of news in those days.

It is perhaps not amiss to here point out that while the Advocate for years has been non-political and non-partisan, involved only with issues that effect civil liberties, social progress and democratic rights, it was different in its earliest days. Unashamed and unafraid, it wanted Jewish political recognition. It fought for the election of David A. Ellis on the Boston School Committee and later Isaac Harris' battle and Moses J. Lourié's struggle for the same office. A City Council was replacing the old Board of Aldermen and the Jews desired a candidate. From Isaac Rosnosky on there were plenty Jews in and around the Hub who keenly relished city and state politics.

Again, Jacob de Haas recalls: "In 1900 Boston witnessed its classic mayoralty campaign: Ex-Postmaster Hubbard thought he ought to run; 'Honey' Fitz again wanted the office and the Good Government crowd nominated James J. Storrow. I was all for Storrow, but his aides debauched the electorate. There must still be in South Boston pianos that are heirlooms of that campaign. It was a red hot broiling race. The Jews were supporting Storrow, Nathan Pinanski and Samuel Dana were conspicuous in one group of Storrowites, the Dreyfus family in another group. Samuel H. Borofsky was championing the singer of 'Sweet Adeline'. I had prepared an editorial supporting Storrow. Then Na-

than Pinanski at luncheon told me one day how the 'Goo Goos', not Storrow, but the crowd behind him, were down on the Jews. I investigated. True enough. I tore up the Storrow editorial and penned one entitled 'Political Angels'. It was published the Friday before election. Fitzgerald won by a narrow margin and The Jewish Advocate was credited for providing the majority."

The Advocate later contributed to the rise of Charles Strecker, who became Assistant Treasurer of the United States; to the Governorship of Eugene Foss and the first campaigns of Senator Walsh. Throughout, though, the Advocate was never partisan. It supported men who were for the principles for which the paper stood.

Zionist preoccupations took de Haas away from Boston in 1916 and it was then that Louis D. Brandeis suggested Alexander Brin, a plucky young reporter for the Boston Traveler, who had made his mark in the famous Atlanta, Georgia, Leo Frank case, as a replacement. The Brin-Weisberg family took over in 1917. Alexander Brin was editor; his brother, Joseph G. Brin, associate editor, and their brother-in-law, Abraham Weisberg, business manager.

The new regime set out to give the community a real direction, no easy task, for the Jews were not a united body. The Jew from Russia had little in common with the Jew from Germany. Too, there were the well-known ritualistic differences—the Orthodox with their traditional approach, the Reform with their modernity at the other extreme and in the middle the Conservatives. Between these groups there was a schism greater than between the sects of the Christian Church.

It required courage to stand impartial in 1917, so sharp was the demarcation. But the Advocate undertook the job to smooth out quarrels, pointing out that its columns gave the various groups their only chance to keep track of one another and to cooperate in the broader Jewish problems.

Once this objective was clear, success became pronounced. By 1923 the Advocate had its own printing plant and had begun publication of two outside editions, The Connecticut Hebrew Record and the Springfield Review, now still publishing, but as separately owned entities.

While a member of the State Board of Education, appointed and re-appointed by nine successive Governors for a record in longevity on that important Board, Alexander Brin proposed the Todd Lecture Fund to be devoted to sending a prominent Catholic, Jew and Protestant to each of the state's normal colleges to expound understanding and harmony between the faiths. This was adopted.

Charles W. Elliot, the eminent President of Harvard, wrote to Dr. Brin advising him, in advance of others, that Harvard had decided against a scheme which would have drastically limited the number of Jews to be admitted to that college. In his letter Dr. Elliot remarked: "The anti-semitic movement has not been so strong in New England as in other parts of the country, perhaps because of the influence of The Jewish Advocate."

Lord Reading, the Chief Justice of England, wrote in similar vein to Alexander Brin: "The Jewish Advocate has done so much towards breaking down race prejudice and in interesting humanitarianism generally that it is a question of world wide importance. . . . I feel the mutual regard shown in your paper for mankind's rights has led and will continue to lead to better understanding between Jew and non-Jew."

In the files of the Advocate are letters from world renowned personalities, including Presidents of the United States, commending the paper for its contributions along a multitude of fronts.

The Advocate was among the very first, after a personal trip to Germany by its publisher in 1933, to warn against the rising Hit-

ler menace. A letter from John W. McCormack in 1942, at that time Chairman of the Congressional Committee to investigate Nazi and other subversive activities, stated: "As I have publicly stated on many occasions, the information you willingly gave and the exhibits which you called to the attention of the Committee proved invaluable."

The Advocate in a local achievement exposed the move to establish a Swastika League in Massachusetts and by providing collected proof to then Secretary of State Frederick W. Cook, blocked the granting of a charter to the League. Secretary Cook wrote: "At your advice and upon information which you furnished me, I officially declined to issue a charter which was apparently intended to cover in this country the same discrimination to which you object."

In 1926 the Advocate, in cooperation with the late Rabbi Harry Levi of Temple Israel, launched the Jewish Society of Arts and Music. Under this aegis, painters, musicians and dramatists emerged from obscurity into the light of opportunity. Through programs arranged by the Society many deserving artists were enabled to continue their studies and their careers and make valuable contacts. A legion of big name stage and screen personalities—Paul Muni, George Jessel, Rosa Raisa—to mention but a few, owe the success of their first Boston engagements to the Advocate.

During the year when the murals of John Singer Sargent were portraying Jewish life as degrading and in an uncomplimentary manner, the Advocate launched a counter movement. In a campaign through this newspaper, its readers purchased Jacob Binder's great masterpiece, "The Talmudist", and presented it as a gift to the Museum of Fine Arts. There it now hangs as the first example in a public museum of Jewish art which depicts the Jews as "The People of the Book."

The Advocate has always cooperated in every cause designed to better community relations and to strengthen inter-faith activities. Many a movement, Jewish and Christian, was either launched or furthered to success as the result of an idea born or promoted in the offices of this newspaper. The publication saw the Jewish community develop from uncohesive groups into a well-knit entity and its publisher played a prominent role in the reorganization of the Federated Charities into the Associated Jewish Philanthropies, predecessor to the Combined Jewish Philanthropies, serving the AJP as secretary of its first campaign. So it was with Beth Israel Hospital, Brandeis University and recently Sinai Hospital, projects that came to the Advocate for help. As a member of the State Board of Collegiate Authority, the publisher of the Advocate played a key role in transferring the Middlesex Medical School charter, when it was threatened with revocation, to Brandeis University. It was also through the efforts of the paper, in cooperation with the late Superior Court Justice Charles Rome, that the Friends of Boston University, an all-Jewish group, was organized to make great contributions, including the Stone Science Building, to that institution.

Individuals, as well as organizations, have found in the Advocate not only support, but most important personal help. A recent example was the strange case of Rabbi David I. Shackney, a noted Hebrew educator of New Haven, Connecticut, who was wrongly convicted in 1963 by a Federal court for the alleged crime of holding a Mexican family in involuntarily servitude on a chicken farm which he operated. Through funds raised in response to columns in the Advocate, an appeal to the upper court was made possible, the conviction reversed and the rabbi exonerated.

The readership of the Advocate extends not only far and wide, but to circles as diverse as a subscription from the White House

to one from the Permanent Mission of the United Arab Republic at the United Nations.

The Jewish Advocate has received many awards for journalistic excellence, fifteen in the last four years alone. These citations cover such honors as "Best Editorial Page" from the New England Press Association, consisting of some 300 newspapers in the six-state region; "Best Column Award" from the same Association; "Best Local Advertising" preparation; editorials and feature writing recognition by the American Home Newspaper Association, composed of hundreds of weeklies throughout the country of general and non-sectarian circulation. The State of Israel cited the Advocate for "Best Supplement" in competition with other Jewish weeklies throughout the United States and Canada during Israel's 20th anniversary year.

The past of The Jewish Advocate has been acclaimed for its coverage, style and richness of service. Now that it has reached seventy, its publishers dedicate themselves anew, with undiminished idealism and vigor, to the future in a continuing zealous spirit of commitment to Judaism and Americanism.

Bis a hundert und zwanzig.

A NEW BREED OF POLITICIAN

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, I would like to call the attention of the Members of Congress to a newspaper article which appeared in the Boston Sunday Advertiser on December 26, 1971. It is worth reading for the insight it contains into the efforts of one man to involve himself in community life at an early age. I, of course, am proud to represent the city of Quincy, Mass., here in the Nation's Capital.

The article follows:

A NEW BREED OF POLITICIAN

(By Jon Klarfeld)

At 27, Harold R. Davis has a good education, a fine job, plenty of good prospects and not too many worries. But he wasn't content to let things go at that. Davis wanted to get involved—and he wanted to get involved in public service.

So Hal Davis took a deep breath and filed as a candidate for the school committee in Quincy, his hometown. Several months later, after a lot of hard leg-work, Davis was a winner, topping the ticket in the school committee race with 16,396 votes.

Between the time he made his decision to run and the final balloting, Davis estimates he met at least 25 percent of Quincy's 90,000 residents, while his campaign workers contacted virtually every voter. In the process, Davis walked the beaches, rang doorbells, shook hands for hours and had to have his shoes resoled three times.

While he is from a comfortable background—his father is Dr. Albert Davis, a well known Quincy physician—Hal knew he would have to work for the things he wanted. He was educated in the Quincy schools and at Thayer Academy in Braintree. He was a magna cum laude graduate of Bowdoin College in 1966 and received his law degree from Georgetown Law in 1969.

After passing the examinations for the U.S. Foreign Service, Hal changed his mind and landed a job with the prestigious Boston law firm of Ropes & Gray, specializing in municipal finance and school law, a specialty

he believes helped him in his successful run for the school committee.

"I could talk about pending school laws," he says, "and this impressed people that I was concerned with school problems on a daily basis."

Hal set out to conduct what he calls a Kennedy-style campaign, encompassing person to person contact, advertising and press coverage.

At first, Hal admits, he was a bit nervous about approaching strangers, but that changed quickly. Soon he wasn't wasting a moment, introducing himself to voters while waiting at a stop light, talking, handing out campaign literature.

"We took a fairly scientific approach, realizing there were a lot of candidates," says Davis, who was one of 23 candidates for school committee in the primary election that reduced the field to six for the final election.

"We started before anyone else, attended dinners, functions, knocked on doors, walked the beaches. I was worried, because I was 17th on the ballot and that meant my name was hard to find. A person had to be looking for me to spot my name."

Enough voters spotted Davis' name to place him third in the primary. On the final ballot, which is set in alphabetical order, his name was first, which added to his confidence that he'd finish in the top three. The confidence also was based on a long, hard campaign and the fact that no incumbents were seeking re-election.

Davis devoted a big chunk of his vacation to campaigning. To make his name as well known as possible, he shook hands outside movie theaters, spoke out on issues that received good local press coverage, attended voter registration sessions, free flu clinics and ethnic dances.

"Most people were very friendly," he recalls, "but there were disconcerting moments."

One frustrating incident occurred when Davis was outside Quincy City Hall, urging an elderly woman to go in and register to vote. The woman told Davis she would have registered, except she was afraid she might have to cast the deciding vote in a close election and the possibility made her nervous.

Hal, a bachelor, spent virtually all his time between the primary and final elections on a constant round of campaigning. He stressed issues he felt he could influence during his four-year term. Among them were community-school involvement, reinstatement of driver education courses, increased emphasis on intramural sports, greater utilization of school buildings by non-profit groups and increased voter registration for eligible students.

Although he was addressing himself to issues, Hal thought personal politics was a more important factor in influencing votes on the local level.

"Personality is very important," he says. "There are a few issues like busing that can destroy a candidate, but, aside from that, personal contact is more important."

Davis feels the form of a campaign often is as important as its substance, claiming: "By working so hard, we showed people I'd have the energy to do the job."

"I'd sometimes attend several dances in one night—Syrian, Irish, country and western. The trouble was, I'd just start to enjoy one of them and it would be time to leave for the next one. It was a problem."

One problem Davis didn't have was the support of his family and employers. He said his parents with whom he lives, were "fairly enthusiastic about his decision to run."

"They knew I was interested in government, politics and history, he disclosed, adding that his superiors at Ropes & Gray were pleased with his decision, as they encourage their lawyers to participate in public service.

Hal will take his seat on the Quincy School Committee in January, intending to serve

the full four-year term. But he does not rule out an attempt for higher office, perhaps on the state level. "There's nothing to prevent me from holding two jobs at one time," he contends.

While Davis hopes to effect changes for the better in Quincy, he is not naive.

"I won't be disillusioned," he says. "I'm pretty aware of the things I'll be facing. I'm idealistic, but I'm a pragmatist."

Idealistic pragmatists might be just what Massachusetts politics needs.

NEWSPAPER LAUDS COUGHLIN FOR REPRESENTATION OF PEOPLE IN HIS DISTRICT

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. McDADE. Mr. Speaker, in an age when the adversary role of news media and public official has become customary, I am pleased to call to the attention of the House an uncommon editorial tribute to my good friend and colleague, the Honorable LAWRENCE COUGHLIN, who represents Pennsylvania's 13th Congressional District.

The editorial, "Our Visible Congressman," was printed on December 30, 1971, by the Main Line Times, a major weekly newspaper published in Ardmore, Pa. It is an outstanding accolade that I know Congressman COUGHLIN cherishes and an indication of the value the news media places on a public official who makes himself available to his constituents and press representatives. Mr. Speaker, I append here the editorial I have referred to:

OUR VISIBLE CONGRESSMAN

Lawrence Coughlin, who represents Plymouth, Whitmarsh and most of the remainder of Montgomery County, is a politician who does his legislative homework and one who keeps in constant touch with his constituents. And this is a rare breed, since the majority of those in political life remain purposely invisible most of the time, only to emerge shortly before election with a handful of campaign literature.

Congressman Coughlin is in constant touch with this newspaper and other members of the news media. While some may say that the only reason for his printed verbosity is to get more votes for himself, we prefer to think that he is sincerely interested in doing a good job and he believes part of this is to let the people who elected him know what he is doing as their representative. It must also be remembered that anyone who seeks the limelight, for whatever reason, must then be prepared to stand up to the glare it generates.

Many legislators do not maintain contact with the voters for the obvious reason that if the folks back home became aware of their sorry record they would quickly be returned to their former professions.

While the majority of people can't tell you who their state or federal representatives are, we do not believe this is the case with those who reside in Congressman Coughlin's district, and it is unfortunate more of his fellow politicians don't follow his lead in utilizing all the means at hand of informing their constituents of their activities.

We believe if more representatives were like the area Congressman, instead of remaining nine tenths submerged like an iceberg at all times, it would go a long way to

removing the stigma which has hounded those in political life down through the years.

Congressman Coughlin maintains a local office at 607 Swede Street in Norristown in addition to his Washington office and is highly receptive to the needs and wants of the voters who reside in his district.

CALIFORNIA IS SHAMEFULLY LOW IN SUPPORT OF PUBLIC SCHOOLS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ANDERSON of California. Mr. Speaker, for many years the educational system in California was a model for the Nation to follow.

Today California has fallen below the national average in the amount it spends to educate a schoolchild.

A few short years ago, California was sixth in the Nation in per pupil expenditures. Today it is 31st. In the 1964-65 school year, the State government provided nearly \$40 of every \$100 spent on educating a child, but today the State contributes only \$34.80 of every \$100 spent.

What does this mean for the child who needs a quality education to compete in today's society? What does this mean to the local taxpayer who owns property?

For the child, it means crowded schoolrooms. It means a lack of individual attention. It means a cutback of instruction programs and poorer quality of materials.

To the property taxpayer, a reduction of State aid means higher local property taxes. When the State reduces its aid, the funds must be provided by increased property taxes. In the 1964-65 school year, the property tax provided less than \$57 of every \$100 spent on education. Today the property tax provides approximately \$60 out of \$100 to educate California children.

Mr. Speaker, the costs of educating a child must be shifted back to the State government and the Federal Government must also increase its contribution.

California, the State with the most students in public schools, cannot afford to cut back on the support for these schools. Rather than being 31st in school aid, behind such States as Louisiana, Vermont, Kansas, Ohio, and Indiana, California should be back among the leaders.

The future of our State, indeed, the Nation, depends on the youth of today. We must provide the best education for our children and, at the same time, reduce the burden on the local property taxpayer.

At this point, Mr. Speaker, I place in the RECORD two articles which appeared recently in the Sacramento Bee newspaper:

[From the Sacramento (Calif.) Bee, Jan. 10, 1972]

STATE DROPS TO 31ST NATIONALLY IN TOTAL AID TO PUBLIC SCHOOL PUPILS

(By Leo Rennert)

WASHINGTON.—The National Education Association today ranked California 31st in

total expenditures for each student in elementary and secondary schools—a new modern low.

Last year, the state was 24th. Five years ago, it was among the leaders in the No. 6 position.

California's further decline—along with a new drop in the percentage of state financial support for its public schools—was disclosed by the NEA in its annual report on education trends.

The report estimates California will spend \$835 per pupil during the current school year—\$633 less than New York which leads the nation with an outlay level of \$1,468.

Twelve other states also top the \$1,000 mark.

BETTER STATES

States which have jumped ahead of California since last year, include New Hampshire, \$847; Louisiana, \$867; Virginia, \$875; Indiana, \$837; Kansas, \$854; Nevada, \$910, and Ohio, \$871.

Ohio was the state California Gov. Ronald Reagan selected as the fiscal model for his administration when he came into office five years ago.

At that time, Ohio ranked 33rd—27 rungs below California.

Today, Ohio is 26th—five places ahead of California.

For the second consecutive year, California has dropped below the national average in per-pupil expenditures.

This year's national norm is \$929—\$94 more than California's.

Last year, the national average was \$868—\$60 more than California's.

NEW YORK MOVES AHEAD

The New York-California gap also has widened—from \$573 to \$633.

While California this year boosted its average expenditure per pupil by \$27, the national level rose by \$61 and New York's went up by \$87.

Here is California's national ranking for the last six years:

1966-67—sixth.

1967-68—ninth.

1968-69—13th.

1969-70—22nd.

1970-71—24th.

1971-72—31st.

While California still falls \$165 short of reaching the \$1,000-per-student mark, the following states have topped that level:

Connecticut, Rhode Island, Vermont, Delaware, Maryland, New Jersey, New York, Pennsylvania, Illinois, Michigan, Wisconsin, Alaska and Hawaii.

The NEA estimates state government in California will pick up 34.8 per cent of the tab of public education this year—a drop from last year's 35.2 per cent figure.

The California pattern goes counter to a nationwide trend of greater state assumption of educational costs. Nationally, the state support percentage has risen from 40 to 40.9 per cent.

Although New York has 1.2 million fewer students than California, Albany is expected to provide \$2.5 billion to local school districts—\$1 billion more than California schools can expect from Sacramento.

In New York, the state accounts for a slightly higher share of school financing than do local taxes—47.4 to 47.2 per cent.

In California, the state contributes only about \$3 for every \$5 raised at the local level—with a state-local split of 34.8 and 59.1 per cent. (The remaining percentage to reach 100 is made up of federal funds.)

California now ranks 31st in terms of state support percentage for financing of elementary and secondary schools. Last year, it was 28th.

There is one category, however, where California remains near the top—teacher salaries.

TEACHER PAY

The NEA figures the California average for elementary and high school instructors has

risen to \$11,439—an increase of \$417 over last year's level and still third in the nation.

Alaska leads with \$14,124, followed by Michigan with \$11,620.

The national average this year is \$9,690—\$1,749 below the California level.

One out of every five California teachers now earns more than \$13,500.

Large class sizes help explain why California can rank high in teachers salaries but low in per-pupil expenditures.

STATE'S SKID ON SCHOOLS AID LIST SHOCKS RILES, LEGISLATORS
(By Don Spelch)

State education and legislative leaders expressed shock and anger today over a National Education Association report which ranks California 31st in total expenditures for each student in elementary and secondary schools.

"It's an outrage!" snapped Assemblyman Leroy Greene of Sacramento, chairman of the Assembly Educational Committee.

"Very dismaying" commented Wilson Riles, state superintendent of public instruction.

Also disturbed by the ranking—a drop from No. 6 five years ago—was state Sen. Albert Rodda of Sacramento, chairman of the Senate Education Committee.

REASONS FOR SKID

Asked why the ranking was so low, Rodda, a Democrat, said:

"The state has not continued what was a historic level of support. In addition, local districts have refused to approve override taxes. These two factors together are causing a relative decline in expenditures (per pupil)."

When he was first elected in 1958, Rodda said, state funds accounted for about 45 per cent of school districts' total budgets. Now, he added, state support is "probably below 35 per cent."

Greene, also a Democrat, put the blame on Gov. Ronald Reagan, saying:

"What's happened to education in California is an outrage. At the time Reagan came into office, California was sixth; now we find we are 31st, dropping well below the midpoint among the states.

"There is every indication we will drop further next year . . . The governor has already indicated he will not give the schools any more than \$65 million (in additional state aid) for the next fiscal year. This is far less than the amount required to make up for inflation.

"In other words," he added, "schools will have fewer real dollars than they have even now."

CUTS LOOM

On the local school district level, Riles said such drops in expenditures mean substantial cutbacks in instructional programs, meaning, he explained, increases in class size and a general dilution of the entire educational program.

And this means, he said, "the children suffer."

"We need to be moving in the other direction—giving more individualized help to students," Riles said.

Riles sees the problem a result of the complex and inequitable way education is financed in the state, a view shared by the California Supreme Court.

In its historic Serrano decision, the court declared that the state's current method of school finance is unconstitutional.

"We will not begin to turn the corner," Riles said, until a "broader tax base than just the property tax" is used for financing education.

Related to this, Greene said, "The governor's unwillingness to supply a fair amount of money to schools forces increased pressure on local property owner to make up the difference.

"It will require hundreds of millions more dollars to revive our dying educational system—and the governor indicates no interest in its survival."

ANNIVERSARY OF 1863 POLISH INSURRECTION

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ROONEY of New York. Mr. Speaker, on Saturday of this week, the people of Poland and people throughout the world who pride themselves on their Polish birth or heritage will pause to observe a very meaningful anniversary. January 22 is a forceful reminder that on that day in 1863 their forbears rose up in righteous wrath against the puppet rulers forced upon them by Czar Alexander II.

This date commemorates the valiant efforts of Polish patriots, mainly youth, to sunder the shackles of servitude which became daily more painful and more repugnant. This date demonstrates a tragic similarity to the enslavement of Poles today by the same sort of ruthless aliens.

The Czar was no more a tyrant than are the puppets of the Kremlin who today continue to deny the people of Poland the rights of freedom and independence.

Riots, revolution, and insurrections are so commonplace today that we accept them without manifesting much interest or concern. People of all ages, all races, all creeds, and virtually all nationalities protest and demonstrate in opposition to conditions which they must endure or to laws or officials which they must obey. Because of these daily manifestations of unrest, we are apt to become sated with all of it. For that reason, we must remind ourselves of the real significance of the insurrection which we are proud to join our Polish-American friends in celebrating today.

To the freedom-loving people of Poland, the insurrection of 1863 is as meaningful as is our War of Independence to us. The Polish patriots displayed the same courage and gallantry as was displayed by our heroic forebears in breaking the fetters of colonial bondage and creating a new and independent nation. The results of these two conflicts were vastly different. Our patriots after bitter years of privations and sufferings were victorious. The Polish patriots, no less courageous and valiant, lost to the overwhelming military might of the Czar.

Mr. Speaker, this date, January 22, should remind all of us of the benefits of freedom and independence which we have enjoyed year after year since the American Revolution. It should be a reminder, too, that the people who love freedom as much as we are still denied its benefits. We have rejoiced in the successful efforts of today's Polish patriots to secure important social and economic benefits from their country's Soviet-imposed leadership, even though these ben-

efits represent only fragments of freedom.

It is our prayer and hope that these patriots in Poland will not lessen their efforts or give up in despair. They are deserving of our commendations and our help. Their continued efforts are not only vital to the people who must live under Soviet domination, but they are vital to all of us, regardless of the extent to which we enjoy freedom.

Only when the people of Poland are truly their own masters and enjoy unlimited self-determination can we relax and enjoy our own blessings. The Polish people and the people of other nations still forced to endure the so-called "protection" of Soviet-spawned leaders must be wholly free before we can be assured of the preservation and continuation of our own cherished liberty.

With these thoughts in mind, I hope we will all rededicate ourselves to the task of aiding and abetting all those engaged in sincere efforts to gain freedom for themselves and their fellowmen.

YOU COULD LOSE EVEN IF YOU WIN

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, a friend and constituent of mine recently called my attention to an article which appeared in the Washington Evening Star approximately a month ago. He was appalled at the losses sustained by taxpayers in U.S. Tax Courts whether or not they eventually won their cases in the U.S. Courts of Appeals, and felt that the inequity of our present tax court system needs reevaluation in the Congress.

As I am in accord with his views and believe many of our colleagues would likewise agree, I insert the text of the article, "You Could Lose Even If You Win," by E. Edward Stephens, at this point in the RECORD:

YOU COULD LOSE EVEN IF YOU WIN
(By E. Edward Stephens)

DEAR COUNSEL: If I lose a case in the U.S. Tax Court or the U.S. District Court, can I appeal it?

Yes. You can go to the U.S. Court of Appeals unless your case has been decided in the Small Tax Case Division of the Tax Court—in which event the Tax Court decision is final.

There are 11 courts of appeal—one for the District of Columbia, and one for each of 10 judicial circuits.

Your opponent will be a Justice Department lawyer—smart, well trained, and backed by one of the most experienced litigation teams in the world.

Chances are he'll be treated with deference by the appellate court judges, most of whom would not have been appointed if they had not been recommended to the President by the Attorney General, who heads the Justice Department.

So you'll have an uphill fight. In the fiscal years 1968 through 1970, taxpayers won only 18.5 percent of appellate court decisions. They lost 69.8 percent, and split 11.7 percent with the government.

Here's a tough problem you'll have if you're appealing from a Tax Court decision: Despite your appeal, IRS can assess and collect the deficiencies determined by the court—unless you put up bond or government securities sufficient to insure payment.

The game is played this way: IRS determines inflated deficiencies to maximize its bargaining power in settlement negotiations. The sum demanded (with interest and penalties) often is so large that the taxpayer can't pay it. So he goes to the Tax Court—the only court where he doesn't have to "pay first and litigate later."

If the taxpayer loses in the Tax Court, his grace period ends. He has to pay up or put up, even though he goes to the Court of Appeals—even though his liability hasn't been finally decided.

If he's short on assets, chances are no bonding company will do business with him. Then—

Hard boiled revenue officers—formerly called "collection officers"—can swoop down, seize his bank account and other personal property, padlock his real estate, sell him out at forced sale prices, and apply the proceeds against the deficiencies.

Later, the Court of Appeals may decide that the taxpayer didn't owe a penny in the first place. But his is a pyrrhic victory. He'll get back only the cash IRS has collected, with interest.

The government doesn't have to replace the property that IRS sold at rock bottom prices. If the taxpayer was forced out of business, the government doesn't have to set him up again. If his home was sold, the government doesn't have to get him another one.

This has happened to many taxpayers, even though the Tax Court was created in 1924 (as the Board of Tax Appeals) to protect them. The system works for the taxpayer who wins in the Tax Court; but it leaves the loser at the mercy of IRS collectors despite the fact that he may be the final "winner."

Congress could correct the situation by providing that a taxpayer who goes to the Tax Court need not pay until his tax liability has been finalized on appeal.

A TRIBUTE TO GEORGE T. MINASIAN

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. RODINO. Mr. Speaker, the passing of George Talmage Minasian, former councilman and mayor of Glen Ridge, has brought a great loss to his New Jersey community. He is remembered, especially, for his insight, his warm, cooperative nature, his knowledge in the fields of engineering and public works and his pioneering efforts in the fight against air pollution for which he had received national recognition. Born in 1896, Mayor Minasian came to Glen Ridge at the age of 10 and graduated from its high school in 1915 as president of his class. In 1919, he received his degree in mechanical engineering from Cornell University and spent the majority of his active engineering career with the firm of Consolidated Edison. He served as president of the New York Electrical Society, helping to increase the awareness and knowledge of the public in the

area of electrical problems. While on the council in Glen Ridge, Mayor Minasian was on the Law and Ordinance Committee in 1938 and 1939, served as chairman of the Water and Light Committee in 1940 and 1941 and headed the Public Works Committee in 1942 and 1943. According to former Mayor Karl Honaman, who followed Mr. Minasian as mayor, the cooperative spirit of George Minasian has been exemplified and carried on continuously within the Glen Ridge community. "It is our consolation that his work will live after him."

LEGAL RIGHTS OF UNBORN CHILDREN

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HOGAN. Mr. Speaker, the legal rights of unborn children have been a major consideration of mine in my fight against abortion.

Jonathan C. Wilson, writing in the Iowa Law Review, has published a study of the unborn child's rights under constitutional, tort, property, equity, and criminal law, and I insert the article into the RECORD at this point:

[From the Iowa Law Review]

THE UNBORN CHILD AND THE CONSTITUTIONAL CONCEPTION OF LIFE

(By Jonathan C. Wilson)

The demand for induced abortions¹ in the United States is a pervasive phenomenon² and appears to be on the increase.³ In the past this demand has been satisfied primarily by criminal abortions rather than by legal, or therapeutic, abortions.⁴ In great part because of the increasing demand for induced abortions, considerable controversy has been prompted throughout the United States concerning existing state laws relating to legal abortions.⁵ This controversy has focused on the efficacy of liberalizing existing state laws in order to allow pregnant women greater individual discretion, within the law, to decide the abortion question for themselves.⁶ The controversy over liberalizing state laws has led to the passage of reform statutes in several states,⁷ with a resulting increase in the number of induced abortions performed under the guise of legality.⁸

The question of liberalizing abortion statutes is fraught with moral, religious, philosophical, and constitutional considerations. The interplay of these considerations has led to considerable confusion in arriving at a meaningful resolution of the abortion question. It will be the purpose of this Note to present and analyze the constitutional considerations involved in the controversy over liberalizing abortion statutes, in an effort to clarify what the constitution provides with respect to the competing interests of the unborn child,⁹ the mother, and the state. Such a constitutional analysis should help to remove some of the confusion which presently exists as to what our social compact is with regard to the abortion issue. Such clarification should facilitate a more focused debate based on moral, religious, and philosophical considerations, as to whether our social compact with regard to legalized abortions should be altered or retained. The constitutional analysis will be directed to the general con-

stitutional issues raised by the controversy over liberalizing abortion statutes, the variety and application of present state statutes on the subject, and the validity of those various statutes and their application in light of the constitutional analysis.

I. THE RIGHT TO LIFE

Granting an abortion will almost inevitably result in the termination of the life of the unborn child.¹⁰ On the other hand, failure to grant an abortion in some situations will result in the termination of the life of the mother.¹¹ In those situations where the life of the mother is thus endangered, the interest in continued life of both the unborn child and the mother are most dramatically brought into conflict. This conflict between the respective interests in continued life suggests a need for appropriate constitutional analysis to determine the nature of these competing interests, and which of the two is to be preferred. Such a determination has a direct bearing on clarifying our social compact concerning the abortion question, and necessarily involves a determination of the nature of the right to life and its application to the unborn child and the mother.

The right not to have one's life taken without due process of law is guaranteed by the fifth and fourteenth amendments to the United States Constitution. The fourteenth amendment specifically prohibits all the states from depriving any person of life without due process of law.¹² To qualify for this due process protection guaranteed by the fourteenth amendment, the unborn child must first qualify as a person within the purview of that constitutional provision.¹³ In the context of the unborn child, the term "person" in the fourteenth amendment assumes an ambiguity which would not otherwise be expected from the use of such a term. In light of the fact that significant constitutional protections follow the status of "person," it becomes important in analyzing the interests of an unborn child in continued life to determine when the status of "person" in the constitutional sense first attaches to a human being.

Through a process of considerable development, other areas of the law have tended to resolve the question of when the status of a "person" attaches to a human being in favor of the moment of conception. Although such a resolution is in no way binding upon the resolution of the question when considered in the context of extending constitutional protections, it would be profitable to examine the developments in these other areas of the law, as well as the considerations apparently contributing to those developments, in order to arrive at a reasoned resolution of the question for constitutional purposes.

A. Development in tort law

1. Recovery for Prenatal Injuries

Historically, most American decisions followed the lead of English cases in the area of tort law and denied recovery to an unborn child harmed while still in the womb.¹⁴ The theory underlying such denial was the unborn child was a part of the mother at the time the tort was committed, had no independent existence, and, therefore could not recover because the mother was the only person who was injured by the tort.¹⁵ This theory for denying recovery was predicated in part upon the scant medical knowledge of fetal characteristics that was available at that time, and a fear that fictitious claims might be facilitated by a contrary holding.¹⁶

The 1946 case of *Bonbrest v. Kotz*¹⁷ sounded the death knell for this historical view and precipitated the present practice of recognizing the unborn child as a human being for purposes of recovery for tortious injury.¹⁸ The modern line of cases begun by *Bonbrest* specifically espouses the view that current medical knowledge has relegated the old view

Footnotes at end of article.

that an unborn child is part of his mother to the status of an anachronism.²⁹ Although the early cases, including *Bombrest*, allowed recovery only if the unborn child was viable when injured,³⁰ even this requirement has been diminished in importance, and the modern view is to reject the viability requirement and allow recovery when the injury is received at any time during gestation.³¹ The viability distinction has been discarded in favor of conception as the point after which a cause of action in tort will lie because that distinction relied on medical knowledge which could no longer lend it support.³² Cases discarding the viability distinction therefore recognized the current consensus in the medical profession that an unborn child exists as an entity distinct from his mother from the time of conception.³³ In permitting recovery for prenatal injuries, for example, the courts in *Sinkler v. Kneale*³⁴ stated that "it is not disputed today that the mother and the child are two separate and distinct entities."³⁵ The court went on to recognize that the unborn child is not part of the mother, but rather "from conception on develop[s] its own distinct, separate personality."³⁶ In the case of *Kelly v. Gregory*,³⁷ the court reiterated the developing judicial harmony with current medical knowledge when it concluded:

[L]egal separability should begin where there is biological separability. We know something more of the actual process of conception and foetal development now than when some of the common law cases were decided; and what we know makes it possible to demonstrate clearly that separability begins at conceptions.³⁸

The developments in the law of torts, therefore, give explicit recognition to the unborn child as a person with rights of recovery for prenatal injuries from the moment of conception. In thus recognizing the unborn child as a person, this branch of tort law has recognized that the law must keep pace of current medical knowledge in order that justice does not become arbitrarily based upon fiction.

2. Recovery for Wrongful Death

The law of torts has also developed to allow an action for wrongful death of a child resulting from prenatal injuries.³⁹ Although past recovery was limited to cases in which the child was born alive,⁴⁰ a new line of cases has developed which allows the parents, or survivors, to maintain a wrongful death action even though the child was stillborn.⁴¹ These wrongful death cases, in order to determine whether an unborn child is a person within the meaning of wrongful death statutes, typically still cling to the viability distinction.⁴²

The retention of this distinction is somewhat anomalous in light of the trend among cases dealing with recovery for prenatal injuries to disregard gestational stages as a basis for allowing tort recovery. The case of *Torigan v. Watertown News Co.*⁴³ may prove to be the forerunner for discarding the viability distinction for wrongful death recovery. In *Torigan*, an action for wrongful death was brought by an administrator of a non-viable unborn child who, as a result of an automobile accident, was born prematurely and died shortly thereafter.⁴⁴ The court held that the intestate was a person within the meaning of the unlawful death statute.⁴⁵ As precedent for its decision, the court cited those prenatal injury cases which discard viability as a requirement for recovery, and noted that advances in medical science required that nonviability should not bar recovery even under a wrongful death statute.⁴⁶ By applying modern medical knowledge to the wrongful death area, therefore, the *Torigan* court moved toward a much needed consistency with regard to rejecting the via-

bility distinction in the law of torts. Such a development provides a basis for concluding that those states which still adhere to the viability distinction may reconsider their position in the future in order to establish consistency within the law of torts and thus an appropriate accommodation of current medical knowledge.

Tort law, therefore, is developing toward consistent recognition of the legal personality of the unborn child at every stage of gestation from the moment of conception. The trend established by the more recent and medically enlightened cases reinforce Professor Prosser's assertion that "the unborn child in the path of an automobile is as much a person in the street as the mother."⁴⁷ If, as the trend seems to indicate, tort law is developing to the point of recognizing the unborn child as a person from the time of conception in order to allow him a right of action to recover for injuries, surely the Constitution could do no less in order to protect his life.

B. Developments in property law

The common law of property has long recognized the property rights of an unborn child without regard to stages of gestation.⁴⁸ The English courts early held that an unborn child was included in the ordinary meaning of children in a will.⁴⁹ In the case of *Wallis v. Hodson*,⁵⁰ it was held that a posthumous child could have an accounting or her father's intestate estate years after her birth.⁵¹ The court stated that "[n]othing is more clear, than that this law considered a child in the mother's womb absolutely born, to all intents and purposes, for the child's benefit."⁵² An unborn child was also considered to be a life in being for purposes of the Rule Against Perpetuities even where the child received no benefit by being so considered.⁵³

The American cases, based on this English precedent, have reached much the same results and have chosen uniformly to treat the unborn child as a human being without regard to stages of gestation.⁵⁴ It has been held, therefore, that a child *en ventre sa mere*⁵⁵ may take under a will description bequeathing property to those "living at [testator's] decease."⁵⁶ An unborn child also has been allowed to take remainders, whether vested or contingent, as though living when the estate was created.⁵⁷ An unborn child has even been allowed to take under a will as a tenant in common with its own mother.⁵⁸ Moreover, the court in *Industrial Trust Co. v. Wilson*⁵⁹ rejected any suggestion that an unborn child lacks personality separate from that of the mother when it held that an unborn child was entitled to share in the income of a trust from the date of her father's death rather than upon the date of her subsequent birth.⁶⁰ Finally, in speaking of a child *en ventre sa mere*, the Supreme Court of North Carolina concluded that "a person must have an opportunity of being heard before a court can deprive him of his rights, and . . . an unborn child, not having been made a party, can recover from those claiming his title."⁶¹

It seems clear, therefore, that the law of property has recognized for centuries that the unborn child is a person from the moment of conception.⁶² It would appear that the Constitution, which also evidences a considerable interest in protecting property rights,⁶³ should be interpreted to reflect at least as great a concern for protecting the interest of the unborn child to continued life. Such an interpretation would also appear to bring a certain consistency to the Constitution itself, since to deprive the unborn child of life implicitly sacrifices his rights and interests in property.⁶⁴

C. Developments in equity law

Principles of equity have also extended recognition and legal protection to the unborn child as a person. In the case of *Kyne*

v. Kyne,⁶⁵ a suit was brought by the guardian ad litem of an unborn child seeking to compel the father to provide support. The court in *Kyne* applied section 196a of the California Civil Code, which provided that "the father, as well as the mother, of an illegitimate child must give him support and education suitable to his circumstances." In applying that section, the court held that the child had a right to such support.⁶⁶

Even more significant, perhaps, are the decisions handed down in the past decade dealing with the unborn child's right to life when his parents refuse to accept necessary medical assistance. In one such case a social worker sought and received a court order to award a welfare department custody of a child when it was born for the purpose of giving the child a needed blood transfusion.⁶⁷ The husband and wife both objected to the transfusion on the basis of religious convictions. The court, however, made it clear that the state, as *parens patriae*, had a duty to protect the child, the parents' objections to the contrary notwithstanding.⁶⁸ The court concluded that the child's right to life was entitled to legal protection even if he lacked viability.⁶⁹ In the similar case of *Raleigh Fitkin-Paul Morgan Memorial Hospital v. Anderson*,⁷⁰ the constitutional right to freedom of religion was also asserted. The court was asked to decide whether a Jehovah's Witness could be compelled to submit to a blood transfusion against her religious convictions to protect the life of her unborn child. The court found, without any apparent reliance on the fact that the unborn child had quickened, that the interest in life of the unborn child outweighed even the constitutionally fundamental right to freedom of religion.⁷¹ This case would suggest that the Constitution does have a substantial interest in protecting the life of the as yet unborn, without any reference to their status as a person.

D. Developments in criminal law

The criminal law has historically afforded the unborn child a substantial amount of protection. Primarily, the common law's protection of the unborn child by criminal sanctions took the form of punishing abortion as a misdemeanor.⁷² According to the common law, this crime could only be committed after the child had quickened.⁷³ The reason for employing the quickening distinction as the point at which the unborn child acquired protection seems to have been the limited development of medical knowledge that was available at the time the law was being established.⁷⁴ The quickening distinction represented a vestige of the old Roman law which was retained to some extent by the common law.⁷⁵ The point of quickening appears to have provided a short-hand method for the common law to establish the point in time when the unborn child first came to life.⁷⁶ Since quickening was the point at which the mother first perceived movement,⁷⁷ it was used to represent the unborn child's first manifestations of having a life separate and distinct from that of the mother.⁷⁸ Prior to the point of quickening, the unborn child was not considered as being independently alive.

It appears, therefore, that the common law employed the medical knowledge available to it in an effort to establish not simply an arbitrary point at which to attach legal protections, but rather to establish the precise point, to the best of their available knowledge, at which life begins. This analysis appears to be additionally supported by the common law and later statutory law provisions that the execution of a woman sentenced to death had to be postponed if she were found to be pregnant and quickened.⁷⁹ Pregnancy alone, without quickening, was insufficient to warrant a reprieve. Such a provision seems to reflect the common law belief that only at the point of quickening was there a second life present.⁸⁰ The pres-

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ence of life seems to have injected another person into the considerations of the common law, and that innocent person was entitled to legal protections.

Use of quickening as a basis for determining when the unborn child achieves life no longer has any medical basis due to the development of medical knowledge that an unborn child is a separate and independent life from the moment of conception.⁷¹ The existence of independent life appears to have been the historical touchstone for eliciting legal protections as a person. Just as the common law employed the medical knowledge available at that time to determine when the unborn child became alive and, thus, merited legal protections as a person, so it would behoove us to employ our available medical knowledge in order to determine when life actually begins, and thus when status as a "person" should attach with its accompanying constitutional protections.

It should be noted that the medical knowledge to which reference is here being made is not merely a recent development in medicine which might be soon superseded by new discoveries.⁷² This medical knowledge is of rather long standing and can still claim a consensus among members of the medical profession today.⁷³

Because of apparent dissatisfaction with the common law formula for determining the start of life and attaching personal protection,⁷⁴ the several states began in 1821 to enact abortion laws to attach legal protections to the unborn child from the moment of conception.⁷⁵ At present, most statutory enactments make abortion criminal at any stage of pregnancy while a number of these states still retain the quickening distinction only for purposes of determining the severity of the punishment.⁷⁶

At least by analogy these various areas of the law provide support for the view that the unborn child is a person recognized by law. With the unborn child having tort rights,⁷⁷ property rights,⁷⁸ recognition in criminal law,⁷⁹ and a right to life so paramount as to outweigh even such an important right as freedom of religion,⁸⁰ it would be difficult to perceive of the unborn child as anything other than a person within the purview of the fourteenth amendment. Attaching that status at the moment of conception would also appear to be supported by these other areas of the law, as well as the current development of medical knowledge.

E. Intent of the constitutional framers

Additional support for attaching status as a person under the fourteenth amendment can be found in the argument that such a result would be consistent with the intention of the framers of the Constitution. Although the intention of the framers would not be dispositive of the question when considering it for resolution nearly two hundred years later, it would be significant to note at least that attaching status as a person at conception would probably not have been repugnant to their original intentions.

The framers of the Constitution derived many of their legal concepts from the common law of England. Much of the body of existing law in the United States today derives from the earlier English common law.⁸¹ Because that common law was not codified in a written constitution, it had to be derived from the case law and precedent of the common law courts.⁸² The framers of the Constitution, many of whom were lawyers,⁸³ must have been very familiar with the common law precedent, and therefore must have been aware of the protections which had been afforded the unborn child as a person by the common law of property, without regard to any stages of gestation.⁸⁴ The considerable interest reflected in the Constitution with respect to the protection of property provides additional support for the premise that the

framers were well aware of the common law precedents deriving from cases dealing with property. It would appear fair to presume, therefore, that the framers of the Constitution would have had an appreciation of the fact that the word "person" might well include an unborn child from the moment of conception. At the very least, such a conclusion would not seem to be repugnant to their probable intentions.

II THE NATURE OF THE RIGHT TO LIFE

A. The unborn child's right

Considering the unborn child as a person within the purview of the fourteenth amendment qualifies the unborn child for the due process protections which that amendment provides against taking the life of the unborn child through abortion. Because such protection does not constitute an absolute right to life against all induced abortion,⁸⁵ it becomes imperative to determine the nature of that right in order to ascertain the nature of the conflicting interest which will be constitutionally required in order to infringe upon that right.

It would appear from the *Raleigh* case that the right to life of all persons protected by the fourteenth amendment is a constitutionally fundamental right on a par with fundamental rights enumerated in the first amendment to the United States Constitution. The court in the *Raleigh* case protected the life of an unborn child against the clearly fundamental right to freedom of religion.⁸⁶ It would appear from this preference for the right to life that the law implicitly recognizes the fundamental nature of that right.

Although the Constitution includes no express reference to the right to life, that right is well established as a basic tenet of our social compact by the Declaration of Independence, which states, "that all men are endowed by their Creator with certain inalienable rights: that among these rights [is] life . . ."⁸⁷ In addition, all of the constitutionally fundamental rights which we hold essential to individual protection today would be meaningless without the implicit existence of an equally fundamental right to life.⁸⁸ It would prostitute logic to conclude otherwise. Thus, it must be said that a fundamental right to life is recognized by the constitution, and guaranteed to all persons, including the unborn child, by the fourteenth amendment.

B. The mother's right

Like the unborn child and all other persons under the Constitution, the mother of an unborn child also has a constitutional right to life of a fundamental character. Her right is determined in the same manner and is of the same fundamental nature as the right to life of the unborn child. Such a conclusion is apparent from the generalized discussion of the origins of the fundamental right to life of the unborn child.

III. THE CONFLICT OF RIGHTS

In the situation where a pregnancy endangers the life of the mother and an abortion is thus sought, the fundamental rights to life of both the mother and the unborn child are placed in direct conflict. Under the fourteenth amendment both of these conflicting rights are protected only by the requirements of due process.⁸⁹ Either right may, therefore, be infringed where due process requirements are satisfied.⁹⁰ Being directed to the state, the due process provision of the fourteenth amendment would appear to require that the state balance the competing fundamental rights of the mother and the child. Failure on the part of the state to act will necessarily result in the death of the mother, and thus infringe upon her right to life. Acting to allow an abortion pursuant to the application, on the other hand, will necessarily result in the death of the unborn child, and thus infringe upon his right to

life. Inaction with respect to the application for an abortion, as well as action to permit an abortion, will both involve state action which deprives a person of a fundamental constitutional right.

A. The mother's due process protection

In making the necessary balance between these conflicting rights, there would appear to be a number of compelling policy considerations on the basis of which due process would dictate that the state give preference to the right to life of the mother by acting to grant the abortion application.

First, there appears to be a legitimate interest in preferring the life of the mother because she will have substantial familial and other social relationships which her untimely death would severely disrupt. The unborn child, on the other hand, has established no social identity which would cause societal disruption if terminated prior to birth.

Second, the mother's life should be preferred because to prefer the life of the unborn child would jeopardize the life of the mother on merely the chance that the unborn child would be born and survive. In addition, the birth of a child which is often very dependent upon the mother for care⁹¹ would appear to be a self-defeating result, particularly in light of the resentment of the child that would likely be felt by the widowed father.

Third, by the very nature of the relationship between the mother and her unborn child, preference for the mother's life is suggested. In that relationship, the mother's life appears primary, with the unborn child depending upon and drawing its continued life from the mother. Because this dependence is not reciprocated, the secondary nature of the child's life is suggested.

Fourth, if a preference were given to the unborn child at the peril of the mother's life, the mother could effectively void any such preference with a lesser penalty to herself. Either by self-induced abortion or by obtaining a criminal abortion, the mother could subvert any intention to prefer the unborn child's life. Any penalty which would be administered for such defiance would in all cases be a lesser penalty than death,⁹² the necessary penalty to be suffered if the mother were to acquiesce in the preference for the unborn child's life. Preference of the unborn child's life is thus made completely impractical in terms of enforcement. Fifth, analogy to the principles of the self-defense justification for homicide provides another policy consideration in favor of preferring the life of the mother.⁹³ Since the existence of the unborn child is, in a very real sense, similar to an aggressor, threatening deadly force, and from whom the mother cannot retreat,⁹⁴ it would appear that taking the life of the child in the interest of self-preservation of the mother is presently sanctioned by society. Finally, in part because of the preceding reasons for preferring the mother's life, a preference of the unborn child's life will tend to drive women, in pure desperation, outside the law to obtain criminal abortions.⁹⁵ The mortality rate for women subjected to such abortions is substantially higher than for abortions legally performed.⁹⁶ On the basis of this rationale, it would appear that there is a strong inducement not to prefer the unborn child's life in an effort to avoid driving women to risking their lives, in which case the life of both the mother and the unborn child might be sacrificed.

It would appear, therefore, that the due process clause of the fourteenth amendment would guarantee that the mother be granted an abortion upon appropriate application in situations where the pregnancy itself endangers her life. As such a guaranteed right, where the pregnant woman is financially unable to assume the expense of such a legal abortion, that expense must be borne by the

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state in order for it to adequately protect her right to life as defined by substantive due process considerations.⁹⁷

B. The unborn child's due process protection

While due process dictates that an abortion may be granted where the pregnancy endangers the mother's life, thus infringing on the unborn child's right to life, due process also operates to provide certain protections for the life of the unborn child. Such protections would appear most clearly raised where abortions are sought to be allowed without any restriction. By providing for such an unrestricted right to an abortion, the state would in effect be promoting an interest in allowing any woman the complete discretion of bearing or not bearing the fruits of her sexual activity. The state could only accomplish this objective by placing a higher value on the interest in granting unrestricted abortions than on the right of the unborn child to life. Substantive due process would appear to provide protection for the unborn child from just such unfettered discretion.⁹⁸

The court in *Babitz v. McCann*,⁹⁹ recently held that just such an interest was in fact a constitutionally protected right that superseded the unborn child's right to life.¹⁰⁰ Reasoning from *Griswold v. Connecticut*¹⁰¹ and from an extension of *Griswold* made by *People v. Belous*,¹⁰² the *Babitz* court held that a woman has a fundamental right to an abortion for any reason up to the point of quickening.¹⁰³ According to the *Babitz* court, this fundamental right is to be afforded a pregnant woman whether the unborn child is considered as mere protoplasm or as a human being.¹⁰⁴ The *Babitz* court thus permitted the interest in obtaining completely discretionary abortions to preponderate over the right to life of the unborn child. It would appear that the *Babitz* court's rationale and holding are overbroad and underanalyzed. The infirmities in the court's reasoning are demonstrable in three major areas.

First, by relying on *Griswold* as the foundation upon which the right to abortion is constructed, the court seemingly has overextended the *Griswold* decision. In its most limited scope, *Griswold* held that a right to use contraceptives exists in the marital relationship.¹⁰⁵ That decision, however, has been expanded most notably by three concurring Justices in *Griswold*,¹⁰⁶ as well as in subsequent cases,¹⁰⁷ to suggest a fundamental right to marital privacy generally. In *People v. Belous*¹⁰⁸ the court, citing *Griswold* expanded the concept of the right to privacy even further by determining that women have a fundamental right to choose whether to bear children.¹⁰⁹ Such a holding would seem to be an overextension of the *Griswold* rationale and of the other cases dealing with a right to privacy in matters related to marriage, family, and sex.¹¹⁰ The court in *Babitz*, however, resolved that *Belous* had not gone too far and followed its analysis of the constitutional rights involved.

Such an analysis, it is submitted, is unacceptable, particularly in light of its reliance upon the *Griswold* decision. Since a constitutionally protected life begins at conception, according to the earlier discussion, a crucial difference is made apparent between a right to marital privacy that allows prevention of life through contraception and one that allows termination of life through abortion. *Belous*, and therefore *Babitz*, seemingly confused prevention with destruction. At least one writer advocating such an extension of *Griswold* into the abortion area conceded that a considerable expansion beyond the limits of the *Griswold* case is needed to fit that case's analysis into the abortion mold.¹¹¹ The importance of such an expansion is commonly

minimized, however, by the dubious allegation that conceptually an early abortion is but a degree removed from contraception, the only difference being that abortion occurs after the egg and sperm have already united.¹¹² One may readily recognize, however, that this purportedly minimal difference is the difference between life and no life, between being and not being.

Another major area where the *Babitz* decision appears faulty in its reasoning, lies in the case's reliance on quickening as the point at which the fundamental right to an abortion ends and the fundamental right to life of the unborn child begins.¹¹³ The *Babitz* court thus resorted to an arbitrary line which is devoid of basis in modern medical knowledge¹¹⁴ and is inconsistent with an established legal trend of recognizing rights in the unborn child at all times during its development. To thus postpone attaching constitutional protections until some point after conception in order to allow for more discretionary abortions logically suggests certain very anomalous and undesirable results. It would appear that by withholding status as a "person," and thus due process constitutional protections as well, until some point after conception, no constitutional provision would be available to protect the unborn child from being subjected to all sorts of tampering and experimentation.¹¹⁵ Such experimentation would clearly have to avoid any jeopardy to the mother, as well as require her consent. However, it is possible that the medical profession could persuade many pregnant women seeking a completely discretionary abortion to allow such experimentation "in the interest of advancing medical knowledge." It would appear that indigent and less educated persons might be especially susceptible to such persuasions. The unborn child would have no protection against such activities as long as its life was duly terminated prior to the point in time when constitutional protections were to attach.

The final area in which the *Babitz* decision lacked sufficient analysis can be seen in the court's failure to give sufficient credence to the value of the right to life held by the unborn child. The court balanced the unborn child's right to life against the mother's interest in obtaining an abortion for reasons other than preservation of her life. In resolving this balance in favor of the interest in an abortion, the court rendered the right to life subordinate to another's happiness, convenience, and desire for freedom from otherwise unavoidable burdens. Moreover, the person who is given the discretionary capacity to decide the fate of the unborn child is not a neutral agent, as due process standards would seem to prefer, but rather is the one who desires to avoid the burdens of pregnancy. It would seem to be an anomaly to prefer an extended right to privacy over the right to life itself, particularly when other cases have favored the right to life over the more explicitly enumerated fundamental right to freedom of religion.¹¹⁶ In the context of individual rights, it would appear that nothing could be more basic than life itself. Historically, it has been recognized that the right to human life is subordinate to no lesser claim than a superior right to life,¹¹⁷ and in so far as the *Babitz* court chose to ignore this fact by allowing complete discretion in the woman to be aborted up to a given cut-off point, the decision would appear to be constitutionally incorrect.

It has been demonstrated, therefore, that the unborn child will be required by due process guarantees to the mother, to sacrifice his life in deference to the superior right to life of the mother. Due process, however, would in turn operate to protect the unborn child from being indiscriminately exterminated at the unfettered discretion of his mother. As the next section will point out, the state may have some sufficient interests

between these two extremes which may be constitutionally advanced to additionally abridge the unborn child's right to life.

C. Due process—other state interests

Many of the new reform statutes have included justifications such as rape, incest, and eugenic considerations for infringing upon the unborn child's right to life. When an abortion is sought on any of these grounds, it would appear that such considerations place the unborn child's right to life in conflict with certain interests of the state. In light of the fundamental nature of the unborn child's right to life, however, if the state's interests are to prevail, due process would require that those interests satisfy the standard of an overwhelming state interest.¹¹⁸ Whether or not the state has an overwhelming interest in providing rape, incest, and eugenic justifications for abortion can only be a matter of surmise at the present time, since the question has not yet been decided by the judiciary. Some discussion of these various state interests would appear appropriate, however, in an effort to determine the merit of using them to justify abridging a constitutionally fundamental right.

1. Rape

With respect to aborting pregnancies resulting from forcible rape, the state may espouse several substantial interests. First, unlike the situation involving merely an involuntary pregnancy following voluntary sexual intercourse, forcible rape involves both involuntary pregnancy as well as involuntary sexual intercourse. It can be argued that the pregnancy itself is a continuation of the crime committed against the mother in as much as she continues to be victimized by another's will being forced upon her. The state would appear to have a strong interest in removing all such indicia of victimization as expediently as possible.

The second substantial state interest relates to the fact that the continued pregnancy may very well precipitate substantial psychic injury to the mother. Certainly the trauma of the initial assault could have a tremendous impact on the victim and her perceptions of herself and future sexual behavior. The continued pregnancy may serve as a constant reminder of the original traumatic experience and could cause permanent psychological injury.¹¹⁹ The state, therefore, might well find in such considerations a substantial interest in providing for abortions where a pregnancy has resulted from forcible rape.

2. Incest

With respect to aborting pregnancies resulting from incestuous relationships, the state may feel a substantial compulsion to make abortions available to the pregnant woman. An incestuous pregnancy typically involves a relatively young woman,¹²⁰ and such an experience could conceivably inflict substantial and permanent psychological injury affecting the woman's self-concept, subsequent interpersonal relationships, and future sexual behavior.¹²¹ Providing for an abortion might well serve to minimize this potential injury.

The state might also conclude that a pregnancy resulting from an incestuous relationship might have a substantial adverse effect on the unity of the family involved. It would appear that the family unity could be damaged through jealousies and distrust springing from an awareness of an incestuous relationship. A continued pregnancy resulting from such a relationship might serve as a reminder of that incident and as a continuing point of friction within the family. Additionally, a subsequent birth of the child which was parented by the incestuous relationship might serve to disrupt the family unity because of confusion over what should be the appropriate relationships between

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family members. Coupled with this is the real possibility of traumatic identity crises in the mind of the child of the incestuous relationship. Viewing the unity of the family as a basic component in the fabric of our society, the state might therefore desire to provide abortions for incestuous pregnancies in an effort to minimize the otherwise substantial impact of the incident on family unity.

Finally, because incestuous relationships greatly increase the chance that recessive genes can combine to produce offspring with undesirable recessive traits,¹²² it would appear reasonable for the state to seek to avoid such births in order to minimize the chance for a defective birth. The interest in avoiding incestuous relationships and births is supported by the precedent of societal mores and formal law for centuries. Providing for abortions in such circumstances would therefore appear to be consistent with that precedent.

3. Eugenics

With respect to pregnancies in which there is a substantial probability that if the child is born it will be seriously handicapped either mentally or physically, the state may have a substantial interest in facilitating abortions. Such a substantial probability of a defective child being born might be founded on facts relating to drugs consumed by the mother¹²³ or diseases which she suffered during the pregnancy.¹²⁴ The state might feel a compelling interest in sparing its citizens the burden and heartache of raising a seriously deformed child. Coupled with this, although certainly of less importance in infringing upon a fundamental right, is the possible state interest in avoiding the considerable expense that might be incurred for special care and educational facilities for such children.

It should be noted that even if the courts happen to be favorably disposed to these interests of the state and their overwhelming nature with respect to the unborn child's fundamental right to life, these interests are those of the state and may not be asserted independent of the state. A state may or may not choose to adopt these justifications and provide for abortions consistent with them, as it wishes. An individual will not be heard to complain in the case where the state chooses not to provide for such abortions, because he will have no standing to assert the state's interest against that of the unborn child.¹²⁵

IV. STATE STATUTES: CONSTITUTIONAL CONSIDERATIONS

The 50 states have a variety of abortion statutes prescribing the conditions under which an abortion may be obtained. The majority of the states still have abortion statutes which legalize an induced abortion only to save the life of the mother.¹²⁶ Sixteen States, however, have reformed their similar abortion statutes to provide for less stringent justifications.¹²⁷ A number of the reformed statutes follow the Model Penal Code¹²⁸ and allow abortions to be performed for medical,¹²⁹ psychiatric,¹³⁰ eugenic,¹³¹ and humanitarian reasons.¹³² Others have gone further and require only that a physician perform the abortion and that it be performed within some prescribed period of gestation.¹³³ These various statutes can be grouped into three general types, from which a comparison can be made to see how each comports with what the due process analysis above would require.

The first type of statute, which is generally termed restrictive, is composed of those statutes which allow abortion only to save the life of the mother. The present Iowa statute is restrictive in this sense.¹³⁴ These statutes give cognizance to the countervailing interests in the life of the mother and the unborn child when those two rights are brought into direct conflict. This type of abortion

statute, therefore, seems to meet the due process requirements of the Constitution.

The second type of statute, referred to here as the reform type, follows the Model Penal Code proposal. This type is distinguished from the restrictive type in that it extends the grounds for an abortion beyond the interest in saving the mother's life to circumstances involving rape, incest, and eugenic justifications. To the extent that the reform statutes provide for abortions to save the life of the mother, they satisfy what due process would require. To the extent that these reform statutes provide for abortions in situations involving rape, incest, and eugenic justifications, they satisfy what due process would appear to permit. In the event, however, that the judiciary would fail to find the requisite overwhelming state interest in avoiding rape, incest, or deformed births, these reform statutes would fail to pass muster under the fourteenth amendment due process clause.

The third type of abortion statute is the unrestrictive type. This type differs from the reform type and the restrictive type in that no substantial justifications are required to obtain an abortion other than a time limitation. These statutes do not seem to meet the requirements of due process because they afford a woman complete discretion to terminate the unborn child's right to life for whatever reasons she might choose. Such a liberal provision would appear to be exceedingly overbroad, and the unborn child appears to be protected from such potentially arbitrary infringement upon his fundamental right to life by the due process clause of the fourteenth amendment.

From the standpoint of the due process clause, therefore, all of the various statutes would appear to satisfy the due process requirement that the mother's life be preferred to that of the unborn child when the two are in conflict. The reform statutes would appear to be within the scope of permissible legislation to the extent that the various state interests in allowing abortions are found to be overwhelming. The unrestrictive statutes, however, would appear to go beyond the outer constitutional limits, as defined by the due process clause, to the extent that they allow completely discretionary abortions with only a time limitation.

V. CONCLUSION

The increasing demand for legally induced abortions can be expected to continue to prompt considerable controversy over the efficacy of liberalizing state abortion laws. Such liberalization, where accomplished, will have a substantial impact on the rights of both the mother and the unborn child. Where those respective rights come into conflict, it has been suggested that the Constitution makes adequate provision for weighing the rights involved and arriving at a resolution of any such conflict. It has also been suggested that the nature of the constitutional rights involved dictates that state abortion statutes embody certain minimum due process requirements, as well as certain due process limitations, in their efforts to liberalize their abortion statutes. Where a state statute either fails to meet the minimum requirements, or exceeds the permissible limitations, that statute will be subject to challenge as a violation of the due process clause of the fourteenth amendment.

FOOTNOTES

¹ Abortion is defined medically as the expulsion of nonviable fetus. A nonviable fetus is one not yet developed sufficiently to exist independent of the mother. Abortions are either spontaneous or induced. Spontaneous abortions are those produced by natural causes. Induced abortions are all abortions other than spontaneous abortions, and are either criminal or therapeutic depending on whether the abortion falls within the exceptions stated or implied in the provisions of

criminal laws condemning abortion. See, Trout, *Therapeutic Abortion Laws Need Therapy*, 37 TEMP. L.Q. 172, 173-74 (1964).

² One estimate has indicated that one out of every five pregnancies ends in induced abortion. See Comment, *The Legal Status of Therapeutic Abortion*, 27 U. PITT. L. REV. 669, 677 (1966). The Statistics Committee commissioned by the 1955 Planned Parenthood Conference on Abortion has given what is possibly the most inconclusive approximation on the incidence of induced abortion. The Committee indicated that the frequency of induced abortion in the United States could be as low as 200,000 and as high as 1,200,000 a year. See D. CALLAHAN, *ABORTION: LAW, CHOICE, AND MORALITY* 133 (1970).

³ See H. PILPEL & K. NORWICK, *WHEN SHOULD ABORTION BE LEGAL?* 3 (Public Affairs Pamphlet No. 429, 1969).

⁴ *Id.* at 2.

⁵ See Kutner, *Due Process of Abortion*, 53 MINN. L. REV. 1, 17 (1968).

⁶ See Lucas, *Federal Constitutional Limitations on the Enforcement and Administration of State Abortion Statutes*, 46 N.C.L. REV. 730, 737 (1968).

⁷ See Note, *The Law and the Unborn Child: The Legal and Logical Inconsistencies*, 46 NOTRE DAME LAW. 349, 349 n.3 (1971).

⁸ For example, in the year following the enactment of its new abortion law, California experienced approximately 4800 legal abortions. D. CALLAHAN, *supra* note 2, at 140. Under its old law, only 600 legal abortions were performed per year. *Id.* Likewise, Colorado reported 407 legal abortions in the year following enactment of its new law compared with 51 the previous year. *Id.* at 141.

⁹ It must be noted that any discussion dealing with the topic of abortion necessarily involves semantic problems with regard to the status of the unborn child. In order to avoid these problems, this Note shall use the phrase "unborn child" to describe all stages of gestation from conception to birth and no reference will be made to such terms as quickening or viability except for use in their technical sense. Admittedly, terms such as "embryo" or "fetus" are more precise than unborn child; however, semantically they are awkward in that they refer to specific stages of gestation, as suggested by the technical meanings of the more precise fetal terms. Quickening refers to the first motion of the fetus in the womb felt by the mother, occurring usually about the middle of the term of pregnancy. See State v. Patterson, 105 Kan. 9, 10, 181 P. 609, 610 (1919). Viability is applied to a newly-born infant, and especially to one prematurely born which is not only born alive, but in such a state of organic development as to make possible the continuance of its life. BLACK'S LAW DICTIONARY 1737 (4th ed. 1968). An embryo is the product of conception up to the third month of pregnancy. NEW GOULD MEDICAL DICTIONARY 334 (Blakiston's ed. 1951). A fetus is the unborn offspring in the latter stages of development from the end of the third month until birth. NEW GOULD MEDICAL DICTIONARY 376 (Blakiston's ed. 1951).

¹⁰ Since the passage of the new unrestricted abortion law in New York, New York City has experienced at least 27 live births from abortion attempts. Tiede, *Failure Complicates the Problem*, Jacksonville Journal, February 5, 1971, at 18, col. 5. Of these 27 live births, one has permanently survived his abrupt debut into the world and has since been placed out for adoption. Because of the embarrassment and nuisance involved, one doctor has stated his belief that some live births resulting from abortions are just left to expire and that nothing is done to save most of them. *Id.* at col. 6. This experience with the unrestrictive law is a cogent example of the incongruity possible when the unborn child's right to life is totally disregarded as an accountable factor in the decision of whether or not to abort.

¹¹ Interview with Dr. Rudolph P. Galask, Dep't of Obstetrics and Gynecology, University Hospitals, in Iowa City, Iowa, March 4, 1971.

¹² U.S. Const. amend. XIV, § 1.

¹³ *Levy v. Louisiana*, 391 U.S. 68, 70 (1968). We start from the premise that illegitimate children are not "nonpersons." They are humans, live and have their being. They are clearly "persons" within the meaning of the Equal Protection Clause of the Fourteenth Amendment. *Id.*

¹⁴ W. PROSSER, HANDBOOK OF THE LAW OF TORTS 354 (3d ed. 1964) [hereinafter cited as PROSSER].

¹⁵ See *Dietrich v. Northampton*, 138 Mass. 14, 17 (1884).

¹⁶ See Note, *The Unborn Child: Consistency in the Law?*, 2 SUFFOLK U.L. REV. 228, 229, 236 (1968).

¹⁷ 65 F. Supp. 138 (D.D.C. 1946).

¹⁸ See *Louisell, Abortion, the Practice of Medicine and the Due Process of Law*, 16 U.C.L.A.L. REV. 233, 241 (1969).

¹⁹ See, e.g., *Bennett v. Hymers*, 101 N.H. 483, 485, 147 A.2d 108, 109 (1958); *Smith v. Brennan*, 31 N.J. 353, 363-64, 157 A.2d 497, 502 (1960); *Sinkler v. Kneale*, 401 Pa. 267, 272-73, 164 A.2d 93, 96 (1960).

²⁰ See e.g., *Worgan v. Gregg & Ferrara, Inc.*, 50 Del. 258, 260, 128 A.2d 557, 558 (1956); *Keyes v. Construction Serv., Inc.*, 340 Mass. 633, 637, 165 N.E.2d 912, 915 (1960); *Seattle-First Nat'l Bank v. Rankin*, 59 Wash. 2d 288, 291, 367 P.2d 835, 838 (1962).

²¹ See, e.g., *Hornbuckle v. Plantation Pipe Line Co.*, 212 Ga. 504, 504-05, 93 S.E.2d 727, 728 (1956); *Kelly v. Gregory*, 282 App. Div. 542, 545, 125 N.Y.S.2d 696, 698 (1953); *Von Elbe v. Studebaker-Packard Corp.*, 15 Pa. D. & C.2d 635, 642 (C.P. Allegheny County 1957).

²² See, e.g., *Daley v. Meier*, 33 Ill. App. 2d 218, 223-24, 178 N.E.2d 691, 694 (1961); *Torigan v. Watertown News Co.*, 352 Mass. 446, 448, 225 N.E.2d 926, 927 (1967); *Puhl v. Milwaukee Auto. Ins. Co.*, 8 Wis. 2d 343, 355-58, 99 N.W.2d 163, 170-71 (1959).

²³ See authorities cited note 19 *supra*.

²⁴ 401 Pa. 267, 164 A.2d 93 (1960).

²⁵ *Id.* at 273, 164 A.2d at 96.

²⁶ *Id.*

²⁷ 282 App. Div. 542, 125 N.Y.S.2d 696 (1953).

²⁸ *Id.* at 543, 125 N.Y.S.2d at 697.

²⁹ See Note, *supra* note 7, at 358.

³⁰ See, e.g., *Steggall v. Morris*, 363 Mo. 1224, 1233, 258 S.W.2d 577, 581 (1953); *Hall v. Murphy*, 236 S.C. 257, 263, 113 S.E.2d 790, 793 (1960); *Shousha v. Matthews Drivurself Serv., Inc.*, 210 Tenn. 384, 396, 358 S.W.2d 471, 476 (1962).

³¹ See, e.g., *Gorke v. LeClerc*, 43 Conn. Supp. 256, 262, 181 A.2d 448, 451 (1962); *Verkennes v. Corniea*, 229 Minn. 365, 366, 370-71, 38 N.W.2d 838-39, 841 (1949); *Stidam v. Ashmore*, 109 Ohio App. 431, 435, 167 N.E.2d 106, 108 (1959).

³² See, e.g., *Gorke v. LeClerc*, 23 Conn. Supp. 256, 262, 181 A.2d 448, 451 (1962); *Verkennes v. Corniea*, 229 Minn. 365, 371, 38 N.W.2d 838, 841 (1949); *Stidam v. Ashmore*, 109 Ohio App. 431, 433-34, 167 N.E.2d 106, 107-08 (1959). *But see* *Porter v. Lassiter*, 91 Ga. App. 712, 715, 87 S.E.2d 100, 102 (1955).

³³ 352 Mass. 446, 225 N.E.2d 926 (1967).

³⁴ *Id.* at 447, 225 N.E.2d at 926.

³⁵ *Id.* at 449, 225 N.E.2d at 927.

³⁶ *Id.*

³⁷ PROSSER 355.

³⁸ *In Re Holthausen's Will*, 175 Misc. 1022, 1024, 26 N.Y.S.2d 140, 143 (Sur. Ct. 1941): "It has been the uniform and unvarying decision of all common law courts in respect of estate matters for at least the past two hundred years that a child *en ventre sa mere* is 'born' and 'alive' for all purposes for his benefit." *Id.*

³⁹ See *Doe v. Clark*, 126 Eng. Rep. 617, 618 (C.P. 1795).

⁴⁰ 26 Eng. Rep. 472 (Ch. 1740).

⁴¹ *Id.* at 473.

⁴² *Id.* at 474.

⁴³ See *Thellusson v. Woodford*, 31 Eng. Rep. 117, 124 (Ch. 1788).

⁴⁴ See, e.g., *Barnett v. Pinkston*, 238 Ala. 327, 191 So. 371 (1939); *Cowles v. Cowles*, 56 Conn. 240, 13 A. 414 (1887); *McClain v. Howald*, 120 Mich. 274, 79 N.W. 182 (1899). See also *Louisell, supra* note 18, at 235.

⁴⁵ BLACK'S LAW DICTIONARY 619 (4th ed. 1968). The definition there given makes no reference to stages of gestation to suggest their relevance to the concept.

⁴⁶ See, e.g., *Shone v. Bellmore*, 75 Fla. 515, 521-22, 78 So. 605, 607 (1918); *Medlock v. Brown*, 163 Ga. 520, 523, 136 S.E. 551, 553 (1929); *Hall v. Hancock*, 32 Mass. (15 Pick.) 255, 257-58 (1834).

⁴⁷ See, e.g., *Barnett v. Pinkston*, 238 Ala. 327, 331, 191 So. 371, 374, (1939); *Crisfield v. Storr*, 36 Md. 129, 145-46 (1872); *Aubuchon v. Bender*, 44 Mo. 560, 568 (1869).

⁴⁸ See *Biggs v. McCarty*, 86 Ind. 352 (1852).

⁴⁹ 61 R.I. 169, 200 A. 467 (1938).

⁵⁰ *Id.* at 176, 200 A. at 476.

⁵¹ *Deal v. Sexton*, 144 N.C. 158, 160, 56 S.E. 691, 692 (1907).

⁵² See authority cited note 38 *supra*.

⁵³ U.S. Const. amend. XIV, § 1: "[N]or shall any State deprive any person of life, liberty, or property, without due process of law..."

⁵⁴ See authorities cited notes 44-51 *supra*.

⁵⁵ Cal. App. 2d 122, 100 P.2d 806 (1940).

⁵⁶ *Id.* at 127, 100 P.2d at 809.

⁵⁷ See *Hoener v. Bertinato*, 67 N.J. Super. 517, 522, 171 A.2d 140, 143 (1961).

⁵⁸ *Hoener v. Bertinato*, 67 N.J. Super. 517, 521, 525, 171 A.2d 140, 142, 145 (Juv. Ct. 1961).

⁵⁹ *Id.* at 521, 524, 171 A.2d at 142, 144.

⁶⁰ 42 N.J. 421, 201 A.2d 537, *cert. denied*, 377 U.S. 985 (1964).

⁶¹ *Id.* at 423, 201 A.2d at 538.

⁶² See *Louisell, supra* note 18, at 239.

⁶³ See, e.g., *Smith v. Gaffard*, 31 Ala. 45, 51 (1857); *Abrams v. Foshee*, 3 Iowa 273, 279 (1856); *Smith v. State*, 33 Me. 48, 55 (1851).

⁶⁴ See Note, *supra* note 16, at 229.

⁶⁵ See 1 T. BECK & J. BECK, MEDICAL JURISPRUDENCE 204-05 (10th ed. 1850).

⁶⁶ *Evans v. People*, 49 N.Y. 86, 90 (1872).

⁶⁷ BLACK'S LAW DICTIONARY 1415 (4th ed. 1968).

⁶⁸ See *Evans v. People*, 49 N.Y. 86, 90 (1872).

⁶⁹ See *Louisell, supra* note 18, at 240.

⁷⁰ *Id.*

⁷¹ See note 114, *infra*.

⁷² "[Q]uickening, therefore, instead of marking the period at which the future individual becomes endowed with humanity or vitality, or elevated to distinct personal identity, is but the sign of a certain advance in the development and aggrandizement of the growing body to a certain pitch, and of its now possessing a greater degree of force; and hence it has been contended that there is no ground for the great distinction in criminal punishment, whether or not the child has quickened." 1 J. CHITTY, MEDICAL JURISPRUDENCE 402 (1834).

⁷³ See *Archibold, The Law as a Schizophrenic*, 23 RES IPSA LOQ. 12, 13 (1970); *Noonan, The Constitutionality of the Regulation of Abortion*, 21 HARV. L.J. 51, 64-65 (1969).

⁷⁴ See Note, *supra* note 7, at 363-64.

⁷⁵ See *Quay, Justifiable Abortion—Medical and Legal Foundations*, 49 GEO. L.J. 395, 435 (1961).

⁷⁶ See Note, *supra* note 16, at 231.

⁷⁷ See authorities and discussion in notes 15-36 *supra* and accompanying text.

⁷⁸ See authorities and discussion in notes 38-51 *supra* and accompanying text.

⁷⁹ See authorities and discussion in notes 62-76 *supra* and accompanying text.

⁸⁰ See authority cited note 61 *supra* and accompanying text.

⁸¹ "[T]he meaning of the constitution [can] not be adequately understood by anyone who did not take into account the situa-

tion of the colonies before the separation from England and the rules of common law, as well as the general conceptions of law and justice inherited by English colonists from their English forefathers." A. DICEY, THE LAW OF THE CONSTITUTION 16 (1885).

⁸² See *id.* at 6-14.

⁸³ See T. COOLEY, CONSTITUTIONAL HISTORY OF THE UNITED STATES 10 (1889).

⁸⁴ See authority and discussion in notes 38-43 *supra* and accompanying text.

⁸⁵ See Note, *In Defense of the Right to Live: The Constitutionality of Therapeutic Abortion*, 1 GA. L. REV. 693, 698-99 (1967).

⁸⁶ *Raleigh Pitkin—Paul Morgan Mem. Hosp. v. Anderson*, 42 N.J. 421, 423, 201, A.2d 537, 538, *cert. denied*, 377 U.S. 985 (1964).

⁸⁷ *Jefferson, The Declaration of Independence of the American States* (1776).

⁸⁸ See Note, *supra* note 85, at 698.

⁸⁹ U.S. Const. amend. XIV, § 1.

⁹⁰ When a fundamental right such as the right to life is involved, it may be infringed by the state only upon a showing of a compelling state interest. See, e.g., *Griswold v. Connecticut*, 381 U.S. 479, 502 (1965) (White, J., concurring); *Bates v. City of Little Rock*, 361 U.S. 516, 524 (1960); *King v. Saddleback Junior College Dist.*, 318 F. Supp. 89, 91 (O.D. Cal. 1970). See also *Emerson, Nine Justices in Search of a Doctrine*, 64 MICH. L. REV. 219, 224-25.

⁹¹ See text accompanying note 25 *supra*.

⁹² For example, even under the fetidicde statutes which make killing a separate offense, the offense is usually only manslaughter. See, e.g., ARK. STAT. ANN. § 41-2223 (1964); MICH. STAT. ANN. § 750.322 (1968); N.D. CENT. CODE ANN. § 12-25-03 (1960).

⁹³ Historically, our society has recognized that a person has a right to use force to protect himself in certain circumstances. See J. STEPHEN, DIGEST OF THE CRIMINAL LAW 139 (1878).

⁹⁴ Generally, the use of force by a person is justifiable if necessary to protect himself against death or serious bodily harm unless the actor knows he can retreat in complete safety. MODEL PENAL CODE § 3.04(2) (b) (Tent. Draft No. 5, 1956).

⁹⁵ See D. CALLAHAN, *supra* note 2, at 129.

⁹⁶ See *Niswander, Medical Abortion Practices in the United States*, W. RES. L. REV. 403, 403-04, 422 (1965).

⁹⁷ See *Harper v. Virginia State Bd. of Elections*, 383 U.S. 663, 668 (1966); *Douglas v. California*, 372 U.S. 353, 357-58 (1963).

⁹⁸ See *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886). "[T]he very idea that one man may be compelled to hold his life... at the mere will of another, seems to be intolerable in any country where freedom prevails..." *Id.*

⁹⁹ 310 F. Supp. 293 (E.D. Wis. 1970).

¹⁰⁰ *Id.* at 302. *Contra, Rosen v. Louisiana State Board of Medical Examiners*, 318 F. Supp. 1217, 1230-31 (E.D. La. 1970).

¹⁰¹ 381 U.S. 479 (1965).

¹⁰² 71 Cal. 2d 954, 458 P. 2d 194, 80 Cal. Rptr. 354 (1969).

¹⁰³ *Babbitz v. McCann*, 310 F. Supp. 293, 302 (E.D. Wis. 1970).

¹⁰⁴ *Id.* at 301.

¹⁰⁵ 381 U.S. 479, 485 (1965). See also *Dixon, The Griswold Penumbra: Constitutional Charter For An Expanded Law of Privacy?*, 64 MICH. L. REV. 197, 198 (1965); *Kauper, Penumbras, Peripheries, Emanations, Things Fundamental and Things Forgotten: The Griswold Case*, 64 MICH. L. REV. 235 (1965).

¹⁰⁶ 381 U.S. 479, 486 (1965).

¹⁰⁷ See, e.g., *Cotner v. Henry*, 394 F. 2d 873, 875 (7th Cir. 1968); *Lewis v. Stark*, 312 F. Supp. 197, 206 (N.D. Cal. 1970); *People v. Belous*, 71 Cal. 2d 954, 963, 458 P. 2d 194, 199, 80 Cal. Rptr. 354, 359 (1969).

¹⁰⁸ 71 Cal. 2d 954, 458 P. 2d 194, 80 Cal. Rptr. 354 (1969).

¹⁰⁹ *Id.* at 963, 458 P.2d at 199, 80 Cal. Rptr. at 359.

¹¹⁰ See, e.g., *Loving v. Virginia*, 388 U.S. 1, 12 (1967); *Criswold v. Connecticut*, 381 U.S. 479, 485, 486 (1965); *Skinner v. Oklahoma*, 316 U.S. 535, 536, 541 (1942).

¹¹¹ See Note, *Abortion Reform: History, Status, and Prognosis*, 21 CASE W. RES. L. REV. 521, 545 (1970).

¹¹² *Id.*
¹¹³ *Babbitt v. McCann*, 310 F. Supp. 293, 302 (E.D. Wis. 1970).

¹¹⁴ Modern science regards the unborn child as a human being from the moment that the male spermatozoa fertilizes the female ovum to form the zygote. See Comment, *Therapeutic Abortion—The Psychiatric Indication—A Double-Edged Sword?*, 72 DRUG L. REV. 270, 282 (1968). The conceptus is qualitatively distinct from the elements, spermatozoa and ovum, which meet to form it. The newly conceived being possesses what is not possessed by these individual components: the genetic code, the transmitter of all those potentials which make men human. See *Louisell, supra* note 18, at 247 n.71.

¹¹⁵ One important reservation should be noted at this point. Although the constitution would not appear to be available to protect the unborn child from such abuses, this fact alone would not preclude the various state legislatures from prohibiting such activities by statute. In light of the repugnancy of such practices, such a legislative response would seem very likely.

¹¹⁶ See *Raleigh Fitkin-Paul Morgan Memorial Hosp. v. Anderson*, 42 N.J. 421, 423, 201 A.2d 537, 538 cert. denied, 377 U.S. 985 (1964); *Hoener v. Bertinato*, 67 N.J. Super. 517, 521, 171 A.2d 140, 144 (1961).

¹¹⁷ See *Louisell, supra* note 18, at 247 n.71.

¹¹⁸ See authority cited note 90 *supra*.

¹¹⁹ See L. LADER, *ABORTION* 36 (1966); *Lucas, supra* note 6, at 741.

¹²⁰ See *Leavy & Kummer, Abortion and the Population Crisis; Therapeutic Abortion and the Law; Some New Approaches*, 27 OHIO ST. L.J. 647, 665 (1966).

¹²¹ *Id.*

¹²² See *Incest*, 7 INT'L ENCYC. SOC. SCI. 115, 117 (1968).

¹²³ The controversy over the thalidomide babies seems to be a case in point. See *Kutner, supra* note 5, at 8.

¹²⁴ *Id.*

¹²⁵ Ordinarily, one may not claim standing to vindicate the constitutional rights of some third party. See, e.g., *Barrows v. Jackson*, 346 U.S. 249, 255 (1953); *Tilston v. Ullman*, 318 U.S. 44, 46 (1943); *Ashwander v. Tennessee Valley Authority*, 297 U.S. 288, 347 (1935) (concurring opinion).

¹²⁶ See *Brown, Recent Statutes and the Crime of Abortion*, 16 LOY. L. REV. 275, 275-76 (1970); *IOWA CODE § 701.1* (1971).

¹²⁷ See Note, *supra* note 7, at 349 n.3.

¹²⁸ MODEL PENAL CODE § 230.3 (Proposed Official Draft, 1962).

¹²⁹ The medical justification for a legal abortion is the saving or protection of the life of a pregnant woman. See *Trout, supra* note 1, at 186. In the past, many diseases qualified as such a justification. See *Quay, supra*, note 75, at 185-200. However, many of these physical ailments are no longer justifiable as legal abortion justifications because of medical progress. See *Trout, supra* note 1, at 180. Since at present pregnancy is seldom a serious threat to the life of the mother, any of the medical justifications for a legal abortion are liberally interpreted to include indications that fall far short of a necessity to prevent imminent danger to the life of the mother. *Id.* at 179. Therefore, even though medical justifications have decreased in number, precision is lacking because of the liberal interpretation placed on these justifications.

¹³⁰ Psychiatric justification for a legal abortion is the most ambiguous of all the justifications forwarded in the reform statutes. Psychiatrists cannot agree, even among themselves, as to what constitutes a valid

psychiatric justification. See *Niswander, supra* note 96 at 414. Several factors such as deception of the psychiatrist by the patient and deception of the patient by subconscious conviction render diagnoses uncertain. See *Brown, supra* note 126, at 282. It is interesting to note that in one study completed in Sweden, those women who had threatened suicide when refused an abortion unanimously failed to carry out the threat. *Id.*

¹³¹ The eugenic justification switches the emphasis from the mother to the unborn child. It is assumed that life with deformities is worse than no life at all. At best, such an assumption is on precarious footing. Even taking such an assumption as true, the prediction of deformity cannot as yet be certain. See *Brown, supra* note 126, at 283. Hospitals must rely on a calculation of probabilities and must make the subjective selection of certainty with which they wish to deal.

¹³² The humanitarian justifications for a legal abortion are incest and rape. These justifications probably provide the most precise standard of those accepted by the reform states because the limitations of incest and rape are generally defined statutorily.

¹³³ N.Y. PENAL LAW CH. 127 (1970).

¹³⁴ IOWA CODE § 701.1 (1971).

WORLD GOVERNMENT BY THE UNITED NATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. RARICK. Mr. Speaker, evidence continues to mount demonstrating the uncontroversial fact that the United Nations is but a ploy to establish one-world government.

Of unusual importance is the article entitled "World Government Via the United Nations," published by the *Herald of Freedom* for January 21, 1972.

The article is especially significant in the light of President Nixon's remarks today in his state of the Union message concerning disarmament.

I ask that this illuminating article be inserted in the RECORD at this point, followed by the "Observations" of the Sixth Conference on the United Nations of the Next Decade, held June 20-26, 1971, at Sinaia, Rumania and a list of participants in prior conferences. This conference was sponsored by the Stanley Foundation, which enjoys tax-exempt status from our Government.

The article follows:

[From the *Herald of Freedom*, Jan. 21, 1972]

WORLD GOVERNMENT VIA THE UNITED NATIONS

While Captive Nations Day is on its way out, United Nations Day has the blessings of the powers that be. By proclamation of President Richard M. Nixon, October 24, 1971 was designated United Nations Day, with the proclamation entered in the Federal Register on July 13, 1971. In his official statement, the President stated: "Reviewing the work of the United Nations since 1945, we can see a substantial record of accomplishment in the world body's major areas of endeavor—to save succeeding generations from the scourge of war . . . and to promote social progress and better standards of life in larger freedom. . . ." Congressman John R. Rarick commented aptly: "Nowhere in our President's proclamation does he advise the American people that the U.N. is the most illegal, undemocratic, atheistic trap that has ever been

set for free men and which continues to be financed by U.S. tax dollars. . . . How could the U.N. speak or represent the people of the world when first there is not an elected representative in the U.N., and second, over two-thirds of the votes of the U.N. General Assembly do not even represent 10 percent of the peoples of the world."

In his official U.N. statement, Mr. Nixon stated: "I also call upon the appropriate officials to encourage citizens' groups and agencies of communication—press, radio, television, and motion pictures—to engage in appropriate observance of United Nations Day this year in cooperation with the United Nations Association of the United States of America and other interested organizations."

President Nixon is promoting world government through the U.N. and cooperation with the United Nations Association of the U.S.A., which is working for the destruction of our independent nation, in spite of the fact that public law 92-77 of the 92nd Congress, which passed as House Resolution 9272 and was signed into law August 10, 1971, contains under title 1, section 104:

"None of the funds appropriated in this title shall be used (1) to pay the United States contribution to any international organization which engages in the direct or indirect promotion of the principle or doctrine of one world government or one world citizenship; (2) for the promotion, direct or indirect, of the principle of doctrine of one world government or one world citizenship.

"This title may be cited as the 'Department of State Appropriation Act, 1971.'"

The United Nations Association of the U.S.A. has been working toward the objective of World Government for many years and, in September 1971, sponsored a panel meeting headed by Nicholas deB. Katzenbach, whose leftist record is well known. Also heading the panel was Harlan Cleveland, former U.S. representative in the North Atlantic Treaty Organization, a serious security risk who has been an active case in one of our intelligence agencies for years with the continuing investigation falling in the category of "Espionage." A third leader of the panel was Phillip M. Klutznick, former U.S. representative in the United Nations Economic and Social Council. Among the recommendations of this organization were: early entry of the People's Republic of China (which has already been accomplished); the admission to the U.N. of North Korea and North Vietnam; a standing U.N. force for peacekeeping (which is in effect a world police).

Among the other members who participated on the panel were: Lincoln P. Bloomfield, of M.I.T., an advocate of total disarmament; Andrew W. Cordier, a serious security risk who was closely associated with Alger Hiss; Ernest A. Gross, a former U.S. representative to the U.N. and another security risk; Donald S. Harrington, Unitarian minister of Community Church of N.Y. who has a long affiliation with Communist fronts according to published reports; Phillip C. Jessup, former judge of the International Court of Justice, whose Communist front record has clearly been established by congressional committees; Joseph E. Johnson, president emeritus of Carnegie Endowment for International Peace, another leftist; Charles W. Yost, former U.S. Ambassador to the U.N. and protégé of Alger Hiss.

Another organization which is gun ho for World Government is the United World Federalists. On Nov. 3, 1971 — inserted into the Congressional Record, an article entitled "The Prospects for World Government" written by former U.S. Senator Joseph S. Clark, president of this organization.

* * * * *

"There would be general and complete disarmament of the nation-states under a system of strict international control. Au-

thority would be given to the world government and its agencies to monitor the disarmament process and to assure that none of the nation-states rearm themselves thereafter."

Mr. Clark pointed out that useful studies, looking towards achievement of world government by small steps, have been prepared under the auspices of the United Nations Association. His organization, the United World Federalists, is associated with other world government advocates operating in many countries. Commenting on possible opposition to world government, World-Federalist president Clark stated:

"Old-fashioned patriotism is surely an obstacle to world government. Dr. Johnson's view that 'patriotism is the last refuge of a scoundrel' has fewer adherents than those who proclaim with Stephen Decatur, 'Our country . . . may she always be in the right; but our country, right or wrong.'

"When the flag flies and the band plays and the drums beat and the troops march and the Veterans of Foreign Wars and the American Legion parade, the 'silent majority,' at least in the United States, still tends to respond. This would be particularly true with blue-collar workers, hardhats, white collar engineers, and scientists in the military-industrial field if world government became a practical threat to their jobs. It is true today with many of them in this country and abroad when it comes to winding up the arms race and the war in Vietnam, or bringing a peace to the Middle East that might inhibit the manufacture and sale of arms. And of course one could count on the opposition of the military forces of all of the nation-states."

In anticipation of the setting up of a U.N. police force, the Communists have been most cooperative. The U.P.I. reported that early in October 1971 Communist Poland offered to the U.N. a standby force from its army for possible use in "peacekeeping" operations. Poland is the second Soviet bloc nation to offer its troops to the U.N. for peacekeeping, the other offer having been made two years ago by Czechoslovakia. The United World Federalists, the American Association for the U.N. and similar propagandists have long been urging the strengthening of the United Nations by granting it control of a world police force. While a member of Congress, Richard Nixon backed such a plan.

The admission of Red China into the U.N., a project of Presidential Adviser Henry Kissinger, was brought about through the behind-the-scenes maneuvering of the U.S. State Department and the U.S. representatives to the U.N., all with the approval of President Nixon, in spite of the fact that the U.N. Charter itself would prohibit the admission of Red China to the U.N. This is the same Red Chinese dictatorship which the U.N. condemned as an aggressor in 1951, a condemnation which still stands inasmuch as there has been no peace in Korea—only an uneasy cease fire with Americans still becoming casualties whenever the Reds desire propaganda fodder.

It was known to the Nixon Administration that the Senate Internal Security Subcommittee report, "The Human Cost of Communism in China," estimated that up to 63 million persons had been killed as a result of Communist activities in Red China. Congressman John Schmitz observed: "If the United Nations is so devoid of justice, reason, morality, and sound purpose as to bring the Red Chinese in, thus helping to seal forever the fate of over 750 million people then it is time the Congress return from myths to common sense and end our participation in the United Nations."

General Charles Willoughby, former Chief of Intelligence for General Douglas MacArthur, pointed out in a recent article that the U.N. Charter declares for self-determination, non-aggression, and peace and security, yet

the U.N. has permitted the Communist dictators to take over more than 13 countries and 7 times the population of the U.S. (one-third of the world's people). General Willoughby further observed that the United Nations failed to restore freedom to Latvia, Lithuania, Estonia, Poland, East Germany, Bulgaria, Rumania, Czechoslovakia, Yugoslavia, and China; failed to help freedom fighters in their blood bath in Hungary; failed to prevent the rape of Tibet; failed to prevent Communist take-over in North Korea, North Vietnam and Laos; failed to prevent Communist take-over in Cuba; failed to prevent India's take-over of Goa; failed to allow self-determination and freedom to Katanga; failed to prevent warfare between Israel and the Arab States.

World government advocates are trying to establish, through the U.N., a world government which would eliminate the sovereignty of the U.S. In order to bring this about they are pushing several programs which will further their objectives. One of these is the U.N. Genocide Convention on the prevention and punishment of the crime of genocide. The State Department's Bureau of Public Affairs Document P-611 dated April 26, 1971 stated that President Nixon, in a message to the Senate on February 19, 1970 urged the Senate to consider anew this convention. The one-worlders have been trying to get the Genocide Convention through the U.S. Senate ever since President Truman urged it in 1949.

Part of the genocide trap would be to make individuals who commit "mental genocide" (which could be interpreted as making uncomplimentary remarks about Communists and others) subject to prosecution in a United Nations court. Since there is no such court at the present time, a program has been proposed to set up an International Criminal Court for the specific purpose of trying individuals.

The Foundation for the Establishment of an International Criminal Court was incorporated as a California general non-profit corporation on April 24, 1970, with trustees shown at the time as Robert K. Woetzel (Pres.), Sheila Woetzel (V.P.), John W. Ervin (Secy.), Patricia Ervin, Marvin H. Lewis (Treasurer). According to their articles of incorporation their stated purpose is: "To educate and assist in the establishment of an international criminal law and formation of an international criminal court for the definition of certain international crimes and the punishment and procedures relating thereto."

"Co-sponsor with the International Criminal Law Commission of the World Peace Through Law Center in a conference on international criminal law to be held in 1971, the purpose of which will be to establish in writing a Convention on Crimes Against Humanity, to determine categories of crimes, defenses and excuses, and methods of implementation, taking into account the Charter and Judgment of the International Military Tribunal at Nuremberg, the Genocide Convention, the Geneva Convention of 1949, the Draft Code of Offenses Against Peace and Security of Mankind. Other specific activities of the Foundation are to acquaint the public, governments, and non-governmental organizations with the principles of international criminal law, in particular the Draft Convention and Statute resulting from the proposed conference of experts, through published materials, books, pamphlets and radio and television tapes of pertinent discussions, holding of educational seminars and meetings which will educate persons with respect to the importance of international criminal law, the clarification and applicability of international courts and other instruments of international criminal law like the Geneva Convention of 1949 and the Draft Code of Offenses Against the Peace and Security of Mankind."

The Convention on International Criminal Law was held by the World Peace Through Law Center at Belgrade, Yugoslavia in July of 1971. One of the prominent individuals present was former Chief Justice Earl Warren, who was a founder of the movement in 1959 and who spoke as chairman of the United Nations Association of the U.S.A. He told the Belgrade convention that there should be standing forces (U.N.) to carry out peacekeeping functions.

Another address given before the Fifth Peace Through World Law Convention was made by Robert K. Woetzel (mentioned previously) on July 24, 1971, in which he stated:

"It is wisest to pursue a path which will convince various parties concerned that it is in their interest to abide by minimal restraints on exercises of power both in war and peace; a way must be found to demonstrate convincingly that the common good of mankind is served through international criminal law. . . . In connection with the dangers of nuclear conflict, one might also speculate on the possibility of making individuals such as scientists who aid and abet the production of nuclear weapons in violation of the non-proliferation treaty, criminally liable for their actions. . . . The list of offenses described above is of course not exhaustive; it might be wise to begin with few crimes and then to allow States to add to the jurisdiction of an international authority as they have opportunity to observe it in action. For example, so-called ecological crimes or criminal pollution of the environment that affects several States might be a proper subject for prosecution and could be added if it is not included in the original jurisdiction. Furthermore, certain offenses such as violation of right of racial, ethnic, religious, political, economic, and culturally divergent groups involving humiliations, denial of justice, deprivations of ordinary human rights, and infringements on their cultural heritage could fall under international criminal jurisdiction, if States so decided. The aim is to begin small and to enlarge scope as time progresses. With growing consensus concerning a definition of aggression it is hoped that eventually crimes against peace may also become the proper subject of criminal prosecution internationally."

After meeting in Communist Yugoslavia, there were further developments. Late in September a group of lawyers, jurists, and scholars met at Racine, Wisconsin for the first International Criminal Law Conference to work out plans for the establishment of an International Criminal Court which could try individuals from any nation. The Conference proposed that the new Court be a tripartite body made up of a tribunal, an investigating magistrate, and a commission. The magistrate would investigate all cases; the commission would return indictments; and, the tribunal would hear those cases recommended to it. Under the plan the International Criminal Court would hold national officials responsible for untoward acts carried out while in office. Under its charter, however, it might try any citizen of the world for any crime down to "pollution."

Gerhard O. W. Mueller, a noted authority on criminal law and New York University law professor, proposed that the former Reichstag building in Berlin and the surrounding land be given to the U.N. to house the proposed International Criminal Court. The group plans to hold a conference in Europe in March 1972 with broader international representation, and in the meantime their recommendations are to be transmitted among the international diplomatic community.

Robert K. Woetzel, who is a Boston College professor of international law and politics, has told the New York Times that the new world criminal court could be established as early as 1974. Woetzel, president of the tax-

exempt Foundation for the Establishment of an International Criminal Court, was formerly on the staff of the notorious Center for the Study of Democratic Institutions and has quite a record. On October 29, 1965, an article appeared in Saturday Review, written by Woetzel, supporting abolition of our laws against homosexuality, a subject in which he has a personal interest. On November 24, 1955, at 1:15 a.m., Robert Woetzel was arrested at Lafayette Park, Washington, D.C., on a morals charge. (D.C. police identification number 150-070.) At the time of his arrest several letters from prominent persons were found on his person. One of them, from the late Adlai Stevenson, began "Dear Robert" and thanked Woetzel for his recent visit; another "friendly" letter was from an important former U.S. Ambassador.

The Foundation for the Establishment of an International Criminal Court, while originally the creation of Dr. Woetzel, has the support of many important people. Among the international consultants and international law review committee are: Rt. Rev. Giovanni Abbo (member of The Vatican Secretariat); Prof. Roberto Ago (professor of Law, Rome Univ., member United Nations International Law Commission); Prof. Maxwell Cohen (Professor of Law, McGill Univ., Canada); Prof. Jean Graven (Pres. International Assoc. of Penal Law, Switzerland); Prof. Hans-Heinrich Jescheck (Director Max Planck-Institute, Freiburg, Germany); Prof. Paul Reuter (Professor of Law Univ. of Paris, member U.N. International Law Commission); Prof. B.V.A. Roelink (Secretary Gen. International Peace Research Assoc., Netherlands); Hon. A.N.R. Robinson (Port of Spain, Trinidad and Tobago); Prof. Ulrich Scheuner (Prof. of Law, Bonn Univ., Germany); Prof. Georg Schwarzenberger (Prof. of Law, University College, London); Prof. Telford Taylor (Prof. of Law Columbia University); Prof. Jacques Freymond (vice president International Committee of the Red Cross); Hon. Manfred Lachs (Judge, International Court of Justice); Dr. Egon Schwelb (Off. of Legal Affairs, U.N.); Dr. Borko D. Stosic (World Peace Through Law Center, Geneva).

Under the guise of strengthening the U.N. or promoting peace, a number of organizations are promoting world government; some openly, like the United World Federalists and the American Movement for World Government, Inc. of New Canaan, Conn.; others, like the Atlantic Union, hope to bring it about by first setting up regions. The U.N. has become nothing more than a Communist front organization and the forerunner of a world government with a world peacekeeping (police) force, taxation, monetary system and controls. Congressman John Schmitz introduced a bill HR 2632 to rescind and revoke membership in the U.N. and the specialized agencies thereof. On October 27, 1971 Congressman John Rarick filed Discharge Petition No. 10, and the signatures of 218 congressmen are necessary to discharge the bill for a house vote. Passage of H.R. 2632 would remove the United States from the U.N. and the U.N. from the United States. . . . thus freeing our people from the ever-tightening yolk of international controls and the erosion and final elimination of national sovereignty and constitutional government.

OBSERVATIONS

The following comments, prepared by the Conference Chairman, touch upon several points pertinent to the United Nations of the Next Decade. They concern matters discussed at Sinaia and prior conferences, but go beyond the conference statements.

UNIVERSALITY

The Sinaia Conference developed a further argument for universality of membership in the United Nations, a recommendation of each of our five prior conferences. The effective handling of global environmental prob-

lems requires the cooperation of all nations as do the problems of international peace and security. For instance, the People's Republic of China should participate in discussions on atmospheric pollution, and both East and West Germany should be involved in any regional effort to abate pollution in the Baltic Sea.

AUTHORITY

While the participants generally agreed upon the essential need of international cooperation in dealing with global environmental problems, sharp differences were evident regarding the authority that should be delegated to the United Nations. Some participants would set up an organizational structure within the United Nations and endow it with supranational authority in these areas. They believe that nothing less than such authority would be adequate to deal with serious environmental problems approaching the threshold of irreversibility. Other participants would use the United Nations primarily as a clearing house and coordinating body, implementing action through a series of regional or global treaties. The Conference Chairman believes the conference tended to underestimate the degree of authority needed to cope with the threats to the global environment.

UNITED NATIONS PERFORMANCE

The need for improving the performance of the United Nations through organization and procedural changes was expressed by many participants. Criticism of the Economic and Social Council was particularly noticeable during the discussion of appropriate organizational structure for environmental management in the United Nations. Such comments gave weight to recommendations of prior conferences regarding the urgency of early improvement and strengthening of the processes by which the United Nations organizations operate. Several participants commented upon the general thrust of conferences held in May, 1970, and May, 1971, dealing with procedural and organizational improvements at the United Nations. Undoubtedly, concern over the control, coordination and the effectiveness of United Nations organization, particularly ECOSOC, influenced the opinions of many participants on organizational matters.

THE OCEANS

A high degree of consensus was apparent regarding the need for environmental controls in our oceans. Unquestionably, this would seem to be an area where it will be easier for the nations to agree upon a United Nations role. In addition, there was agreement that there is enough scientific information now available for international action.

At our Fourth Conference (1969), the participants agreed: "The seabed is the common heritage of all mankind; the United Nations should be its trustee. The United Nations should take the lead in establishing international law for the seabed, guiding its exploration and developing and protecting the marine environment against damage."

At Sinaia, there appeared to be a general sentiment that the fragile biological system of the marine environment was deserving of special concentration at the 1972 Stockholm Conference. It was also felt that regional action in such areas as the Mediterranean and Baltic Seas was mandatory, and some hopeful progress in these areas was duly noted. The very important question of a seabed or ocean authority was not discussed in any substantive fashion at this conference

¹ Report of Conference on Organization and Procedures of the United Nations, May, 1970.

Report of Second Conference on Organization and Procedures of the United Nations, May, 1971.

Available from The Stanley Foundation, Stanley Bldg., Muscatine, Iowa 52761.

because these subjects had been dealt with in previous conferences.

DEVELOPMENT

The Statement of the Sixth Conference emphasizes that environment and development are interrelated and suggests principles for reconciliation of divergent views on this question. Nevertheless, the range of disagreement on this issue during the conference was very evident. Participants from less developed countries were critical of the industrialized nations, blaming them for global pollution. They contended that the developed countries, having done tremendous damage to the global environment and having exploited resources of the less developed countries, must provide the leadership in the environmental effort and bear its major costs. Reconciliation of the opposing points of view regarding environment held by the developed and developing nations is crucial to the implementation of an adequate program within the United Nations to cope with global pollution.

Whether speaking on environmental degradation, population, or resource management, participants from the developing countries put great emphasis on the ability of science and technology to provide long-term answers. Such unlimited faith in science and technology tends to obscure the need for greater attention to the political, economic, and management aspects of these problems.

POPULATION AND RESOURCES

Few participants at Sinaia were ready to confront population and resources as global problems related to environment. Rather, they were viewed as individual problems of certain nations. The Conference Chairman predicts that within a few years both population and resources will come to be recognized as serious factors affecting the environment of the world.

URGENCY

Our discussions clearly revealed that the attitudes of nations toward environment vary with their current exposure to pollution. The more developed and more polluted nations have a greater sense of urgency. Those developing nations experiencing little industrial pollution quite obviously are less concerned and have less understanding of the complexities of environmental problems.

BASIC ROLE

The majority of the participants strongly supported the view that United Nations activities in the field of environment must not be permitted to interfere with its other basic roles (international peace and security, disarmament, economic and social development, human rights and decolonization). However, there was also a strong sentiment among a few participants that the problems of the global environment were as pressing and vital as any of the historic roles of the United Nations. Finally, a significant minority of the participants were of the very definite opinion that progress in functional areas such as the environment and ocean management would, in the long run, provide needed impetus for improving the effectiveness of the United Nations in carrying out its primary functions.

PARTICIPANTS OF PRIOR CONFERENCES

H.E. Chief S. O. ADEBO, Nigeria, Executive Director of United Nations Institute for Training and Research.

H.E. Mr. Richard M. AKWEI, Permanent Representative of Ghana to the United Nations.

Mr. Ward P. ALLEN, Deputy Assistant Secretary, Bureau of International Organization Affairs, United States Department of State.
The Hon. Warren ALLMAND, Member of Parliament, Canada.

The Hon. Benigno AQUINO, Opposition Leader of the Philippine Senate.

The Hon. Zulfikar Ali BHUTTO, former Foreign Minister of Pakistan.

Mr. Andrew BOYD, Great Britain, Foreign Affairs Editor of *The Economist*.

H.E. Mr. William B. BUFFUM, Ambassador of the United States to Lebanon.

General E. L. M. BURNS, former Advisor to the Government of Canada on Disarmament.

M. Robert BURON, France, former President of Development Center of the Organization for Economic Cooperation and Development.

Mr. Grenville CLARK, United States (deceased), Co-author of *World Peace Through World Law*.

H.E. M. Sori COULIBALY, Minister for Foreign Affairs and Co-operation, Mali.

H.E. Mr. Karoly CSATORDAY, Director, Department of International Organization at the Ministry of Foreign Affairs, Budapest.

H.E. M. Gabriel M. d'ARBOUSSIER, Senegal, Ambassador to the Federal Republic of Germany.

The Hon. Gordon FAIRWEATHER, Member of Parliament, Canada.

The Hon. Per FEDERSPIEL, Member of Danish Parliament, Liberal Party; former Minister for Special Affairs of Denmark.

The Hon. Per HAEKKERUP, Political Spokesman of Social Democratic Party in Danish Parliament; former Foreign Minister of Denmark.

H.E. Mr. Edvard HAMBRO, President of the Twenty-Fifth Session of the United Nations General Assembly; Permanent Representative of Norway to the United Nations.

Dr. Ahmad HOUMAN, Iran, former Assistant to the Prime Minister and Vice Minister of the Imperial Court.

Sir Muhammad Zafrulla KAHN, Pakistan, President of International Court of Justice; President of Seventeenth Session of United Nations General Assembly.

Mr. I. T. KITTANI, Iraq, Deputy to Assistant Secretary-General for Inter-Agency Affairs.

Mr. Hermod LANNUNG, Member of Danish Delegation to the United Nations.

H.E. Mr. Murray MACLEHOSE, Ambassador of the United Kingdom to Denmark.

H.E. Lij Endalkachew MAKONNEN, Minister of Communications, Telecommunications and Posts, Ethiopia.

Senior Licenciado Don Gustavo MARTINEZ CABANAS, former Commissioner of Technical Assistance for the United Nations to Mexico.

H.E. Mr. Leo MATES, Director, Institute for International Politics and Economics, Belgrade; former Ambassador of Yugoslavia to United States and United Nations.

H.E. Mr. Akira MATSUI, Chairman, Atomic Energy Commission of Japan; former Ambassador of Japan to France.

The Hon. Jose Antonio MAYOBRE, Venezuela, former Executive Secretary of United Nations Economic Commission for Latin America.

Dr. Grigori I. MOROZOV, Chief of International Organizations Division, Institute of World Economics and International Relations, Academy of Sciences, U.S.S.R.

H.E. Mr. B. K. NEHRU, India, Governor of Assam; former Ambassador to the United States.

H.E. Mr. Sivert A. NIELSEN, president of Bergens Privatvank; former ambassador of Norway to the United States.

H.E. Mr. Glen A. OLDS, former Ambassador of the United States to the United Nations.

The Hon. Mr. C. Torsten W. ORN, former First Secretary of Political Affairs of the Swedish Mission to the United Nations.

H.E. Dr. Adnan PACHACHI, former Ambassador of Iraq to the United Nations.

H.E. Mr. Anand PANYARACHUN, Acting Permanent Representative of Thailand to

the United Nations and Ambassador to Canada.

H.E. Mr. S. Edward PEAL, Ambassador of Liberia to the United States.

H.E. Senor Jose PINERA, former Permanent Representative of Chile to the United Nations.

H.E. Mr. David H. POPPER, Ambassador of the United States to Cyprus.

Dr. Boris P. PROKOPIEV, Deputy Chief of the International Organizations Department, Ministry of Foreign Affairs, U.S.S.R.

Dr. Luis QUINTANILLA, Mexico, former President of the Council, Organization of American States.

H.E. Dr. Majid RAHNEMA, Minister of Science and Higher Education; former Ambassador of Iran to Switzerland.

The Hon. Jose ROLZ-BENNETT, Guatemala, former Under Secretary-General for Special Political Affairs, United Nations.

General Carlos P. ROMULO, Secretary of Foreign Affairs of the Philippines; President of the Fourth Session of the United Nations General Assembly.

H.E. Mr. Zenon ROSSIDES, Permanent Representative of Cyprus to the United Nations.

Mr. Clyde SANGER, Correspondent at United Nations for *Manchester Guardian* and *The Economist*.

H.E. Mr. Samar SEN, Permanent Representative of India to the United Nations.

Dr. Vladimir G. SHKUNAEV, Head of United Nations Political Studies Section, Institute of World Economics and International Relations, Academy of Sciences, U.S.S.R.

Mr. Konstantin SMIRNOV, Embassy of the U.S.S.R., Belgrade.

The Hon. Zdenko STAMBUK, Chief Editor of *Review of International Affairs* and Member of the Federal Parliament of Yugoslavia.

The Hon. M. van der STOEL, Member of Parliament, Netherlands.

The Hon. A. Z. N. SWAI, Tanzania, Minister of State for the Union.

H.E. M. Piero VINCI, Permanent Representative of Italy to the United Nations.

Dr. Urban WHITAKER, Dean of Undergraduate Studies, San Francisco State College.

Dr. Alexander YANKOV, former Counsellor of Permanent Mission of Bulgaria to the United Nations.

Dr. Hideki YUKAWA, Japan, Director of Research Institute for Fundamental Physics, Kyoto University; Nobel Prize in Physics, 1949.

H.E. M. Maxime-Leopold ZOLLNER, Permanent Representative of the Republic of Dahomey to the United Nations.

Rapporteurs:
Mr. Andrew BOYD, Great Britain, Foreign Affairs Editor of *The Economist*.

Mr. Robert H. ESTABROOK, former United Nations Correspondent, *The Washington Post*.

Mr. Lee W. HUEBNER, White House Staff Assistant.

The Hon. David M. STANLEY, Attorney at Law; former Iowa State Senator.

Mr. Richard H. STANLEY, Vice President, The Stanley Foundation.

HON. COURTNEY WARREN CAMPBELL

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 19, 1972

Mr. ROGERS. Mr. Speaker, it is always a sad occasion to mark the passing of a friend. It is indeed a sadder occasion to mark the passing of a man who devoted

a large portion of his life to the service of his State and Nation. Courtney Warren Campbell was such a man, and the State of Florida lost an outstanding citizen upon his passing December 22, 1971. Courtney Campbell served his country well for many years, as a Member of the House of Representatives, as a soldier in World War I, and in many positions in the State of Florida for which he will long be remembered by grateful Floridians for the accomplishments he leaves with us. The very fact that Courtney Campbell will be remembered for his service to his fellow man is a lasting testament to the type of person he was and the life he led. The renaming of Davis Causeway in Florida to Courtney Campbell Causeway over his protests is but another indication of the character of this man and the esteem in which he was held by his contemporaries. The people of Florida, indeed the Nation, have lost a great man, and my deepest sympathy goes out to Courtney Campbell's wife, Henrietta.

NORTONVILLE MUST BE SAVED

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. WALDIE. Mr. Speaker, there is great anxiety in my district regarding a proposed strip-mining operation which may be approved by the Interior Department.

I sincerely hope that the Land Appeals Board, which is considering the mining claim in the Nortonville-Somersville area, heeds the wishes of this area's residents.

Recently Richard L. Davis, managing editor of the Contra Costa Times, wrote an excellent column on this issue. Mr. Speaker, this article captures the spirit of the conflict over this area's future.

The article follows:

NORTONVILLE MUST BE SAVED: "BLESS THE BEASTS AND CHILDREN"

Frankly, I've been neither an environmental nor ecological nut, believing each time the PG&E strings a new power line the country is going to hell in a handbasket.

But Nortonville . . . now that's another thing.

Here's an area in the shadow of Mount Diablo, an area that is just now recovering from the scars of rape which have taken almost a century to heal, and yet another mining operation is proposed.

Nortonville at one time led the Central Contra Costa County area in population, with its Welsh miners, three railroads. It is rich not only historically but also botanically with its masses of wild flowers covering a wide region in spring.

Nearly a decade ago, Contra Costa County, just before it was annexed to the East Bay Regional Park District in 1964 for park purposes, envisioned a 2600-acre park in this area that would serve our future population.

Just after the East Bay Regional Park District took over jurisdiction it discovered part of this—360 acres—were in public domain and could be purchased for \$2.50 an acre, or \$900. In fact, this may be the only public domain property available in the entire county.

However, it seems a prior mining claim was

filed by La Sal, Utah, exploration geologist Steven Kosanke, and now Nortonville could quite possibly become the headquarters for establishment of a 25 million-ton strip sand mine. The silica sand there is a prerequisite to glass making.

At present, a legal argument over this property is before the Interior Department's Appeals Board where a reversal is being sought to put the 360 acres back into park district jurisdiction.

The point, as we see it, is that Contra Costa County has precious little property left—perhaps none at this \$2.50-an-acre price—that could so suitably be set aside not only in the interest of ecology and the environment but for the young "wild beasts and children," not to mention the flowers, of the future.

In this instance, we believe the public good should be considered ahead of private enterprise which certainly can find in this vast land of ours other areas containing silica sand.

We believe if the trial examiner in Sacramento would take further testimony he would find ample reason to reconsider this case in light of future recreation and park requirements of Northern California, Contra Costa County and its residents.

The 100-year-old mining law under which the claim was filed might also be studied carefully to determine if things couldn't possibly have changed—environment, ecology, etc.—since this law was enacted. We would be surprised if it does not prove to be totally antiquated by developments of a modern society.

The county supervisors, Rep. Jerome R. Waldie, the Sierra Club, East Bay Regional Parks District, the Coal Mines Coalition, and the organization SANE (Save America's Natural Environment), along with numerous individuals in Northern California, have expressed opposition to the mining operation for precisely the reasons we have expressed here.

Of course no court or appeals board likes to reverse itself, but we believe that if the record is re-opened to environmental considerations—a point on which we understand the record is currently silent—perhaps a reversal would be in order. We would hope so.

Neither the county nor the park district, neither of which could afford to develop the land over the past few years, has been idle, however.

There is approximately \$250,000 in state park bond funds available for development of what is called "Coal Mines Regional Park"—Nortonville—today, along with \$500,000 from EBRPD which is seeking matching federal funds. This would add up to \$1,250,000 (ideally) for development of one of the last remaining (if not the last) public domain areas—at \$2.50 an acre.

If Nortonville eludes Contra Costa County as a park and recreation site, the most desirable hookup with the 772-acre linkup with Contra Loma Park simply could not take place.

And anyone surveying Contra Costa County and projecting its growth over the next 50 years can certainly understand there is a most serious need in Northern California and Central Contra Costa County for all the park and recreation area we can beg, borrow or maybe even horse-trade!

THE SHAH OF IRAN SPEAKS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HAMILTON. Mr. Speaker, the Shah of Iran's unique perspective on the political situation in the Persian Gulf

and the Indian Ocean and his views on his country's role in these regions are enunciated in a good and concise article which appeared in the Christian Science Monitor this week. As Iran emerges as an Asian and Middle East power, we will continue to hear its voice in the international arena. This article is a good introduction to the Shah's thinking, and I recommend it to my colleagues:

IRAN SOUNDS WARNING—DO NOT ROCK BOAT IN WEST PAKISTAN

(By John K. Cooley)

TEHRAN, IRAN.—Disruption of West Pakistan's unity would pose grave international problems, Shah Muhammad Reza Pahlavi of Iran has warned.

The Indo-Pakistani war has left a "dangerous situation" in the Indian subcontinent and adjoining Indian Ocean and Persian Gulf areas, the Shah told a small group of American and Swiss newsmen in a private audience here.

"If West Pakistan remains strong and united the danger is less," the Shah added. "But if ever what happened on the other side" (the recent India-backed secession of East Pakistan and creation of Bangladesh) "disrupts the unity of West Pakistan, that would pose very grave problems for us and for all the international community."

The Shah called the Indian Ocean a "zone of troubles" and said Iran would make "efforts and counterefforts in its defense," since it adjoins Iran and "our own Persian Gulf."

He said Iran might install new bases on its own southern territory, but new measures would "depend on the situation in the Sea of Oman and the Arabian Sea."

SEPARATIST MOVEMENTS?

(Diplomatic sources here said Iran was seriously concerned about the possibility that Pakistan President Zulfikar Ali Bhutto might face serious separatist movements in Pakistan's western provinces of Baluchistan and Northwest Frontier, simultaneously with a leftist takeover in the Sultanate of Oman, on Iran's other flank in the Persian Gulf.

(Iran seriously considered a request from Pakistan for Iranian-piloted, U.S.-made, Phantom F-4 fighter bombers during the war with India last month, but had rejected the idea partly because there were insufficient logistical-support facilities for the Phantoms in Pakistan, the sources added.)

The Shah was asked whether the Arabs' frustration over their military stalemate with Israel might turn them toward a confrontation with Iran in the Persian Gulf. Iran occupied three disputed islands, Abu Musa, and Big and Little Tunb there late last year, provoking a crisis with Iraq.

"This would be easier for the Arabs," replied the Shah, "because the war danger for them would be less. . . . I don't think Iraq wants its troops on the border with Israel because they might have to fight." Iran, he continued, "would keep a cool head" in the face of the "inhuman" expulsion of over 60,000 Iranians by Iraq, but "they must understand there are limits beyond which they cannot go."

"LET US WAIT AND SEE"

The Shah said, "Let's wait and see what happens after formation of the new Egyptian Government. Up to now they have been well behaved toward us."

Egyptian President Sadat reportedly asked Vice-Premier Azziz Sidky to form a new cabinet to replace that of outgoing Prime Minister Mahmoud Fawzi.

"Everything," continued the Shah, "is in the context of power politics. If all the weight of the United States appears to be behind Israel, the Arabs may seek a vacuum elsewhere. They may think they can take revenge elsewhere. That would be very serious. The consequences would be equally seri-

ous if not more so because the region affected contains nearly 70 percent of the world's oil reserves."

The Shah then warned, "Even if Iran is not yet a formidable military power, I don't think anyone will want to brush against us now, and especially not in five years from now."

(Iran is building a strong air-strike force around its Phantom jets, and plans to triple the size of its Navy from now to 1977.)

Iran would furnish development aid to those Persian Gulf states which would accept it, "without design or selfish interest, for humanity's sake," the Shah declared. Iran's days of receiving aid from others had ended, and it would soon be a donor country, he said.

Iranian defense on the gulf, he went on, was aimed at ensuring free navigation and stability. Iran's occupation of the islands, he said, was necessary to prevent "irresponsible people" from disrupting both.

He recalled the Palestinian guerrilla speedboat Bazoorka rocket attack on an Israeli-bound oil tanker in the Red Sea last May. "Our oil terminal on Kharg Island," he said, "is getting a berth for 500,000-ton tankers. Think what would happen if someone, say in a motor boat, sunk such a ship" in shallow gulf waters, blocking navigation and destroying the gulf's marine life through oil pollution.

The Shah said Iran had made a "firm, clear, and final" proposal at the oil-price talks last week in Geneva between oil companies and member governments of the Organization of Petroleum Exporting Countries (OPEC), due to meet again Jan. 19 to discuss the offer.

Tehran's proposal is to meet the loss of revenue caused by devaluation of the dollar by price increase of 8.57 percent.

He said Iran was studying whether to assume more control over transport and marketing of oil produced here after present concession agreements expire, beginning in 1979. He said Iran was now strong and mature enough "not to make decisions in important commercial matters out of pure nationalism," as did weaker and younger nations "who fear exploitation by others."

GOOD RELATIONS SEEN

The Shah said U.S.-Iranian relations were "never better, and we need to develop what exists better than ever." A recent U.S.-Iran investment conference in New York was "important" for Iran's future.

"People in the United States," he said, now understand development problems better. And the Vietnam war has showed that "the United States cannot be the international gendarme."

Asked whether an editorial in the Tehran newspaper Etefaat Jan. 15 criticizing the United States for renewing an old agreement to base U.S. warships in Bahrain reflected Iranian Government policy, the Shah replied, "We think all big powers should stay out of the gulf, including Britain, the Soviets, and the United States."

He called Soviet policy "very elastic and intelligent. Perhaps with a new U.S. policy, we'll see new approaches by others. The role of the two superpowers is going to be diluted." Mainland China was "behaving like a mature and respectable nation since its admission to the United Nations," the Shah added.

He denied that Iran had requested the Soviets to moderate Iran's dispute with Iraq but said, "We kept all our friends informed about it."

The Shah confirmed that new military trials were under way for guerrilla opponents of his regime.

"What you call gangsterism in America or West Germany," he said ironically, "you call opposition activity in Iran."

He said two categories of opponents faced military trial: Communists, because communism is outlawed in Iran; and terrorists

who carry out armed robberies such as the holdup of a Tehran bank Jan. 9 in which the bank manager was killed. Police said this and other attacks were led by guerrillas trained in Iraq and infiltrated from there. About 250 among the 40,000 people expelled across the Iraq border into Iran had been found to be such terrorists, the police said.

The shah bitterly criticized what he termed the "unholy alliance between extreme left and extreme right" among Iranian student opponents of his regime in the United States and Europe.

"I can accept," he said, "that someone in Iran complains if he is not permitted to vote in an election here. What I cannot accept is that he sits in a room in San Francisco and attacks us here." The shah acknowledged that Iranian students in the United States and Europe are among the regime's enemies.

DEMOCRATIC LIBERALS BEHAVE IRRESPONSIBLY IN CHILD DEVELOPMENT PROGRAM

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. McCLORY. Mr. Speaker, one of the most perceptive and constructive articles on the subject of the President's veto of the comprehensive and extravagant child development bill appeared in the last issue of the Ripon Society Forum.

This thoughtful editorial by the editors of the Forum puts in clear language the views of many who voted against the measure originally—and who later acted to sustain the President's veto.

Mr. Speaker, I am pleased to insert this editorial at this point in the RECORD:

DEMOCRATIC LIBERALS BEHAVE IRRESPONSIBLY IN CHILD DEVELOPMENT PROGRAM

THE DAYCARE VETO

In recent weeks, the Democratic majorities in Congress have made their response to the welfare and poverty proposals of President Nixon's "New American Revolution." They have passed a vast day care or "child development" program—at an initial cost of some \$2.1 billion, rising quickly to possibly \$20 billion—which would be available, like many Democratic "poverty" programs, to both the rich and the poor. And they have enacted a work requirement for all welfare recipients. Of course, many Democrats—particularly those running for President—have made other proposals: George McGovern and Eugene McCarthy, for two prominent examples, have proposed guaranteed annual incomes of at least \$5,500 for a family of four (annual cost of \$70 billion) while Edward Kennedy and Fred Harris have adduced other plans of comparable expense. But if we judge the Democratic Congress by its enacted bills rather than by its Presidential billboards, the multibillion dollar daycare venture and the work rule constitute its Christmas offering to the American poor and its principal response to the President's Family Assistance Plan.

Daycare centers and work requirements are both in fashion this season, though admittedly in different quarters. But no cogent evidence has been presented that in this time of scarce federal money and wide unemployment either federal program responds to a genuinely critical need or partakes of a coherent scheme for meeting our present problems. The work requirement is simply a public display cynically designed to conceal the failure to enact welfare reform. The

daycare proposal was propelled through the Congress chiefly as a response to women's liberation and its desire to free women from some of the day long burdens of child care. For poor women, however, freedom from household chores may be liberating only to the extent they find it liberating to do chores for someone else—perhaps for one of the wealthier advocates of daycare. In any case, with its support from the affluent it is not surprising that under the bill, daycare would be available for everyone. Only Administration insistence that charges be imposed, in accordance with ability to pay, on families making more than \$4,320 annually, limited the scope of the program and held its eventual federal expense to an estimated \$11 billion a year.

It is fair to conclude that the Democrats, for all their talk of national priorities, lack any systematic notion of relative needs, costs and available resources—any willingness to submit to a discipline of scarcity and choose among the feasible responses in terms of cost effectiveness. One measure of this failure is what HEW Secretary Elliot Richardson, in an excellent statement on December 17, estimated as a current \$6 billion and prospective \$9 billion gap between his department's Congressional authorizations and its actual appropriations. This gap might be fairly termed the big mouth of American liberalism, and it was wide open during the day care debate. Speaker Carl Albert called the measure "our paramount moral vote of the session" and the bill itself ran on for 22 pages of the Congressional Record, detailing the kind of fiscally unrealistic promises which Secretary Richardson accurately describes as "creating expectations beyond all possibility of fulfillment" and then "dashing the hopes of those with the greatest needs."

Even if one believes it desirable to subsidize daycare centers for all American children or to provide a guaranteed income of \$5,500 annually such a dubious judgment is only the very first step in program development. A responsible politics will then proceed to the more difficult stages of statecraft: the orchestration of needs, options and resources in a comprehensive strategy of government.

Unlike the Democrats, President Nixon has developed such a strategy. He has decided on a program of family assistance, including aid to the working poor, costing an additional \$4 billion altogether during the first year, as part of a complete overhaul of the welfare effort—combined with a limited program of daycare for welfare recipients, and a nominal work requirement, dependent on the availability of jobs. This program, in an internally consistent way, responds to the most crucial need of the impoverished—money—and grants this aid to both the minority of poor who are unemployed and the majority who have jobs, thus removing incentives for men to leave either their families or their work. A nationally administered program without residency requirements, it does not hamper the mobility of the poor who need it most in seeking employment.

The current Democratic offerings lack these advantages. The billions projected for daycare would not meet the problems of the poor. Not only would it not provide them money, it would reduce the funds available for years to come for a serious effort to fight poverty, such as the plan proposed by the President. Not only would daycare fail to alleviate the problem of familial breakdown among the poor, it is quite possible that the new federal program, by making families less dependent on a male provider, would contribute to the familial disintegration already promoted for years under federal welfare laws. The Democratic daycare program in fact is a special interest bill. It would provide assistance chiefly to employed women with children—and because middle class and educated women can most easily find jobs, the program might well be most widely ex-

ploited by the relatively well off despite the nominal charges it would require them to pay (as amended under Administration pressure). It is hardly a poverty bill.

President Nixon's veto, therefore, was eminently justified—even beyond the administrative problems in the program as passed, even beyond the labyrinthine jurisdictional tangle, involving cities, states, counties and towns, that it would have created. Because of the strong pressures for the bill, moreover, his veto was impressively courageous. But if you suppose he did not receive his deserved acclaim from such insistent advocates of the public interest and reordered national priorities as the *New York Times* and *Washington Post*, you are correct. The President was found by the *Times* to have revealed a yuletide animus against suffering little children. By the *Post* he was found guilty of gross illogic and inconsistency. The *Post* asserted that his veto of general daycare conflicted with his support of daycare centers as part of the Family Assistance program. If daycare centers are desirable for the poor, said the *Post*, they are desirable for everyone.

Such arguments are unworthy of their proponents. Most services in the society, and priorities among them, are established by the marketplace, and daycare centers are already being created more rapidly than qualified personnel can be found to staff them. But vast expansion of federal subsidies for daycare for everyone raises issues decidedly different from those mentioned in the *Times* and the *Post*. Such a program would imply a governmental judgment that as a matter of highest priority huge appropriations should be employed to encourage women in all circumstances to enter the already crowded competition for jobs and consign their children to "child development" centers. We would submit that such a program is a matter of the very lowest priority at this time of high unemployment, and vastly increasing demand for more urgent governmental programs, relating to poverty, jobs, housing, schools and hospitals. If the child development bill is what the Democrats mean by new priorities, by all means let us first fulfill some of the reactionary old ones.

Nixon has not claimed that federal daycare in itself was desirable for anyone. He would prefer a situation where mothers could take care of preschool children in the home or otherwise provide for them privately. He advocated daycare provisions for the poor because poor women are most likely to have an urgent need to work and are least able to afford other provisions. For many a poor child the alternative to a daycare center is a day on the street with a key around his neck. The President's daycare effort, moreover, cost \$750 million as part of an initial \$4 billion Family Assistance plan that attempts to create a structure of incentives and supports within which poor families can most beneficially stay together and take care of their children themselves. Daycare is considered a limited expedient, complementary to his overall anti-poverty approach, not as a generally desirable program open to everyone and worthy of vast appropriations in its own right, competitive with anti-poverty efforts.

RHETORICAL FLOURISHES

Now we will be the first to admit that on this occasion, as on so lamentably many others, the President used rhetorical flourishes of a sort that make it more difficult for him to gain the support of knowledgeable citizens who are inclined to oppose him but who are receptive to intelligent argument. These are the kind of political observers who might actually read his statement and evaluate it for their own audiences, of whatever size, from family to national network—and expand the President's and his party's declining base. It was not necessary for him to speak of enlisting what he quaintly called "the vast moral authority of the

national government" to "the side of communal approaches to child rearing." Nor did he have to imply some governmental conspiracy to rob the cradles of our people and subject our infant population to some scheme of insidious processing during "those decisive early years when . . . religious and moral principles" are instilled. He would have been on sounder ground if he had pointed to the far more likely prospect that with the current shortage of qualified personnel the centers would scarcely be able to offer competent sitting services, let alone mental manipulation, for the vast numbers of eligible children.

Still, to read the veto message after reading the press and Democratic reactions to it—and after reading the Democratic speeches in favor of the bill—was a startling experience. For the statement was not nearly as bad as it was said to be and not nearly as irresponsible as the bill itself or the speeches made in its defense by distinguished liberals. Though the sight of an ecstatic *Human Events* may be more than the *Washington Post* can bear, we should gratefully acknowledge that on this occasion conservative pressure contributed to a decision by the President to stand courageously firm and do what is right.

BUSING EQUITY?

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BROOMFIELD. Mr. Speaker, last week, the busing controversy was fanned once again by a sweeping and unprecedented busing plan ordered by a Federal district court.

While the locale was Richmond this time, the story was regrettably the same as in San Francisco, Boston, Detroit, and other major metropolitan areas across the country. Now, it is the people of Virginia who have been ordered to bus their children across city and county lines to conform with a judicially devised formula of racial equality.

Mr. Speaker, the trend is sadly apparent; the integrity of our neighborhood school system is being destroyed. Evidently, the Federal courts are bent upon replacing it with a monolithic county or statewide educational complex. It will effectively preempt the right of every locality, of every citizen to sacrifice a little more in order to build a better school system and to give their children a better education.

Ironically, all this and more is all being done in the name of what the courts call equity. Mr. Speaker, I must ask for whom is this equitable? Is this equity for the more than 80 percent of the American people who oppose busing; is this equity for the majority of black Americans who are opposed to a mass transportation system for their children, who seek rather local control of their urban schools to insure that their children receive a better education?

Mr. Speaker, clearly it is not. On the other hand there are some very obvious, some very disturbing consequences of the Richmond busing decision.

First of all, it is apparent that some suburban children will have to be bused to urban schools and some children in

the cities will have to remain while their friends are bused to the suburbs. The courts have devised a mass lottery system. Those born on one day of the year receive a quality education while others must suffer second-rate schooling.

This is education by the luck of the draw; it is a form of gambling with the lives of our children and it has no place in our school systems.

Furthermore, the money which will be used to finance this mass busing program could very well be spent on improving the quality of education in all areas, suburban as well as urban systems.

Second, by virtue of the Richmond decision, children will be bused across local and county lines without any regard for the people and the tax structures which built and saved for the quality schools they have. In the long run, it sets an even more dangerous precedent. This is another step away from local control of local affairs.

Mr. Speaker, this may be only the first step. We have seen that city and county boundaries mean little to some courts. Based on this rationale, can we not expect that in the future we will be busing children across State lines such as from Maryland and Virginia to the District of Columbia.

Unfortunately, this seems to be the drift of recent judicial decisions. They are but one step removed from a national educational system which prescribes the boundaries and limits of our children's welfare to the exclusion of any local control.

Third, Mr. Speaker, I am surprised at the timing of the Richmond decision. It has come only 2 months after this House debated long and hard over the busing issue. Several antibusing amendments were passed.

At that time, the Congress joined with the American people in expressing its overwhelming opposition to forced busing in order to achieve racial equality. President Nixon has expressed similar sentiments.

Nonetheless, the judiciary continues to follow another path. The end result can only be to further enrage the American people. It may serve to fan emotions at a time when reason and prudence are our most urgent needs. Indeed, this may signal a new round of antibusing legislation.

Mr. Speaker, it was for these reasons that I was proud to introduce and see passed last November a bill to delay court-ordered busing until the Supreme Court rules on the issue. To my mind, this is the fairest and most sensible approach to take.

Finally, the Richmond decision represents just another instance in which the courts have wandered from their judicial path and dabbled in legislation and administration. This can prove to be exceedingly unwise in the long run. The courts are neither designed nor equipped to handle such duties. Eventually, the people will demand an end to those judicial activists who insist on wearing the hats of all three branches of government.

Mr. Speaker, it is important in evaluating the Richmond decision to force busing across local boundaries to recall the warning that Chief Justice Warren

Burger issued last September when he said some Federal judges were "misreading" the Supreme Court's busing decisions by ordering more than the law requires.

EQUITABLE FINANCING FOR SCHOOLS SOUGHT

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ESCH. Mr. Speaker, I am pleased to place in the RECORD the article which appeared in the January 19 issue of the *Washington Post*. The problem of equitable financing for school districts throughout each State is a difficult one. Gov. William G. Milliken of Michigan is trying to find a viable alternative to the traditional school tax on real estate. His efforts are praiseworthy and deserve the attention of educators and legislators across the country.

The article follows:

THE MICHIGAN EXAMPLE: IF WE THROW OUT THE SCHOOL TAX, THEN WHAT?

(By J. W. Anderson)

Michigan's Governor is currently leading a vigorous crusade to abolish the school tax on real estate. At meetings throughout the state, he is collecting signatures to put a constitutional amendment on the November ballot. He would replace the property tax with an increase in the personal income tax, and with a value-added tax on manufacturers.

Michigan is a pointed example of the inequity of the local property tax, compounded by a strong pattern of racial segregation by residence. The governor, William G. Milliken, a Republican, has committed himself to a remedy that the White House has been considering, as President Nixon cautiously inches toward a policy of school equalization.

But for the time being, regardless of presidential intentions, the crucial questions in American public education are going to be met at the state level. Two separate lines of court decisions are pushing the state governments into the responsibilities that, for a century, they have left to the local districts. One series of decisions attacks local segregation, the other attacks local financing. Both come out at the same place: the state capitols.

Two suburbs of Detroit offer a classic illustration of the defects of the present system in Michigan and most other states. Dearborn and Inkster are next-door neighbors, both with populations mostly in the middle to lower-middle income range. But Dearborn has an enormous tax base, \$44,738 per school child, because it includes a massive complex of Ford Motor Company plants. Inkster, destitute of factories and badly gerrymandered, has \$8151 per school child, slightly less than half the state average. Although its tax rate has been voted up to the legal maximum, it has been skating along on the edge of bankruptcy for years. Dearborn, segregated by an array of extralegal but highly effective community pressures, is almost entirely white. Inkster is mainly black.

The city of Detroit, whose school enrollment is also preponderantly black, has brought a desegregation suit in the federal courts. Last fall the judge declared that the racial concentrations in the city and its suburbs were a result of intentional state action in the past. He ordered the State Department of Education to draw up, by Feb. 4, a

desegregation plan for the whole metropolitan area.

Meanwhile the governor has brought suit against three wealthy school districts, including Dearborn, in an attempt to overthrow the tradition of local school taxes. That case will go to the Michigan Supreme Court this spring. Governor Milliken is asking it to hold the local school taxes unconstitutional, as courts in three other states have done over the past half-year.

But that suit will be unnecessary if he manages to get his constitutional amendment passed this fall. Since it would replace the local school taxes with statewide taxes, the first question is the formula for distributing it among the state's 620 local school districts. Basically, Milliken proposes to permit each district a quota of teachers in direct proportion to its enrollment of children. Each district could set its own teachers' salary scales, an important point in the politics of the amendment. But those districts setting high salaries would be required to take the money out of other parts of their program.

The next question is whether communities that want better schools are to be held to the same level as those that do not. Milliken's proposal provides a local optional tax for "enrichment." But its arithmetic is very different from that of the present local taxes.

Each community would be permitted to vote a school enrichment tax up to six mills (that is, \$6 on every \$1000 of assessed value; the present school tax averages 26 mills in Michigan). The local schools would get \$30 per pupil for each mill, regardless of local tax base or the number of children. Each mill would bring Inkster as much per child as it brought to Dearborn (instead, as under the present law, of bringing in one fifth as much).

Milliken is running into opposition from people who fear a loss of local control over school policy. He replies that the local boards will continue to control not only teachers' salaries but curriculum, choice of textbooks, and construction plans. Everything will be left to them, he says, but the constant political infighting over tax rate referenda.

The Milliken plan appears to meet all of the standards currently being set by the courts. But there are other questions left unanswered. Several years ago Detroit brought an earlier suit demanding not only as much money to educate each child as in the suburbs but more, on grounds that deprived children cost more to educate. That suit was not pressed, for technical and tactical reasons. But Detroit can revive it whenever it chooses. Perhaps this suit suggests the point at which the separate issues of taxation and segregation begin to converge. It is much easier to make a case for extra aid when the black children are tightly concentrated in a few schools, or a few school districts.

A vast reorganization of American public education is now under way. It is visible in Virginia, where a court has ordered the merger of Richmond's schools with those of its suburbs. It is visible in Maryland, where the state has taken over all school construction, and in Texas, where the legislature is now under a court order to reform the school tax system. The new questions are being put in a form that requires the answer to come from the state government. Michigan offers a hint of what comes next.

THE QUIET DEATH OF A LITTLE PARK

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ROSTENKOWSKI. Mr. Speaker, it is a basic law of ecology that one must

replace, at least in part, whatever one takes from the natural environment.

We have seen, on a large scale, the results of man's refusal to heed this law. Our water supply, our natural fuel supply, and our land itself have all been sorely abused. It has really only been in the last decade that man has awakened from his stupor and begun to make right this grave self-generated injustice. Finally we are beginning to cleanse our streams, purify our air, and protect our land.

But, on a smaller scale, Mr. Speaker, it seems we have not learned our lesson. In an excellent article on the editorial page of the Washington Post, January 18, 1972, Mr. Richard Barber eulogized the passing of a small inner-city park. This park, that provided a quiet workday refuge for many of Washington's citizens, is gone—a victim of "progress" and the Metro bulldozer. Nothing will take its place. No provisions were made to avoid the destruction of this park. More important, none were made to replace it.

As lawmakers we must not allow, on any level, the further scarring of our land. On the contrary, we must responsibly legislate for more protection of our park and recreation areas. It is imperative, particularly in our cities, that we not only attempt to preserve but also to propagate our waning natural environment.

At this time, Mr. Speaker, I would like to insert M. Barber's article in the RECORD. I urge all of my distinguished colleagues to read it. Carefully:

THE QUIET DEATH OF A LITTLE PARK

(By Richard J. Barber)

The little nameless triangular-shaped park at the southeast corner of 21st and Pennsylvania Avenue NW is almost dead now. As I write there are only a couple of lonely trees yet to be cut down and a few tree stumps to be torn from the soil. Then the Metro contractors can begin excavating for the Eye Street tunnel.

In the life of a city concerned about so many greater things this, I suppose, is not a very big event. Probably for most of those hurrying by this busy corner in cars, cabs, and buses the passing of this park will not be noticed at all. Even for the environmentalists it will not mean much, for there are larger problems to occupy their attention. And yet it would be a shame for us not to memorialize the passing of this tiny park which was such a rare, delightful oasis of green warmth in this concretized commercial area.

It was such an innocent thing too—verdant despite the pollution that always engulfed it. By my inaccurate footsteps it measured about 150 feet in its western edge, with its two other sides approximating 300 feet in length. Small, indeed, but it had a strange refreshing quality once you went up the few steps and entered its domain. Like magic it carried one away, if only for a few moments, from the harshness of this impersonal world into a more tranquil atmosphere.

There was a path that curved gently from east to west and a shorter one that looped north to south. Both were lined with comfortable benches and small shrubs. Overhead there were tall trees. There were beds of flowers, too, freshened last fall by the Park Service with glorious yellow chrysanthemums. If I had only known then (did the Park Service?) I would have realized that those mums were, figuratively, the wreath on the grave, for they were the last growing

thing this small park is likely ever to give birth to.

As with most parks it will be the people who will miss it the most. And I am willing to venture that no park, square foot for square foot, ever added so much to the quality of life of such a variegated mass of humans. There were the students and teachers at George Washington University, the staff members at the National Academy of Sciences (whose cold, eight-storied facade now stares down upon the park's limp remains), and the white-coated technicians and nurses from Group Health. In the warmer months there were also a few derelicts, generally minding their own business and sometimes lying on the grass sleeping off a bottle of wine. Parks serve everyone and this one did so with a special grace, welcoming all comers.

Those to whom the park meant the most, though, were the elderly poor of the area. The poor, you say—in this desert of office and institutional buildings? Yes, the poor, for in the old brownstones and the remaining privately owned apartment houses to the south of Pennsylvania Avenue live many retired persons subsisting on very small incomes. One could watch them each decent day as they made their way slowly and almost always alone, to the park benches and whiled away the hours.

In recent days I've noticed the older people of the neighborhood as they've stood on the sidewalks, with a look of piercing sadness on their faces as they watched the park die. First came the men painting the white lines across the streets, lining up the Metro tunnel dead-center on this tiny island of green. Next the carpenters arrived. They erected a six-foot high wooden fence around the park, sealing it off from the people it had served so long. Then the trees were dismembered with the aid of the screeching power saws. Finally the bushes and the rest of the greenery were ravaged, with the bigger roots pulled out by the yellow machines.

All that has to be done now is to bring in the diesel shovels and gouge out the earth to make way for Metro. Then the little nameless park will have vanished, another milestone in man's progress. It need not have been this way, of course. The park could have been tunneled under and preserved, but unlike Farragut and Lafayette Squares its constituency was neither big enough nor powerful enough to rescue it from oblivion. Besides tunneling would have cost more money and for a country whose President can commit only \$5 billion to a space shuttle, obviously there are no such funds available. Spokesmen for Metro say the park may someday be restored—as a cold lifeless island without the trees or the shrubs that took so many years to grow, and so, innocent little park, we bid you farewell. Thanks for all your kindnesses.

MEMORANDUM ON U.S. POLICY IN SOUTH ASIA

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HELSTOSKI. Mr. Speaker, perhaps the greatest political and moral defeat in recent years for the United States in the realm of international affairs was the India-Pakistan war which freed Bangladesh and toppled the dictator, Yahya Khan, from power. The United States, after tacitly backing the genocidal policies of the Pakistani regime in what was once East Pakistan, now finds itself without appreciable influence in

the subcontinent and condemned by millions of Indians and Bengalis for its moral callousness. Even our erstwhile client, Pakistan, has taken a sharp turn to the left, adopting nationalization policies which must be the envy of every aspiring Maoist in the developing world. Good Friend Yahya is now under house arrest, though for the wrong reasons.

While the India-Pakistan-Bangladesh tragedy was approaching its inevitable conclusion, the Neros in the White House basement continued to fiddle. The now-famous Anderson Papers shed light on a series of top level meetings which scarcely sounded like a gathering of high officials from the intelligence-defense establishment seeking to formulate a responsible American approach to an international tragedy. And, one's fears for the future of the English language were not allayed by quotes indicating that Mr. Nixon wanted to tilt in favor of Pakistan.

The cynicism and levity exposed by the Anderson Papers added a new dimension to what has been universally regarded as a bankrupt foreign policy for the United States. How any thinking, responsible official could jokingly refer to the current state of Bangladesh as "an international basket case" is beyond comprehension. The cynical mentality exposed by the Anderson Papers goes a long way toward explaining this administration's callous attitude toward the suffering peoples in other regions such as Southeast Asia. Dr. Kissinger to the contrary, Bangladesh is indeed our basket case. How can the United States, in good conscience, avoid responsibility for righting some of the wrongs for which our Government is at least indirectly culpable?

Without the American arms which had been fed to the Pakistani dictatorship over the years and without American diplomatic support, Yahya could not have conducted his 9-month rampage in Bangladesh. Now Dr. Kissinger and his colleagues seem to feel that the United States can wash its hands of the situation and walk away smiling. Under this administration this is what they obviously intend to do.

Instead, these masters of realpolitik should take note of the new political situation in the subcontinent. Bangladesh is here to stay. "Basket case" or not it is the eighth largest country in the world, a nation of heroes who have withstood unspeakable barbarities in the past year. If any element of compassion or respect for our historic support of the self-determination of peoples remains in foggy bottom or the White House basement, our Government will extend diplomatic recognition to Bangladesh and commit our Nation to a program of humanitarian and economic development assistance. Nixon, Kissinger and company should abandon their foreign policy maneuverings and recognize that Sheik Mujibur's government is the last, best hope for democracy and stability in Bangladesh. If Mujibur and his government do not receive sufficient aid from the international community to repair the ravages of war, feed the hungry, and build a new, economically sound country, the future for Bangladesh is bleak.

Mr. Speaker, although it may be soothing to the national conscience to try to forget the gross immorality and callousness of American policy in the subcontinent, any hope for a rational policy in the future must be based on an understanding of the mistakes of the past. In this vein, I include at this point in the RECORD an excellent analysis of American policy toward India, Pakistan, and Bangladesh which was recently sent to me by Dr. Telfer Mook of the United Church Board for World Ministries. Dr. Kissinger and friends should stop trying to emulate Metternich and pay more heed to the recommendations of men like Dr. Mook.

The material follows:

UNITED CHURCH BOARD
FOR WORLD MINISTRIES,
December 28, 1971.

HON. HENRY HELSTOSKI,
House of Representatives,
Washington, D.C.

DEAR MR. HELSTOSKI: Enclosed is a copy of a memorandum which I have written to Dr. Robert V. Moss, President of the United Church of Christ.

It is a rough draft only, but it expresses certain deeply-held convictions which many of us have concerning the role of the United States Government in the recent crisis. I send it to you so that you will know what many of us are thinking.

Very truly yours,
TELFER MOOK,
Regional Secretary for Southern Asia.

THE UNITED CHURCH BOARD
FOR WORLD MINISTRIES,
December 17, 1971.

To: Dr. Robert Moss, President
United Church of Christ
From: Dr. Telfer Mook, Regional Secretary
for Southern Asia
Subject: India-Pakistan conflict—and the
role of the United States Government

I want to write you, following the surrender of the Pakistani forces in Dacca, to wonder about the significance of what has happened. Conscious of the ministry of this Board to the needs of the Indian and Pakistani people throughout the past 160 years, we have been in round-the-clock cooperation since last March with national and world-wide ecumenical organizations, maintaining continuous contact with United Nations and United States Government officials, as the struggle deepened, broke into open war, and has now subsided.

This is a rough draft only, hastily written. It is incomplete in many respects, particularly as to possible recommendations for future action on the part of the U.S. Government and on our part. But, even so, I want now to share with you certain convictions which are clear.

1) The key to the return of peace is to create the basis for stable, peaceful conditions in the area of East Pakistan so that the 10 million refugees now in India can return and rebuild their lives. It was the plea of the Government of India from March 25th on, that the Government of Pakistan make political concessions that would be acceptable to the East. Eight months passed between March 25th and the outbreak of hostilities; eight months during which political accommodation could have been reached. If this had been achieved, the present conflict could have been avoided.

2) During the eight months period, the U.S. Government could have had a major role in achieving that peace, but it has failed because it never once has officially recognized the key questions set forth above. It has rightly criticized India for resorting to military action to redress its grievances. But,

despite a declaration of "absolute neutrality," it has virtually shoved India into the sphere of influence of the Soviet Union by following a policy clearly biased in favor of the Government of Pakistan.

(a) It maintained silence while Pakistan troops brutally suppressed the victors of a free election in East Pakistan.

(b) It gave material support (which had little military but great moral significance) to this unconscionable repression by continuing to ship small amounts of military supplies long after the violence began last March.

(c) It failed to press for a genuine political solution. It did not include as an essential part of any settlement that the Government of Pakistan reach an accommodation with the imprisoned Sheik Mujibur Rahman and the other elected representatives who command the confidence of the overwhelming majority of the Pakistan Bengalis.

(d) It actually charged India with "major responsibility" for the resulting conflict, totally ignoring the "aggression" upon India by 10 million refugees, forced into India by the ruthless crackdown of the Pakistan troops. According to a recent World Bank report, India's economic development has been seriously stunted by the \$90 million per month cost to keep these refugees alive. (Less than half has been underwritten by other nations, including the U.S.). That cost, which would have reached \$830 million by the end of the fiscal year in March 1972, exceeds all of India's 1971-72 foreign aid for development. Thus the situation seriously threatened the political and economic stability of the nation. Yet, despite this burden the Indian Government showed remarkable restraint. It is understandable that the pressures became so great that she finally resorted to force. The U.S. Government has rightly condemned India for use of force; but then to ignore the causes for this action (and indeed to have aggravated the conditions that led to it) and then further charge her with "major responsibility" for the resulting conflict, can only result in disaster to American prestige and respect throughout the democratic world.

The U.S. Government followed this non-neutral, pro-Pakistan policy for the stated reason of trying to strengthen quiet efforts to promote a political settlement in the East. The Administration has pointed to the following achievements:

(a) It had persuaded the Pakistan Government to permit the United Nations to enter East Pakistan for purposes of refugee relief.

Our comment: A fruitless effort without first achieving a political settlement. Without such a settlement, the U.N. has been unable to be effective.

(b) It had persuaded the Pakistan Government to invite all refugees now in India to return home.

Our comment: A meaningless invitation until stable, peaceful political conditions are restored in the East.

(c) It had persuaded the Pakistan Government to grant autonomy to the people of the East and a return to parliamentary government.

Our comment: Again, a meaningless achievement. Only last week Yahya Khan rejected a proposal that "the elected representatives in East Pakistan arrange for the peaceful formation of a government" in which many of those representing the East would be men who actually failed to be elected last December. One of those selected was to be one of the two elected (out of 169) who were not members of the Awami League.

(3) In its participation in recent United Nations Security Council meetings, the United States Government has ignored the key questions. If the U.S. resolutions had included a clear provision for political settlement, probably India and Russia would have agreed.

(4) By failing to take the leadership that it might have taken (see 3) the U.S. Government has now alienated the world's second largest nation, which happens also to be the staunchest of all developing countries in its adherence to our own deepest political values. Further, it has destroyed every possible U.S. influence among the people of Bangladesh which will be politically unstable, at least for the present, and vulnerable to foreign pressures.

(5) By following its present policy, the U.S. Government may well have forced India to give a quid pro quo to the Soviet Union for its support, namely opening up Indian Ocean ports to the Russian navy. According to reports, the U.S. Government is now "irked" by the firm Soviet backing of India. The press reports U.S. Government dismay that the U.S.S.R., supporting India, has forsaken possible improvements in relations with the United States, and even further that the President was considering the cancellation of his visit to Moscow unless the U.S.S.R. ceased to back India. All this could have been avoided if we had not aligned ourselves, almost willfully, on "the wrong side of about as big and simple a moral issue as the world has seen lately." (Dean John P. Lewis, Woodrow Wilson School of Public and International Affairs, Princeton, New Jersey)

The establishment of an independent Bangladesh, which might not have been inevitable even two months ago, has now taken place. The international community could not stop the struggle of the people of East Bengal to free themselves from a harshly oppressive government. The regrettable intervention of Bengali-India military forces served perhaps to accelerate the freedom struggle but not to cause it. In fact, the failure of the U.S. Government to take a strong position for the protection of the inalienable rights and liberties of a people gasping for life may have contributed to the tragedy far more than the actual hostilities of the past two weeks.

What can the United States now do? The United States Government:

(1) must bring every possible pressure upon the West Pakistan Government to release from prison Sheik Mujibur Rahman, leader of the Awami League. The Awami League, whose election victory last December brought on the bloody repression, is a bourgeois, moderate force whose main interest is Bengali nationalism. If Pakistan releases the Sheik, he can assume his role as President of the new nation of Bangladesh, and by the force of his personality, create a kind of order in what is now a political vacuum. "But without Mujib," an Indian official conceded last week, "we are in real trouble."

(2) must prepare huge relief and rehabilitation efforts now that the fighting has stopped. Ten million refugees in India will need to be resettled, wrecked communications repaired, food supplied, land restored, villages rebuilt, health problems dealt with. These efforts may take several hundred million dollars and may last a decade or more. They must be carried forward only through the United Nations or other international multilateral channels. We must wholeheartedly support the appeal of the U.N. Secretary General to safeguard the lives of innocent civilians caught in this vast political and ideological clash. We must be ready to aid the Bengali people, whatever flag they fly. Such is the political and human wreckage of this conflict, as I see it. I wish that somehow the U.S. Government could be made to see what a disaster their policy has been: a depletion at a sickening rate of a once abundant, durable fund of Indo-American good-will.

Very sincerely,

TELFER MOOK,
Regional Secretary for Southern Asia.

UKRAINIAN INDEPENDENCE DAY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ANNUNZIO. Mr. Speaker, Saturday, January 22, 1972, will mark the 54th anniversary of Ukrainian Independence Day—a day on which we pause to pay tribute to the courageous Ukrainians who have struggled over the years to maintain their national sovereignty in the face of repression and tyranny.

January 22 is a day of sadness, not only for the Ukrainians but for freedom-loving peoples everywhere, for we know that despite their heroic efforts, the Ukrainians have been thwarted in their struggle to achieve a free nation. Ever since 1709, when Czar Peter the Great of Russia conquered the Ukraine and ruthlessly crushed the intelligentsia, the history of the Ukraine has been a story of relentless struggle to throw off Russian domination.

Despite overwhelming odds, the Ukrainian people have never abandoned their hope for freedom or their longing for national independence. Taras Shevchenko, the poet laureate of the Ukraine, by our own noble American tradition, was inspired to fight against the imperialist and colonial occupation of his native land. And we in America have recognized Shevchenko's patriotism and dedication to liberty by erecting in 1963 in our Nation's Capitol at 23rd and P Streets NW., a statue of this great man.

In 1776, Americans claimed for themselves the right to determine what their destiny would be, and consequently, we feel a deep and abiding kinship for the Ukrainians, and indeed, all peoples who seek to achieve the goals that we claimed as our right. Although the Ukrainians have not yet achieved their goals, nonetheless our expression of support for their just and rightful aims will help in some measure to make freedom an attainable and enduring reality for them.

On January 22, 1918 the fondest hopes of the Ukrainians were realized when the Parliament proclaimed the independent Ukrainian National Republic. The reality of freedom was shortlived, however, because by 1920 the Bolsheviks took over where they had left off and resumed persecutions, relocations of whole villages, exiles of significant personages, brutal starvations and wholesale executions. Through it all, the Ukrainians remained steadfast in their resolve to regain their freedom and national sovereignty.

Today, although the Ukrainians are still under the yoke of foreign domination, I am confident that one day their love of liberty will triumph, and the Ukraine will once again take her rightful place in the community of free nations.

I wish to reaffirm my personal commitment to the cause of Ukrainian self-determination and to join the Americans of Ukrainian descent in my own City of Chicago, in Illinois, and across our Nation in observing the 54th anniversary

of Ukrainian independence and in applauding the efforts of the Ukrainian people to regain their freedom and independence.

AN IRISH LEGEND DIES IN ENFIELD

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mrs. GRASSO. Mr. Speaker, the Irish are a proud and creative people. Indeed, this country has been blessed with the enormous contributions of Irish-Americans who have excelled in all phases of American life. Their traditions and folklore have become a dynamic ingredient in America's heritage.

All of us were saddened over the congressional recess by the death of a great Irishman who, for more than seven decades, stimulated and entertained an admiring public with writings about his native land. Padraic Colum was 90 years old when he died on January 11 in Enfield, Conn. For many years, both Padraic Colum and his late wife Mary were important figures in the American literary world. This poet, playwright, essayist, folklorist, and novelist will be long remembered and sorely missed on both sides of the Atlantic as a sensitive, talented man who possessed what his friend James Joyce called "that strange thing called genius."

Neighbors of the Suffield area and the literary community rejoiced at his dedicated concern and interest in the Writer-Reader Conference held annually at the Suffield Academy. During the months following his stroke while attending the 1970 conference, that coterie of dedicated leaders who with him formed the nucleus of the conference group were comfort and strength to his gallant spirit.

For the interest of my colleagues, an article which appeared in the Hartford Times following Padraic Colum's death follows:

AN IRISH LEGEND DIES IN ENFIELD

ENFIELD.—The long and celebrated life of a man whose literary skills spanned two continents and more than seven decades is over. Irish-born Padraic Colum is dead at 90.

The poet, playwright, essayist, folklorist and novelist died yesterday at the Parkway Pavilion nursing home here where he has been a patient since he suffered a stroke in 1970. Colum suffered the stroke while attending the Writer-Reader Conference at Suffield Academy and was paralyzed on his right side as a result. Nevertheless, he continued efforts during his last years to dictate his memoirs. When he died, they were only half completed. During his life, Colum was to write more than 60 published volumes, scores of plays and hundreds of essays and articles.

Mr. Colum had the fortune and misfortune to have been born at the right time. Irish literature was in its zenith when he was a young man writing poetry and plays in Dublin. These were the years of the Irish Renaissance—of William Butler Yeats and James Joyce, Lady Gregory, George Moore, the poet A. E. (George W. Russell), Sean O'Casey,

John Millington Synge and James Stephens. Mr. Colum was an acquaintance and admirer of all, a confidant of some, a perceptive critic and revealing biographer of many.

In his own right, he was a gentle, lyrical poet, a whimsical teller of tales for children, an able historian and essayist, a founder of the Abbey Theater and, potentially, a fine dramatist. But the Irish Renaissance was filled with so many towering figures that Padraic Colum was sometimes overshadowed when many thought he should not have been.

His times were flamboyant times, and he was mild, modest and inconspicuous. His humorous writing about Irish folklore, his musical verse about starlings and doves and maidens spinning was a far cry from the molten torrents of Joyce's "Ulysses."

Mr. Colum was a devoted friend of Joyce, and many called him Joyce's Boswell. Joyce said of him in "Ulysses" that "he has that strange thing called genius."

Colum's first play, "The Land," was produced at the Abbey when he was 20. He was planning a series of plays about Ireland—a kind of *comédie humaine*—when there was a falling-out over Abbey policy with Yeats, who had come into control in the theater. In the ensuing argument, Mr. Colum, although a founder, cut his connection with the Abbey.

He continued to write plays, but they were not often box-office successes. "You can make a fortune writing plays, but not a living," he said.

Although he was childless, he wrote book after book for children. These writings, which were one of his principal sources of income, included a children's "Homer" and a children's "Golden Fleece," "The Frenzied Prince," "The Children of Odin," and stories of Irish youth and Irish myths.

With James Stephens, Thomas MacDonough, David Houston and his own future wife, Mary Maguire, Colum founded the Irish Review. He was a close friend and employe of Padraic Pearse, first president of Ireland after the 1916 uprising and a member of the Irish volunteers until he left Ireland in 1914.

His reasons for coming to the U.S. were reportedly twofold: First, because it was an adventurous thing to do in 1914 and second, because there were jobs to be had in the U.S. Colum went initially to Pittsburgh, Pa., where an aunt lived. Shortly before coming to the U.S., he married Mary Maguire who died in 1957.

The late Mrs. Colum was a recognized literary critic both here and abroad and for many years edited *The Forum*, an American literary magazine. She also taught with her husband at Columbia University where, as a team, they lectured on comparative literature.

"The best thing in life is getting married," Colum was reported saying Dec. 7 when he celebrated his 90th birthday here. With him on that occasion was the Irish Ambassador and several members of the American-Irish Foundation which gave him a check for \$2,500 and a scroll hailing him as a poet, dramatist, storyteller, collector of folklore and critic . . . a master writer held in esteem wherever literature is cherished."

Colum's literary honors include 1938-39 president of the Poetry Society of America; 1940 medal of the Poetry Society of America; 1951 honorary doctorate from the National University of Ireland; 1952 Fellowship Award from the American Academy of Poets; 1953 Lady Gregory Award, from the Academy of Irish Letters; 1958 honorary doctorate from Columbia University; 1961 Regina Medal, Catholic Library Association; 1963 membership in American Academy of Arts and Letters, and 1961 Boston Arts Festival Poets Citation.

He leaves a sister and a brother, both in Dublin. The funeral will be Saturday at St.

Patrick's Cathedral, New York City at a time to be announced.

Burial will be in St. Fintan's Cemetery, Dublin, Ireland.

THE 26TH AMENDMENT

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. McKAY. Mr. Speaker, I recently encouraged the editors of the school papers of the high schools within my district to become involved with the issues of the day. Today I would like to call to the attention of my colleagues an editorial written by a young Korean girl for the San Juan High School Rattler of Blanding, Utah. Miss Jini Lyman, a junior, is the adopted daughter of Mr. and Mrs. Barton F. Lyman and is described as an outstanding student.

I join with her in encouraging today's young people to develop a sense of responsibility and awareness of what is going on.

The article follows:

THE 26TH AMENDMENT

(By Jini Lyman)

In the spring of 1971, the Federal Congress adopted an amendment concerning the voting age of U.S. citizens. This, the 26th Amendment, grants the right to vote to those who are eighteen years and older on the grounds that they meet all other requirements set up by each state. It states as follows:

Section 1. The right of citizens of the United States, who are eighteen years of age and older, to vote shall not be denied or abridged by the United States or any state on account of age.

Section 2. The congress shall have the power to enforce this article by appropriate legislation.

This, whether you are aware of it or not, is another step of the ever expanding rights of the citizens. Beginning with the founding fathers of our nation who believed that only the electives should vote, there has occurred many gradual, yet dynamic changes.

First, they widened the suffrage to those male citizens who owned a certain amount of land. Then it was open to all of the male citizens. In 1870, the 15th Amendment was passed, granting the right to vote to any person regardless of race, color or previous condition of servitude (work). This, of course, granted the Negroes to vote, instead of merely being considered eligible for tax and population. The 19th Amendment was then passed in 1920, which brought about the female suffrage, stating, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or any state on account of sex." Some feel that this act was the first mistake the U.S. made regarding the Women's Lib of today, but I dare say that it is only a matter of opinion. However, Utah was one of the early states which extended the right to vote to women even before the Nineteenth Amendment was passed.

At this point, all states except a few, had set their age requirements on twenty-one years and older. Georgia and Kentucky required that their voters be at least 18; Alaska, 19; and Hawaii, 20.

Since the 26th Amendment has been adopted and ratified by all states, any person of eighteen and older may vote as long

as he meets other requirements. These other requirements are, in general, that the voter be a citizen of the United States; that he has lived in the state and the county wherein his vote is to be cast; and that he is to be registered beforehand.

Many of us high school students will soon be eligible to make the decisions which will be very important to our whole nation and even to the world. In order for us to have this right, I am sure there has been many worries and hesitations. But apparently, the majority of our leaders had enough confidence in us to "hand it over" to us. When our turn comes around to vote, let's show them that we do have the sense of responsibility and the awareness of "what's going on". After all, it is a responsibility and opportunity which no other of our own generation has ever been given.

CHARLES REED BISHOP, "HAWAII'S GREATEST PHILANTHROPIST," HONORED IN SESQUICENTENNIAL YEAR

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. MATSUNAGA. Mr. Speaker, next Tuesday, January 25, will mark the 150th anniversary of the birth of Charles Reed Bishop, who is customarily described as one of the greatest benefactors in the history of Hawaii.

One could certainly not have predicted that that would be the fate of the child born in 1822 in a tollhouse in the middle of a bridge over the Hudson River. Charles Bishop was born in these circumstances, in Glens Falls, N.Y., an area now represented in Congress by our distinguished colleague, Congressman CARLETON J. KING.

When Bishop reached Honolulu in October 1846, he began a career in commerce that was so successful, it enabled him to be benefactor to a wide variety of groups and individuals in need of help. Not long after his arrival he married Princess Bernice Pauahi Paki, a native Hawaiian from the royal family. When, at her death, she established a free school for needy Hawaiian youths, her widower contributed thousands of dollars in money and property to the project. Kamehameha Schools, governed to this day by trustees of the Bernice P. Bishop Estate, provide the most effective means remaining for preserving the unique heritage of Hawaii, while providing for its students an education of the highest quality.

Various other schools, churches, and community organizations came to know the generosity of Charles Reed Bishop over the years, until he left the Islands in 1894. The impact of his good works is still in evidence in Hawaii.

That is why, Mr. Speaker, plans have been underway for many months for the observance of the Charles Reed Bishop Sesquicentennial. Books and brochures will be published, essay and poster contests have been held, and a banquet is planned for January 25 at the Royal Hawaiian Hotel in Honolulu.

I commend to my colleagues and other

readers of the RECORD the following articles on Charles Reed Bishop, which describe more fully his life and accomplishments:

CHARLES REED BISHOP—1822-1915

A tollhouse in the middle of the bridge over the Hudson River at Glen Falls, New York, was the place where Charles Reed Bishop was born, January 25, 1822. Glens Falls along with Honolulu and San Francisco were the great cities of the areas where he spent all his life. His birthday is being celebrated throughout these places on January 25, 1972, his one hundred fiftieth or sesquicentennial birthday.

After a thorough elementary education through the eighth grade in which English in all phases, received greatest stress, young Bishop worked at farming on his grandfather Jesse Bishop's farm. He left this to enter employment in two stores, the first one in Warrensburg and the other in Sandy Hill. Between the farm and stores he gained another education. Today, we would call this on-the-job training. Glens Falls was the center of factories, farms, marble quarries, lime kilns, brick and lumber yards—to mention only some of the industries. He became, through farming, store clerking and bookkeeping, very knowledgeable in principles of commerce and industry.

But he was attracted away from this area of his youth by newspaper accounts of settlers in Oregon. He and a friend, William L. Lee packed up and sailed away from Newburyport, Mass., thinking they were headed for the green lush country of Oregon. But when their storm and wave battered ship, the brig HENRY, anchored in Honolulu harbor, in October 1846, after eight months of rough going, the two men decided to remain in Honolulu.

Bishop was 24 years old. He was in immediate demand to apply his accounting skill in untangling the affairs of a local firm. The United States Consul employed him as clerk. He became a citizen of the Hawaiian Kingdom and was appointed Collector General of Customs. On June 4, 1850, he married beautiful 18 year old princess Bernice Pauahi Paki. He was on his way to becoming one of the greatest benefactors the Hawaiian Kingdom has ever known.

Fifth another local man, William A. Aldrich, he opened a store and closed it out in 1858 in favor of a bank, Bishop & Company. This bank grew under his leadership and has today become one of the outstanding banks of the United States—the First Hawaiian Bank.

He took a deep and abiding interest in schools. On the list of benefactors to schools we note the names of Mills Institute and Kawalahao Seminary later merged as Mid-Pacific Institute, Kohala Girls School, Hilo Boys Boarding School, East Maui Seminary, Sacred Heart's Convent and St. Andrews Priory. He was closely involved with both Punahou School and the Kamehameha Schools. At the former he was trustee, vice-president and finance committee chairman for thirty years. He contributed both money and real property along with sage advice to the founding and growth of the Kamehameha Schools. He was president of the trustees of the B. P. Bishop Estate, foundation of the Schools from 1884 to 1898. On the public school side he was made a member and then president of the Board of Education under King Lunalilo, continued as such by King Kalakaua and Queen Liliuokalani and the heads of the succeeding governments, Provisional Government and Republic of Hawaii—twenty one years of public school service.

In the field of religion he gave support to the old Fort Street Church and its successor Central Union Church, Kaumakapili and Kawalahao Churches. The North Pacific Mis-

sonary Institute, headed by his close friend the Rev. Charles M. Hyde, was solidly assisted as was the Hawaiian Board of Missions. He paid for and erected the Bishop Memorial Chapel on the Kamehameha Schools Campus in his wife's honor.

Hospitals ever had an appeal for him. He was from its founding date a chief officer and director of the Queen's Hospital. He gave modest assistance to the Children's Hospital, Kapiolani Hospital and Leahi Hospital and funded and constructed the Bishop Home for Girls and Young Women in Kalau-papa, Molokai, the site of the leper settlement.

Other broad community interests of Mr. Bishop included the YMCA, the public library—he was a founder of the Hawaiian Historical Society—the Sailor's Home Society, American Relief Society and many more.

In government he was Collector General of Customs, member of the legislative Privy Council, member of the House of Lords, Board of Immigration, Chamber of Commerce, and under King Lunalilo he acted as a member of the Cabinet. He was Foreign Minister.

He received the honorary Orders of Kamehameha I and Kalakaua. The Emperor of Japan made him a member of the Order of the Rising Sun, First Class. There were many others from around the world.

Such were Mr. Bishop's community activities. He supported them with gifts of substantial size and in some instances worked as a board member or as president or treasurer. He was conscientious in his devotion to all these causes.

Mrs. Bishop died in 1884 and it was as if a great light had gone from his life. He had begun visiting California many years prior to her passing and had made modest investments in lands and stocks and bonds. He stepped up the pace of investments and finally moved to California in 1894 never to return. His operations in the San Francisco bay area were centered in a specially created new position of vice-president of the Bank of California.

He had given away his Hawaii fortune to relatives and community and charitable agencies. In San Francisco he made another fortune and similarly gave that away to the same objects. He died in Berkeley June 7, 1915, age 93.

In his loyalty to his adopted native land of Hawaii he asked that his ashes be placed alongside those of his wife in the Royal Mausoleum in Nuuanu Valley of Honolulu.

Perhaps the best comment that can be made of Charles Reed Bishop may be found on his grave marker in the Royal Mausoleum: Builder of the State-Friend of Youth-Benefactor of Hawaii His Ashes Rest in the Tomb of the Kamehamehas.

The agencies and organizations among the cultural, charitable, religious, educational and commercial interests of Hawaii with which Charles Reed Bishop had some association almost made up a roll call of all such groups. Here is the list!

Alexander & Baldwin, Inc.; Amfac, Inc.; Bank of California; B. P. Bishop Estate; Bernice Pauahi Bishop Museum; Bishop Home for Girls and Young Women; Bishop Trust Co., Ltd.; C. Brewer & Co., Ltd.; Castle & Cooke; Central Union Church; and Chamber of Commerce.

City and County of Honolulu; City of Glens Falls, New York; Board of Education; Dillingham Corporation; First Hawaiian Bank; Hawaii Conference United Church of Christ; Hawaii State; Hawaii State Schools; Hilo Boys Boarding School; The Kamehameha Schools Alumni Association; and The Kamehameha Schools.

Kapiolani Maternity and Gynecological Hospital; Kaukoalani Children's Hospital; Kaumakapili Church; Kawalahao Church; Kindergarten and Children's Aid Society;

Kohala Girls School; Leahi Hospital; Mauna Olu College; Mid-Pacific Institute; and North Pacific Missionary Institute—closed.

Punahou School; Queen's Medical Center; Sacred Hearts Convent; Sailor's Home of Honolulu; St. Andrew's Priory; Salvation Army; Social Science Association; Theo. H. Davies & Co., Ltd.; Wai'alua Seminary—closed; and Young Men's Christian Association.

[From the Honolulu Sunday Star-Bulletin and Advertiser, Nov. 21, 1971]

CHARLES R. BISHOP: CLEVERNESS AND COMPASSION

(Editor's note.—Next Jan. 25 is the 150th anniversary of the birth of Charles Reed Bishop, one of the greatest community leaders in Hawaii's history. With a statewide observance already under way, The Advertiser asked Col. Harold W. Kent, author of the book "Charles Reed Bishop, Man of Hawaii," to write the following account of Bishop's life and contributions.)

(By Harold W. Kent)

If Charles Reed Bishop, Hawaii's greatest philanthropist, had anything going for him besides his integrity and his judgment it was the natural image of his having always been an old man.

Most pictures, whether of his youth, middle or old age show him bearded and uniformly unsmiling. Although seemingly old he had a spirited drive, a quick grasp and a strong liking for people.

This benefactor of Hawaii was born in a toll house in the middle of a bridge over the Hudson River at Glens Falls, N.Y. Jan 25, 1822. He is the object of a sesquicentennial commemoration of that date throughout Hawaii.

William Little Lee, codifier of Hawaii's laws and first chief justice of the Supreme Court, joined Bishop in a proposed venture to the newly publicized lush Oregon country. This was in 1846 just before the Gold Rush.

When the pair touched land at Honolulu, a necessary port of call for their sailing vessel, the journey to Oregon was broken. Bishop gave 48 years to the Kingdom of Hawaii before moving to California in 1894—the time when the government changed from monarchy to republic.

There were other Bishop images besides that of old man-ism. He loved entertaining and with his wife, Princess Bernice Pauahi, enjoyed the schottishes and waltzes as well as the charades as they hosted visiting guests, foreign and local, in their Haleakala home on King Street.

He delighted in horseback riding and picnics. Moonlight boat rides on the quiet waters of the Honolulu reef attracted his fancy.

Bishop had true and simple affections. He loved his native wife, was extremely considerate of her health and respected her counsel, especially regarding the politics of her royal relatives and the problems of her Hawaiians generally.

When she came to an early tragic death in 1884, he was overcome. He never remarried in his remaining 31 years. In writing to a relative he expressed his simple grief ". . . we did not any of us expect to have to part with her so soon . . . nobody could know her as well and not love her."

Robert Louis Stevenson, no favorite of Bishop, held one sentiment in common with the philanthropist, a strong affection for Princess Kaiulani, his favorite niece.

His affection also ran to horses. He was so solicitous about two family horses, Old Charley and Old Grant that he refused to destroy either in their old age, pensioning them off to pasture and no work where they died of natural causes.

He was not a women's "libber." Said he to J. O. Carter, "God bless the women. Do not think of appointing a woman on either board

as a trustee. It is not necessary nor would it be wise to do so. This is not disrespectful to the sex or any individual."

He liked married employes on his Molokai ranch but "hardly knew what the wife could be employed at."

Stormless self composure marked his reaction to worry. Because of his growing wealth, adventurers were on his trail. In one such instance he remarked that "some mechanics, some merchants and some others have regarded me as a full fledged goose to be plucked and the plucking pleases them more than it does me."

The Health Department was allowing the pali trail from topside Molokai down to the leper settlement to become dangerous to a traveller on foot or horseback.

He commiserated with ranch manager and settlement superintendent, Rudolph W. Meyer, "you have taken many risks on that pali between your house and the Settlement and I congratulate you on your escapes so far . . . if an accident must happen to somebody . . . I hope it will be to someone in authority."

His public pleas for trail safety were couched in conciliatory terms when the delays and unfulfilled promises were too much.

Punctuality was a Bishop hallmark. He never missed a board meeting of any of his business and community concerns if he were on the Island.

In his last years when a nurse frequently had to wheel him to his Berkeley Unitarian Church his urging was in the spirit of the modern lyric "get me to the church on time." The service would not start until the rear doors parted for his regular on-time Sunday morning entrance.

A conservative in politics he was not a party man. He supported the royal rulers with misgivings but advised them in finances. He wanted constructive regimes for Kalakaua and Liliuokalani and yet he was not a Royalist. Even when annexation neared he would still settle for a limited monarchy with Kalulani as the head of state.

Harried by the parents of Bernice in opposition to marriage plans he quickly resolved the matter by marrying her in the Chiefs' Children's School home of Amos and Juliette Cooke.

William Tufts Brigham, organizer of the Bishop Museum, had continual personality conflicts with people; trustees, Kamehameha boys, tourists, church representatives and scientists. Bishop, recognizing his value to this pioneering work, held him to the position throughout long years of hostile criticism.

He was loyal to his relatives. This was apparent in his affection for his beautiful Hawaiian wife; he named the Chapel at the Kamehameha Schools, "beds" at the Queen's Hospital, school buildings at Punahou and the Bishop Museum after her.

Relatives came in for substantial gifts and bequests. Many family fortunes were created out of this loyalty.

Not only thoughtful of friends, relatives, natives and royalty, he was a supporter of causes, many of which called for money or energy or both. Leprosy was one such special object. He combined compassion for native girls with respect for the damaging effects of the disease and built a Bishop Home for Girls and Young Women at Kalaupapa and invited the nursing order of St. Francis to staff it.

Immigrant labor was in pressing demand at the plantations but to Bishop it was as much a cause as a need. He strongly protested use of the word "coolie" as a trade term. His bank supervised distribution of the immigrants and saw to it that contract conditions were fairly administered. The Hawaiian Immigration Society and his bank both were important tools for Bishop in the matter. He was a member of the Society's executive committee.

Sailors were also an element of kingdom commerce. He concerned himself with their welfare, problems with their skippers, social life ashore in Honolulu and repatriation if called for. He was a leading figure in the Sailor's Home Society; treasurer and president.

Night schools could be useful. Immigrants, sailors and natives were ripe candidates for self improvement. Bishop subsidized a YMCA night school program, the first such effort in the Kingdom.

Despite his obvious concern for education Bishop could not be called an educator—yet he was appointed president of the public Board of Education successively by Lunaliilo, Kalakaua, Liliuokalani and Dole.

He initiated what turned out to be a model board of education; small, appointed, unpaid; set up a predominately vocational program supplemented by mastery of academic subjects; channeled all tax money for education into the public schools and introduced sound legislation on policy for the lasting improvement of the schools. He was as modern as today in education.

Private education saw him as president of the trustees of the Kamehameha Schools-Bishop Estate, trustee and finance committee chairman of Punahou School and as an official of others.

To the Kamehameha Schools, in monies or properties, his contribution was worth well over five times the value of Mrs. Bishop's estate at probate. He gave the Preparatory Department its facilities and operating money, a school at first largely intended for orphaned native boys. He supported boarding schools elsewhere; Kawalahao Seminary, East Maui Seminary, Kohala Girls School, Hilo Boys School and others.

At Punahou he contributed not only his services, but buildings, scholarships and operating funds. He was characterized as Punahou's "greatest benefactor."

Hospitals were a special area of Bishop philanthropy. At the Queen's Hospital he was trustee for 35 years and in this capacity held the office of treasurer and late vice president. Kapiolani, Children's and Leahi Hospitals were also beneficiaries.

No religionist, he was president of Central Union trustees, a contributor to Kawalahao and Kaumakapili Churches, Chinese, Japanese and Portuguese missions, the Board of the Hawaiian Evangelical Association and Dr. Charles H. Hyde's North Pacific Missionary Institute.

Later in the Bay Area he gave to the San Francisco and Berkeley Unitarian Churches and the Unitarian Starr King Library.

Nor was Bishop a lawyer. Primarily an accountant, his orderly mind was that also of a lawyer. He was a judge of men and projects. His upholding of Brigham in his museum work and R. C. L. Perkins in his scientific excursions were examples of his insight.

In gauging the potential success of plantations and business proposals generally, he was astute and sound. There was an uncanny rightness to his observations.

But most of all he was respected for his integrity. An old line do-all banker usually takes on an aura of probity—so it was with Bishop. This story of his march to honor in community service has covered none of the bases of his business dealings, corporation "saving" loans, participation in plantations, utility companies, factor groups, ship ventures, real estate, currency problems and countless others.

The story does add up however to the reason for the Sesquicentennial celebration of his birth Jan. 25, 1972.

In the effort to acquaint the people of Hawaii, young and old, with this great but comparatively unknown figure in Island history, a program of epidemic proportions is bursting forth; essays, posters, exhibits, publications, sermons, speeches, resolutions, articles.

The Senate and House by joint resolution

have created a Commission in Bishop's honor. The Governor of New York and Mayor of Glens Falls and Mayor Frank F. Fasi of Honolulu have issued proclamations or will do so. There is a special bookmark and there is a banquet; and at the Museum there is a new medal for distinguished service.

But at his death he really was an old man. He died age 93 in Berkeley June 7, 1915 of full mind and a fairly worn body. His ashes were brought to Honolulu to be placed alongside those of his wife in the Kamehameha Crypt in the Royal Mausoleum.

An inscription on his close-by marker stone reads:

Builder of the State
Friend of Youth
Benefactor of Hawaii

SESQUICENTENNIAL PLANS UNDER WAY

Many plans are under way for observance of the Charles R. Bishop sesquicentennial.

The Hawaii Legislature has adopted a joint Senate-House Resolution providing for a commission of nine members from government to assist in the commemoration.

The governors of New York and Hawaii, mayors of Glens Falls, N.Y., and Honolulu have issued proclamations. Hawaii senators and representatives in Washington, D.C. are sending letters of honorary mention.

37 Bishop-associated agencies have each submitted a board resolution honoring Bishop.

Several books and brochures are planned, including a post-sesquicentennial publication of speeches, essays and other materials.

Service clubs will be provided with speakers or a 70-slide film strip with cassette narration on Bishop's life.

An essay contest will be held for students in three categories, upper elementary, intermediate and high school. Deadline in school offices is Dec. 10.

A poster contest will be held in the same categories. Deadline is Jan. 10.

The Kamehameha Alumni Association's annual oratorical contest will be on the theme.

Exhibits of letters, memorabilia and publications are planned by schools, Bishop Museum, Queens Medical Center, First Hawaiian Bank, Royal Hawaiian Hotel and others.

A new Bishop Museum medal for distinguished service to the Museum is being prepared.

The Kamehameha Schools Preparatory Department will hold exercises in honor of Bishop, its founder: January 25—10:00 a.m. at Royal Mausoleum. 1:30 p.m. at Kawalahao Church. January 30—8:30 a.m. and 10:30 a.m. at Central Union Church.

A banquet will be held at the Royal Hawaiian Hotel Monarch Room. First Hawaiian Bank is host.

NEWS RELEASE FROM THE OFFICE OF THE GOVERNOR

Governor John A. Burns has designated a 15-member commission to oversee the sesquicentennial observances of Charles Reed Bishop's birthday.

The 150th anniversary of Bishop's birth falls on January 25, 1972. In recognition of the widespread contributions Bishop made to Hawaii's development during his years in the Islands between 1846 and 1894, the State Legislature last year adopted a concurrent resolution calling for appropriate honors to be paid to Bishop in 1972.

A proclamation designating this year as "Charles Reed Bishop Year in Hawaii" is to be signed by Governor Burns at 2:45 p.m. Friday.

The 15-member commission includes: Senator Kenneth F. Brown, representing the State Senate; Representative Daniel K. Kihano, representing the House; Deputy Superintendent of Education Teichiro Hirata of the Department of Education; Deputy Comptroller Mike Tokunaga of the Depart-

ment of Accounting and General Services; State Archivist Agnes Conrad; Daniel Akaka, director of the Office of Economic Opportunity.

Also, George Kanahale of the Hawaii Corporation, George Kauhane of the Department of Taxation, Kaupena Wong, supervisor of the State's Hawaiian text materials program; Fred Cachola, director of the early education program at Kamehameha Schools; Walter Dods, First Hawaiian Bank executive; Harold W. Kent, former president of Kamehameha Schools; Richard Lyman, Bishop Estate trustee; Abigail Kawananakoa, president of Friends of Iolani Palace; Monsignor Charles A. Kekumano, pastor of Our Lady of Peace Cathedral.

SUMMITRY, ALLEGIANCE, AND FRIENDSHIP

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. WALDIE. Mr. Speaker, this Nation is beginning a trek of historic proportions in 1972, climaxing with the visits to Peking and Moscow by President Nixon. Future history books will note that this was the year the United States opened the diplomatic door to Red China and sought to bring sovereign nations together in peace.

In anticipation of his visits, and to calm the nerves of our allies, Mr. Nixon has met in summit with world leaders to brief them about his trip and assure them he will not take actions that would interfere with their foreign policies. So, Heath, Trudeau, Brandt, and Sato have been assured of our intentions as we venture behind the Bamboo Curtain for the first time since the Second World War. Yet, in the midst of all this diplomacy, someone at the White House or State Department has made a grievous error. We have forgotten one nation that has a great deal of interest in this journey. This also happens to be the one nation that has firmly backed us in Vietnam, supplying more troops than any other "ally."

The last time we fought a war we kept the Chinese out of South Korea, devoting time and energy, men and supplies to the fight against the Communist aggression from the north. We spent millions of dollars in that campaign and helped mold a nation free to make its own decisions. We continue to assign troops to that nation as a sign of our steady resolve to protect her and her form of government.

In return, the government of Park Chung-Hee has given this Nation 260,000 of its men to fight in Indochina. Three thousand-three hundred of those men returned in coffins, 7,800 of them went home with the scars of the war. While in Vietnam, the South Korean Army won the distinction of being among the best fighting forces in Vietnam. The famous Black Panther Division won countless medals from our Government and the Republic of South Vietnam for its efforts in the war zone.

While committing all these men to our war in Vietnam, South Korea had to

maintain readiness at home, continuing the difficult negotiations with the North Korean Government.

President Nixon talked with and assured Prime Minister Heath of Britain. He soothed the worries of Canadian Prime Minister Trudeau concerning our economic policy and intentions in Peking. He virtually rehabilitated the prestige of Prime Minister Sato of Japan whose ruling party faced a stormy Diet and populace when the President's trip was announced. Yet, President Nixon has not talked to President Park of South Korea. As far as we know, the U.S. Government has said nothing to the South Koreans concerning our intentions in Peking when South Korea itself stands to lose the most if those negotiations are unsuccessful. What nation is more threatened than South Korea by the Chinese? On what nation's ground did we fight the People's Republic of China to preserve democracy?

On January 11, 1972, President Park told newsmen in Seoul that he was worried about the President's trip to Peking and what it would mean for the people of South Korea. He told the press that he would take a "wait and see" attitude about the whole affair—since he had not been contacted by this government.

If President Park is worried about these negotiations with Peking and Moscow, he is justified. No other ally has given so much for the cause of America in recent years. No nation in the world has withdrawn from the Vietnam conflict, that U.S. war, with such honor.

Obviously, someone is making a mistake. From the indications received from the Nixon administration so far, the South Koreans are not going to be consulted about this matter.

Obviously, the South Korean "mistakes" were many. They did not become belligerent in the matter of textile imports into this country. They did not undertake a giant campaign to manufacture electronic component parts to flood our markets and drive the American electronic business bankrupt. They made another mistake in not joining an economic community and, thereby, threaten the Nixon administration with a new position at the trading table. They did not permit evaders of the Vietnam war, sanctuary in their country and criticize the administration's economic policy. But, their biggest mistake was accepting the Vietnam war and the American position and sacrificing men and resources to fight there with honor.

Yes, the South Koreans are guilty of many mistakes in dealing with this nation. It is now obvious that, to merit a summit meeting with President Nixon, you must be critical of this nation and its policies and seek to undercut its own industry. The South Koreans failed in these areas, and, as punishment, they will not be consulted about the President's meeting with leaders of a government that rules a giant nation on their very doorstep.

Such is the price of allegiance these days. In the future, maybe the government of President Park will learn to realize that you do not attract the attention of this administration unless you rock

their boat and threaten their policies.

For my part, I want this administration and my colleagues in the Congress to know that I appreciate the sacrifices made by the South Koreans in "our war." I shall not forget what they have done as repayment for the war we conducted on their soil. I salute the government and people of South Korea for their steady resolve over the years, and their efforts to maintain a lasting friendship with the United States. I would expect, at least, the same treatment from our President.

U.S. POLICY TOWARD THE PERSIAN GULF AND THE INDIAN OCEAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HAMILTON. Mr. Speaker, I would like to insert into the RECORD four recent Department of State statements on U.S. policy toward the Persian Gulf and the Indian Ocean. The first statement contains notes on U.S. policy used by Deputy Assistant Secretary of State Rodger P. Davies during his December 1971 trip to the Persian Gulf. The other three statements are answers to specific inquiries I have made. They are in order: An August 4, 1971, statement on general policy; a December 17, 1971, answer to an inquiry regarding the Iranian seizure of three small islands in the Persian Gulf; and a November 18, 1971, reply to an inquiry concerning comments the Australian Prime Minister made on U.S. policy toward the Indian Ocean during a press conference here in Washington. The four statements follow:

U.S. POLICY TOWARD PERSIAN GULF STATES—DECEMBER 1971

The United States Government welcomes the independence of the states of the lower Gulf. We are pleased that the transition from British protection to full independence has been made in a manner permitting future cooperation between the former protecting power and the newly independent states. The United States Government has no intention of seeking to replace the British in the role of protector of the Gulf. We recognize that the states of the Gulf are willing and quite able to provide for their own defense and security. We feel, however, that cooperation among all the states of the Gulf is essential to the future stability and welfare of the area. U.S. policy is based on friendship for all the peoples of the Gulf and will seek to encourage cooperation among them wherever possible. As the U.S. enters direct and formal relations with the new states for the Gulf, we will seek to continue the longstanding cooperation in economic and other fields which has consistently characterized our relationships.

DEPARTMENT OF STATE,
Washington, D.C., August 4, 1971.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on the Near East,
Committee on Foreign Affairs, House of
Representatives.

DEAR MR. CHAIRMAN: . . . U.S. policy toward the Persian Gulf recognizes that the littoral states, particularly Iran and Saudi

Arabia, intend to assume primary responsibility for the security of the Gulf once operational British military forces are withdrawn and the British protective treaty relationships with the Gulf States terminate. It is our policy to encourage this determination, to urge the cooperation of Saudi Arabia, Kuwait and Iran in assisting the orderly development of the Gulf states and to support them as appropriate in this role.

Since 1968 when the British announced their intention to "withdraw" from the Gulf, there have been active efforts to remove certain of the elements of instability which might appear in the wake of this historic change. A major undertaking has been the effort by the nine Gulf rulers, and encouraged by the U.K., to create a Federation of Arab Emirates. At the moment it appears that a Federation of all nine states will not materialize in the immediate future but there are reasonably good prospects that at least six of the seven states of the Trucial Coast will form a single federation. The two largest shaykhdoms, Bahrain and Qatar, are likely to seek independent status as separate states for the immediate future but long-term prospects of an all inclusive federation still exist. The U.S. has encouraged at every appropriate opportunity the formation of the largest possible federation of the Gulf states as a means of fostering order and progress in the area once the British withdraw.

Besides the dangers to area stability should federation fail, the other principal potential element of instability is the conflicting territorial claims still unresolved in the area. Currently uppermost is the dispute between Iran and two of the Gulf shaykhdoms over the ownership of three small islands in the Gulf. The question of Saudi Arabia's boundary with Abu Dhabi is also unsettled. The British Government has been actively involved in efforts to resolve these disputes prior to surrendering its responsibility for the shaykhdom's foreign affairs. The U.S. Government is not directly involved in these issues and has taken no position with the emirates' or any party's claim. We have, however, counseled the importance of prompt and amicable resolution of the disputes.

The creation of workable political entities such as the proposed federation of Trucial States and the resolution of the territorial disputes noted above would in our opinion provide a basis for guarded optimism about the stability of the lower Gulf area for the foreseeable future. The emerging states will undoubtedly face problems in adapting to the political currents of the modern world. There are indigenous elements in the Gulf sympathetic to the more radical Arab Nationalist sentiments espoused by regimes such as those of Iraq and the Peoples' Democratic Republic of Yemen. As the Gulf states reach independence, we can anticipate an effort by the Soviet Union and other communist states to establish a commercial and diplomatic presence there.

The U.S. does not intend to attempt to replace the British role in the Persian Gulf. We do, however, recognize the importance of U.S. interests in the area including significant economic interests in the states of the lower Gulf. We anticipate as these states emerge from British protection we will inevitably be drawn into close contact with them. Our present intention is to establish diplomatic relations with those entities that would likely qualify for admission into the UN, accrediting our Ambassador to Kuwait as non resident ambassador to the lower Gulf States and establishing two small diplomatic posts under his supervision in the lower Gulf as well as a small post in the neighboring Sultanate of Oman.

We anticipate no change in the present U.S. military presence in the Gulf, which consists of the Middle East Force Command, home ported in Bahrain. We have consulted

with friendly neighboring states as well as the Government of Bahrain about the desirability of maintaining Middle East Force after the British withdrawal. These consultations elicited no demand that this modest naval force be withdrawn. We feel that it fulfills a meaningful role in indicating U.S. interest in the states of the Gulf and the Indian Ocean region.

We are pleased to have had the opportunity to cooperate with the Subcommittee on these matters. If we can be of any further assistance, on this or any other matter, please do not hesitate to let me know.

Sincerely,
DAVID M. ABSHIRE,
Assistant Secretary for Congressional
Relations.

DEPARTMENT OF STATE,

Washington, D.C., December 17, 1971.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on the Near East,
Committee on Foreign Affairs, House of
Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Secretary has asked me to reply to your letter of December 2 requesting comments on the Iranian landings on the islands of Abu Musa and the two Tunbs in the Persian Gulf on November 30.

The sovereignty of the islands in question has been contested for over a century. The United States Government, which has never taken a position on the merits of the dispute between Iran and the United Kingdom, believes that the Iranian landings on the islands must be viewed in the total context of a series of interrelated events in the Persian Gulf in the recent past. These include the termination of the United Kingdom's special treaty relationships with the nine lower Gulf shaykhdoms, the relinquishment of Iran's claim to Bahrain and the subsequent independence of that state and of Qatar, the federation of six of the remaining seven lower Gulf states as the United Arab Emirates, and the formal recognition of all of these entities by Iran.

For well over a hundred years the United Kingdom has borne the responsibility for the security of the strategically important Persian Gulf region. In anticipation of British withdrawal Iran over a year ago began to press publicly its long-standing claim to the three small Gulf islands in question. The Iranian insistence on placing garrisons on these islands derived from Iran's concern that otherwise the islands might be used at some point by hostile elements to threaten the flow of Iranian oil to the industrial nations. Iran entered negotiations with the British on the islands question. The United States Government was not at any time involved in these negotiations nor did it take a position on the merits of the dispute. We did, however, frequently and consistently urge on all parties concerned the need for a prompt and amicable solution.

A settlement was in fact reached over Abu Musa with the Ruler of Sharjah, allowing for the establishment of an Iranian garrison on a specified portion of the island, with the rest remaining under Sharjah's civil administration. Future oil revenue would be shared equally, and in the absence of such revenues Iran will provide financial assistance to Sharjah on an agreed annual basis.

Unfortunately, it has not been possible to reach a similar agreement between Iran and the Ruler of Ras al-Khaymah, who claims sovereignty over the Tunbs. Ras al-Khaymah refused to acquiesce in Iran's plan to land a small force on the Tunbs. We deeply regret that, owing to a misunderstanding, the Arab police resisted the landing on Greater Tunb and three Iranians and one Ras al-Khaymah lost their lives. We understand that most of the population of Greater Tunb has at its own request moved to Ras al-Khaymah and

that the Iranian Government has declared its intention of compensating these individuals.

On balance we believe that the recent developments in the Persian Gulf, taken in their entirety, are in the interests of all the littoral states and represent an affirmative contribution to the peace and security of the region. We are encouraged by the public declarations of Iran and the United Arab Emirates to the effect that they intend to work together for the stability of the area. In the opinion of the United States Government, close cooperation between Iran and the Arabs in the Persian Gulf is the best guarantee of progress and stability, which is in both our interest and theirs. We have made our position clear on both sides of the Gulf and believe that recent events provide encouraging signs that this cooperation will be forthcoming.

I hope you will find the foregoing to be helpful.

Sincerely,
DAVID M. ABSHIRE,
Assistant Secretary for Congressional
Relations.

DEPARTMENT OF STATE,

Washington, D.C., November 18, 1971.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on the Near East,
Committee on Foreign Affairs, House of
Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of November 5, 1971, concerning Australian Prime Minister McMahon's November 3 address to the National Press Club. In his address, the Prime Minister said, "I think I can take it for granted, although I have not been given any concrete assurances about it, that you yourself (the U.S.) will have a counterbalancing force there (in the Indian Ocean) from time to time." In making this observation, the Prime Minister was expressing his own interpretation of American actions or intentions in the Indian Ocean. He had not, as he said, "been given any concrete assurance about it."

The United States does not wish to engage in a naval competition with the Soviet Union in the Indian Ocean. We will continue, however, to maintain normal naval access there through occasional ship visits, transits, and minor exercises.

The United States is not establishing a new Indian Ocean Force. The only U.S. naval forces which currently operate in the Indian Ocean are the three Mid East Force ships stationed at Bahrain and ships from the Pacific Fleet which occasionally conduct minor exercises in or pass through the area. There are no plans to increase the number of ships assigned to the Mid East Force.

I hope this clears up the misunderstanding which may have been created by Prime Minister McMahon's press conference. If you have any further questions, the Department of State will be happy to assist you.

Sincerely,
DAVID M. ABSHIRE,
Assistant Secretary for
Congressional Relations.

OUR SPANISH-SURNAMED BROTHERS—WHO ARE THEY?

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. FAUNTROY. Mr. Speaker, among those ethnic groups that we often forget, ignore, or discriminate against are those with Spanish-speaking back-

ground. Perhaps that is because we have not sought to understand their backgrounds, their traditions, their contribution to the building of this Nation—indeed, the building of the Western Hemisphere. Together magazine, a publication of the United Methodist Church, in its February 1972 issue, writes in a most reflective and informative manner about our Spanish-Americans. I think all of us should pause for a moment and reflect on the words of the author, Justo L. Gonzalez, which will help us better understand a most important segment of our Nation. The article follows:

WHO ARE THESE SPANISH-SPEAKING AMERICANS?

(By Justo L. Gonzalez)

It is not the Spanish-American but the Anglo-American who is the newcomer to this country. Nineteen years before Sir Walter Raleigh founded his ephemeral colony in Virginia (1584), the Spanish founded a city which still exists in St. Augustine, Fla. And ten years before the Pilgrims landed on Plymouth Rock (1620), the Spanish founded Santa Fe, now the capital of New Mexico.

Actually, the first Spanish-Americans who became part of this country did not do so by migration but were rather engulfed by the United States in its process of expansion.

In 1810, the United States annexed western Florida in order to have an outlet into the Gulf of Mexico—which was then truly the Gulf of Mexico. By 1853, the U.S. had acquired, by various means, what now is Florida, Texas, New Mexico, Arizona, California, Nevada, Utah, and sizable parts of Colorado, Kansas, Oklahoma, and Wyoming. This included more than half of what used to be Mexico, and it more than doubled the territory of the United States.

I do not say all this to complain, but simply to point out that Spanish-American roots in this country are old and deep. Since Spanish-Americans have been here for so long and yet have kept their identity, it is doubtful that they will follow the same process of assimilation by which the Swedes, the Irish, and the Italians have joined the mainstream of American society.

FOUR GROUPS PREDOMINATE

Basically today's Spanish-Americans comprise four groups: Hispanos, Mexican-Americans, Puerto Ricans, and Cubans. To these could be added a sprinkling from other Latin American republics, formed mostly by immigrants with particular skills. But these are scattered throughout the nation and either return to their country of origin within a few years or are assimilated.

Hispanos are descendants of those who lived in Mexico north of the Rio Grande when the land became part of the U.S. They did not come to this country—this country came to them. Pushed aside by hordes of Anglos, they resented—and still do—this invasion of a land they considered theirs. They are quick to point out that they are not Mexican-Americans. But Anglo society has not dealt with them any better than it has with their newly arrived cousins and, therefore, for this discussion, I shall consider them as Mexican-Americans.

The early decades of this century were troubled years in Mexican history. A great, often bloody, revolution wrecked the country's economy. The United States at that time was enjoying prosperity so there was a mass migration from Mexico to the U.S. Almost a tenth of Mexico's population crossed the border during this time. Then conditions changed. U.S. economy faltered, Mexico became more politically stable, and the U.S. Immigration Service began applying strict controls.

Still several thousand Mexicans cross the border annually to settle permanently in the U.S. Like other Spanish-Americans, they must take the most lowly jobs and endure discrimination. But they feel the opportunities for work and advancement here, meager and restricted though they are, are still greater than those in their own homeland.

Puerto Rico became a possession of the United States in 1898 when this nation, then at the high point of its youthful exuberance, defeated old and tired Spain. In 1917, through an act of Congress, all Puerto Ricans became U.S. citizens. So Puerto Ricans who come to the mainland technically are not immigrants—but culturally they are. Many come from small, semirural towns and move to large cities such as New York and Chicago. Wherever they live, they always consider Puerto Rico their home, and they yearn for the open skies, warm climate, and friendly atmosphere of their island.

Long before Castro there were Cubans in Florida and in large cities like New York. Since 1959, however, there has been a mass migration of Cubans to the U.S. They came by stages, first mostly the *Batistianos* and the very wealthy. Later came intellectuals, professionals, and technical workers. Eventually the exodus included people from all walks of life. A number of these people have left the Greater Miami area—a process the federal government has encouraged—and now are scattered throughout the nation, particularly in the southeast, northeast, and California. For the most part, they have given up hopes of returning to Cuba.

By far the largest number of Cubans still live in southern Florida. Many enjoy the life of the "little Cuba" they have created there. Others stay only so they will be near their homeland when "something happens." Jobs are scarce for these people so those who have begun to find their way help relatives and friends who have arrived more recently. This means that housing occupied by Cubans tends to be overcrowded. And eventually a ghetto develops which is inhabited almost exclusively by Cubans and by a few older English-speaking people.

HISTORICAL HERITAGE

One of the worst misconceptions Anglos seem to have about Spanish-Americans is that since they all speak Spanish, they must be all alike. We are not a cohesive group at all. Much of this is due to our geographic distribution, of course. But there are important historical differences of which you should also be aware.

Mexico was a land of high civilization where a succession of cultures had culminated in the Aztec Empire. Its population was relatively dense even before the Spanish conquest. Cuba and Puerto Rico, on the other hand, were rather sparsely populated, mostly with Arawaks, an Indian race whose cultural development had taken the almost exclusive form of stone carvings and whose political organization was rather loose. As a result, the Spanish forcibly subdued, enslaved, and killed the island Indians. In less than a decade the Spaniards—who had not come seeking work—were forced to begin importing slaves from Africa. What few Indians survived physically lost their identities in the mixture of races that ensued, and their cultural inheritance remained little more than a few words which found their way into the Spanish language.

Mexico was not conquered by force but by guile. Hernan Cortes was defeated by the Indians and was forced to use Indian allies in order to enter Tenochtitlan and capture Montezuma. He did not destroy the Aztec Empire and build the viceroyalty of New Spain in its place, but rather he used the captive emperor as a hostage to capture the old political structure, which he only

changed gradually and never very completely. So Mexico is much more Indian in its culture than either Cuba or Puerto Rico.

The legends of the origins of the Arawak people in the Caribbean have been forgotten; but the Mexican legends of the exodus of the Toltecs from the north in search of a promised land, which would be marked by a lake, and in the lake a rock, and on the rock a cactus, and on the cactus an eagle eating a snake, survives still on the Mexican flag and in the soul of the nation.

The native art of Cuba and Puerto Rico—its paintings, its music, its wood carvings—bears the stamp of Andalusia and Africa, whence most of our forefathers came. The native art of Mexico is still the art of a civilization which the Spanish conquest was able to subdue for a time, but never to destroy. The hot food and tortillas which most North Americans identify with Latin America are Indian in origin, and are still typical of Mexico. But the native food of Cuba and Puerto Rico is a slight variation of typical Spanish food with some African influence.

Few Africans were taken to Mexico to serve as slaves. But in Cuba and Puerto Rico the presence of Africa still can be felt. A sizable number of Cubans and Puerto Ricans can boast an African ancestor. And while we got our guitars from Andalusia, our rhythm came from Africa.

On Mexico's high plateaus and deserts where temperatures rise sharply during the day and drop drastically at night, one lives indoors, with his family. On the islands, where the temperature in the evenings is almost always ideal, one lives outdoors. So Puerto Ricans and Cubans are by tradition more open, more gregarious, more noisy than Mexicans—or North Americans, for that matter.

LANGUAGE REFLECTS CULTURE

It is the language and the shared culture of these groups which draw them together as Spanish-Americans—and which most sharply distinguish them from Anglos.

I do not know whether the language has formed the mind or vice versa, but it is true that the Spanish-speaking person, like his language, is open rather than subtle—sometimes to the point of seeming blunt to others.

Spanish-Americans are not ashamed to show emotion—and we are not sure that it is always best to follow our reason over our emotions. It is said that one reason bullfighting is possible is that a bull closes his eyes when he charges, and that cow-fighting would probably be more dangerous since a cow keeps her eyes open. I have never attempted to corroborate the fact, but still most Spanish-Americans would rather charge into a problem like a bull than like a cow. Reason is good, yes; but man is more than a thinking machine.

Because of this, when it comes to religion, a Spanish-American cannot very well understand the religiosity of the man who sits like a stone in a worship service and shouts like a heathen in a baseball game. He finds it hard to believe the sincerity of a man who tells him over a cup of coffee, in such quiet tones that he seems to be ashamed of it, that he believes in Jesus. He figures that if religion makes any difference at all, it must make all the difference in the world. And he would rather seem fanatical or be called a show-off than be led to doubt his own sincerity.

In the Spanish language almost any word order is acceptable in a sentence. Not so in English. This may well have something to do with what to us seems an obsession with order on the part of Anglo-Saxons, and with what to them must seem our love of disorder.

Everything in Spanish has a gender. We see certain things, certain characteristics, certain privileges as typically feminine and

some as typically masculine. But such distinctions are not ones of subservience. Man is not above woman. Rather, man and woman are two different creatures, and one just cannot be the other. This is the significance of that *machismo* which has been so much discussed by sociologists and psychologists—not that man is superior, but that he is different and must remain so.

If a man won't help his wife with the dishes, it is not that he considers himself above such a job but *apart* from it. If he were to do it, it would be an insult to both himself and his wife. And a woman must not compete with men, not because she would be invading the superior privileges of masculinity but because she would be denying and insulting her own femininity. Quite obviously this traditional pattern cannot subsist in the new environment of modern society, and its breakdown is causing severe disturbances in the fabric of the family.

Our view of sex has religious implications, too. Protestants have often accused Spanish Catholicism of being unduly concerned with Mary, even of worshiping her. What Protestant critics have not understood is that their own message has often cancelled the positive feminine traits which Spanish Catholicism has placed in the Virgin. The God of traditional German-Anglo-Saxon Protestantism has often been little more than a mellowed version of Thor. Even Luther's *Deus pro me* was the overwhelming discovery that somehow Thor, with all his might and his thunder, had forgiven him. God was always the loving enemy, as psychology has since showed that a father often is to his son.

Such a God is obviously incomplete. Certain Protestant traditions have attempted to solve this problem by placing the loving Jesus vis-a-vis the judging Father. This has resulted in an effeminate Jesus. Such a notion is abhorrent to the Spanish mind. Give me the suffering, bleeding Jesus on the cross. Or give me the all-powerful Jesus *pantokrator*. Or the Jesus who drinks with his disciples. But no delicate Jesus whose eyes are turned to heaven like Juliet would look at Romeo!

The Virgin cannot simply be abolished. There must be a place in the Spanish God for the feminine. I suspect one reason for the phenomenal growth of Pentecostalism among Spanish-Americans is that the Holy Spirit plays a motherly role in Pentecostal piety. It is the Holy Spirit who gathers the believer to its bosom and rocks him to ecstatic oblivion of all his wants and his cares. Although it is God the Father that provides all things in creation, it is the Holy Spirit that somehow turns this into spiritual nourishment for the faithful.

Incidentally, there is a long tradition from Ekeas in the second century to Berdyaev in the twentieth, which ascribes femininity to the Holy Spirit. And in the Spanish tradition the dove is not only a symbol of the Holy Ghost but also of unspoiled feminine innocence.

The Spanish language and culture is deeply aware of the great ifs of life. There is nothing of which we can be certain. A Spanish-speaking person, even one who can hardly be called devout, will say, "I'll be there tomorrow if God wills it," or "through the possible intervening action of God." That is why a Spanish-American may seem indolent to the activist, optimistic, Anglo-American. He is willing to work, yes. But he is not willing to put too much store on his own effort, lest he be disappointed. Today is important, but no matter how great our present effort, *mañana* is still an open question.

Mañana, with its unpredictability, has a liberating power which is difficult for the self-assured Anglo to understand. *Mañana* is not only the excuse of the lazy, it is also the hope and the comfort of the downtrodden.

Even if *mañana* brings no change in my present condition, at least today's hurts will no longer be so painful. *Mañana* has kept the pressures of today from robbing me of the joy of living!

Our subjunctive view of life also shapes our religion. While the most common sin of Anglo-Saxon Christianity has been activism, the most common sin of Spanish Christianity has been quietism. The only thing that allowed Spain to produce such active Christians as Ignatius of Loyola and Theresa of Avila was an overwhelming sense of authority which for these believers cancelled the ifs of life. Other great Spanish Christians—Antonio Montesinos, Pedro Claver—were moved by the challenge of immediacy. They moved to correct injustices, not with far-reaching plans full of ifs but with a concentration on their own particular concern which often made them blind to other implications of their actions.

The same is true about Latin revolutionary attitudes. A Latin revolutionary will not take it upon himself to conceive a plan for long-range action which will eventually bring forth a more just order. He rather places his faith in the blueprint of another—and it is significant that Latin America has produced many revolutionaries, but not a single significant Utopia—or he simply decides, out of the challenge of immediacy, that a certain condition must be changed—not changed into something, mind you, but simply changed.

In English you say "to be" whether you wish to refer to the very being of God or to the state of being drunk. We have two verbs for "to be" in Spanish, to distinguish the permanent from the transitory. Cultures which do not make such a distinction seem to us the epitome of confusion. They place permanent value on the transitory so that a man's being depends on what he has. And they seem to take the permanent as if it were transitory, so that there is little difference between a church and a club. By so doing, they seem to be deprived of both the free enjoyment of the transitory and the firm assurance of the permanent.

Now look at it from our point of view. There are not really two orders of "being," but two realities as distinct from each other as apples and oranges. They are not engaged in constant warfare against each other for the value conferred to one does not diminish the value of the other.

So we see no tension between "secular" and "religious." The genius of Spanish Roman Catholicism, for example, has been that it is *fiesta* Christianity. It is not gloomy or somber. It spills out of the dark churches into the colorful *procecion*, the day of the *santo patron* of a town, and a thousand other events. Traditional Roman Catholicism in the Spanish world is secular, not in the sense that it is not religious but in the sense that the distinction between the secular and the religious tends to be effaced.

This has been one of the main hindrances in the growth of traditional Protestantism in the Spanish world. It is too somber. It is too religious. It cannot rejoice in the world and enjoy it. The solution is not to become secularized. The solution within our context is for it to become religiously secular, and secularly religious.

AND WHAT OF TOMORROW?

Spanish-Americans are a people of *mañana*. (That means "tomorrow" as is well known. But it also means "morning" and, in everyday usage, "dawn.") We are a people of *mañana* because we have confidence that our *mañana*, our new dawn, has come.

The ideal of many a Spanish-American some years back was to be accepted by Anglo-Americans as one of their number. This is no longer his ideal. From the black man's struggles, and from his own traditional sense of

self-esteem, the Spanish-American now wants to be accepted as different, and appreciated precisely because he is different. And he does not wish to be accepted out of the kindness of Anglo society but out of the need which that society has for him. This does not mean that kindness will not be appreciated; but as long as kindness is necessary to accept a fellowman, there is still a hidden feeling of superiority.

Manana is today. Our new dawn has come. And we claim our place under the sun. This is what Cesar Chavez and his followers are saying through their boycotts; this is what Reyes Lopez Tijerina is saying through his legal action to recover lands in New Mexico and Colorado; this is what Herman Badillo is saying when he campaigns for mayor in the Bronx of New York City; and this may even be what quarterback Joe Kapp says every time he calls a football play!

ABOUT THE AUTHOR

The professor, in addition to being a teacher, is a writer and linguist who was born in Havana, Cuba, 34 years ago. Justo Luis Gonzalez is associate professor of World Christianity, Candler School of Theology, Emory University, Atlanta, Ga. He was written, edited, or translated nearly a dozen books in Spanish or English.

His talents as a linguist were severely tested, however, several years ago in Athens, Greece, when he stopped to ask street directions of a well-dressed stranger.

"Do you speak English?" Professor Gonzalez asked, only to receive a blank stare in reply.

"Parlez-vous francais?" the professor asked in Spanish-accented French.

Again the blank stare.

"Sprechen Sie Deutsch?" the professor asked in German.

No reaction.

"I then took a piece of paper and carefully wrote out in Greek the name of the place I was trying to find," says Professor Gonzalez.

The stranger took the paper, looked at it upside down, and then said in broken English:

"Sorry—me Spanish."

THE SCHOOLSTOPPERS TEXTBOOK

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ASHBROOK. Mr. Speaker, a group of radicals has issued a pamphlet "for people who want to fight back against their school." It is entitled "Schoolstoppers Textbook" and consists of 61 suggested ways to disrupt and destroy high school life. Some of the suggestions are incitement to crime—stealing, burning, and destroying school property. Some contain detailed instructions, complete with diagrams.

So that parents and educators may be forewarned, I wish to insert this evil pamphlet in the RECORD:

[First Edition, First Printing, January 1972—Schoolstoppers, Ann Arbor, Mich.]

SCHOOLSTOPPERS TEXTBOOK—FOR PEOPLE WHO WANT TO FIGHT BACK AGAINST THEIR SCHOOL

INTRODUCTION TO THE THIRD ATTEMPT

This is the third attempt that has been made to publish Schoolstoppers' Textbook in a pamphlet form. The first two times, the groups that were going to publish it later

changed their minds and refused. So now, it is being distributed and printed by a few people, independently of any existing group.

Because the content of this pamphlet is rather controversial, several people have suggested including a long introduction explaining exactly why the ideas in here are justifiable, and necessary. However, this pamphlet is not written for people who are not yet sure whether school is good or bad. It is written for students who realize the way that compulsory education destroys the curiosity so many children feel, who realize how the tracking system keeps the poor people and minorities in our society on the bottom while keeping the rich and powerful on top, who realize the danger of teaching complete obedience to authority, and who are fed up with the sexism and racism in schools. It is written for students who have "gone through channels" trying to correct these problems and who are tired of helplessly waiting while the schools destroy more and more minds each day.

Before trying any of the ideas in here, you should think about the effect that they will have in view of the situation in your particular area. Not all of them will be effective at all times in all areas. If you think of other ideas, please send them to us so we can print them in future editions of this pamphlet.

WHAT YOU CAN DO

1. Get a syringe (minus needle) or similar device. Mix both tubes of epoxy glue with a little rubbing alcohol. You now have about half an hour to fill locks, books, phones, door jams, etc. before the glue hardens. If you can't get the epoxy glue and syringe, a tube of airplane cement can also be used, although it's not as permanent.

2. Call the school and leave your phone off the hook. The way some (but not all) phone systems work, this will tie up their phone for as long as your's is off the hook.

3. Protest U.S. herbicide in Vietnam by defoliating the plants around the school. When the ecology freaks complain, as they undoubtedly will, ask them where they were when the U.S. was doing the same to Indochina.

4. Get some of the punch cards that your school uses for programming or taking attendance. Punch new holes in them, either with a keypunch machine or a screwdriver. Then switch the cards with others wherever they're stored. If you can figure out the code the cards are punched by, this has even more possibilities. You can often be just as effective without actually repunching the cards by just redistributing them a few days after you collect them (particularly when they're used for attendance).

5. Start an information service to let new students hear opinions and warnings about the teachers and administrators before enrollment day.

6. In gym classes, or in hallways between classes, have massive searches for "lost" contact lenses, telling people not to walk through the hall or "you might step on it."

7. If you still have a dress code, protest it by having everyone do something disruptive that does not violate the dress code. For example, dye your hair green with food coloring.

8. Free all animals in the biology classroom. Put them outside—if you leave them indoors, many of them (such as snakes and lizards) will get killed by hysterical teachers.

9. Appoint a student committee to write a consumers' report about the "education" they've been consuming. Distribute it to parents on open house night.

10. Periodically, have hoards of students go to the office to have some rumor confirmed or denied.

11. Perform citizen's arrests of administrators for destroying the minds of youth, then telephone the police to come and take the criminals into custody. (This could be a good guerrilla theater action.)

12. Rip off dishes and silverware from the cafeteria, towels from the gym, stencils and paper from the duplicating room, layout equipment from the art and drafting departments, tools from the wood shop, and light bulbs from the sockets. Give them to some movement group that needs them.

13. During lunch, turn on and light all gas jets in the science labs.

14. Demand to see your school records on file. (Everybody else can see them.)

15. You can make a very effective fuse by inserting a non-filter cigarette in a book of matches so that it touches the heads of some matches and will ignite them when it burns down that far. Then loosely crumple a sheet of paper around the matches and cigarette so that they are hidden. Toss it in a wastebasket or any other area with a lot of papers, preferably in the office. It takes five to ten minutes to ignite, and by then, you can be on the other side of the building. Practice this at home before trying it.

16. Have giant coughing and sneezing epidemics in class or study hall.

17. Rub lipstick, glue, vaseline or _____ onto the doorknobs to the administrative offices in the school.

18. Swallow some snake antidote, then walk into the principal's office. The antidote (most types are harmless—make sure you get that kind) won't physically harm you but it will make you vomit. Do so all over his carpet, desk, clothing, etc., then apologize profusely.

19. Pick up some dog-training liquid at any pet store—it smells like concentrated _____ And if you can't figure out what to do with that then you shouldn't be reading this.

20. Remove the contents of the teachers' mailboxes. Print any confidential or interesting notices you find.

21. Leave little notes and hints about "Tuesday's the day."

22. Impersonate parental voices and make irate telephone calls to the office.

23. Let a few skunks loose in the school. The dean needs the company.

24. Have everybody take out hundreds or thousands of library books over a period of a few weeks, then return them all at the same time.

25. If your school has suspended ceilings (that is, a ceiling composed of rectangles or squares resting on a frame, so that the rectangles can be pushed up), you can put dead fish, or anything else above them. Or put it into empty lockers and glue them shut.

26. Put signs on your locker saying "this locker will self-destruct if opened for inspection."

27. Give your school library a subscription to a good underground paper from your area, and insist that they make it available to students.

28. Do some revolutionary wall painting. All you need is a can of spray paint (red is a good color) plus a little imagination and courage. Then write your favorite slogans on walls, sidewalks, blackboards, desks, and windows. If you like, you can use a stencil, but that limits the size of what you can do. Wear gloves when doing this, as it's easy to get tell-tale paint on your spraying finger.

29. Print up false notices frequently, using the same format as the school uses, and distribute them to the teachers' mail boxes. Eventually, they'll never know what to believe.

30. Are certain administrators or teachers misbehaving? Print up a rat sheet with their names and phone numbers, and distribute it. Now students can call them up at any time to reprimand them—3:00 a.m., for example.

31. Break into your school at night and burn it down. To get inside, you can either hide in the building during the day and wait until the janitor leaves (check in advance to see what time that is), or come later at night and either force your way

through a door, find an open window, or break a window. If you use the latter method, do it a few hours or days in advance so that if it attracts attention, you won't get caught. Be careful not to leave fingerprints—wear gloves all the time if possible. Once inside, make sure the walls will light well by placing loose paper or wood around them, or squirting lighter fluid, kerosene or gasoline onto them. If a lot of burnable boxes are stocked in one area, spread them around. Start the fire from the inside of the building so it will take longer before it can be seen from the windows. Make sure the fire has a way to travel from one burnable area to another.

32. Get hold of a film to be shown at a school assembly, and splice in parts of another movie of your own choosing before the assembly. A little imagination on your part can make a very interesting day.

33. Clog up the drains of sinks with clay, then turn on the water right after everyone leaves school, so the place will fill with water and warp/rot the floors.

34. Teachers often leave gradebooks, conduct sheets, and attendance records unguarded. Help yourself!

35. Put up posters all around the school. To make them stick permanently, use Pet evaporated milk for glue.

36. Start wailing in the halls.

37. Call the phone company and tell them you want the school's phone disconnected immediately.

38. If you can't find any skunks, let chickens loose in the school. Or pigeons.

39. Carry, and pretend to sell, oregano rolled in papers and aspirin with the name filed off.

40. Walk into the school library and ask if they have any good books about how to make and use bombs.

41. You can short-circuit the school's wiring by taking a regular plug with a short cord attached, connect the two wires with a switch between them. Plug it in, turn the switch to on, and you've blown the fuse. Turn it off pull it out, and try another one. You don't have to use the switch but if you don't, sometimes the current will arc and weld the plug to the socket.

42. Ride a bicycle down a busy hall.

43. When some important person is speaking in the auditorium, get into the light box and turn the colored lights off and on.

44. Save your book reports, and essays, and give them to other students to use the next year or re-use them yourself with different teachers.

45. Flush different things down the toilets (preferably in faculty johns). Balloons filled with air, baseballs, M-80's, etc. all work well.

46. Start a campaign to have the letter Z appear everywhere as a mark of angry students. Write it in gradebooks, paint it on walls, scratch it into desks, and write it on the back of the principal's jacket.

47. Set up a fake school and hire away all the lousy teachers.

48. Leave phony letters of resignation from other administrators on the principal's desk.

49. Steal the programmed teaching kits and throw them in the river. Make teachers teach real.

50. Read the school list of expenditures, and reprint some of the dumber ones on a leaflet.

51. Take beer or any favorite drink to lunch in a thermos and pass it around.

52. During some important test (SATs, ACTs, etc.) on each section, have some students who is particularly good at that subject stand up and read off the correct answers for as long as possible. When they're finished or silenced, have someone else stand up and do the same. The test results will be worthless and it will have to be given over, at great expense to the school.

53. Take down the American flag in front of the school and put up one of your own.

The best way to do this is to lower the flag that's already up, replace it with your flag and cut the rope about a foot below where the flag is attached. Then tie a slip knot around the other end of the rope, making it fairly tight. Now pull on the end of the rope that is hanging down to raise your flag. At this point, there's no way your flag can be lowered without someone climbing up the flag pole.

54. Put alarm clocks in various lockers, with the controls set on "loudest". Set the alarms so that they'll go off about every ten minutes, then close and lock the lockers.

55. Have a group of people march around the school with a flag singing the Star Spangled Banner. Can you imagine the school trying to punish students for singing the Star Spangled Banner?

56. In a class where there is a rule against gum chewing or some equally stupid rule, have everyone blow a bubble at exactly the same time one day.

57. Many schools have automatic sprinkler systems, which go off automatically when sensors in the ceiling feel too much heat. Find the sensors, and hold a match up to them.

58. Persuade the graduating class to use their senior gift money for something useful, intelligent, or subversive.

59. Reprint *Schoolstoppers' Textbook* in your underground paper, or on a leaflet, or buy bulk copies and pass them around.

60. Demand that all equipment being stored rather than being used be made available to students.

61. If the school won't have a teacher evaluation, sponsor one yourself, passing out questionnaires to all the students so they can evaluate each of their teachers, then collect them and publicize the results to students, faculty, school board, and community.

INTERSERVICE RIVALRY COSTS BILLIONS

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ASPIN. Mr. Speaker, the United States needs a new close air-support aircraft in order to protect our troops engaged in combat. Rather than build one aircraft capable of fulfilling the mission of close air-support, three of the military services have recommended their own aircraft. The Marine Corps is currently purchasing Britain's vertical take-off fighter, the Harrier. The Army is in the final stages of developing its new Cheyenne helicopter, and the Air Force is in the middle of a developmental program for the new A-X close support fighter.

It is my belief, Mr. Speaker, that the United States should build one close air-support aircraft. The only possible reason for building more than one close air-support aircraft would be if it were needed to fulfill more than one mission. The fact of the matter is that there is only one mission. As a result of what I find to be inexcusable, interservice rivalry, three of our military services are each promoting their own aircraft. The only result can be duplication and waste. If the United States completes the development and procurement of all three

aircrafts, we will spend a total of \$4.4 billion. Any one of the three systems could be developed and procured for considerably less.

In this year's authorization legislation, the Armed Services Committee removed \$13.2 million of advanced procurement engine funds for the Army's Cheyenne helicopter. The committee in its majority report said that it would consider the reprogramming of the \$13.2 million after the completion of a study by the then Under Secretary of Defense David Packard. Mr. Packard's study found that all three of the airplanes had a mission to fulfill. I cannot agree. As a result, I have called upon Secretary of Defense Melvin Laird to choose one of the three proposed programs for development and procurement. It is foolish and wasteful for this Nation to spend \$4.4 billion on three overlapping systems.

This year's defense budget will probably rise as much as \$5 billion in terms of new total obligational authority. The building of these three systems can only drive upward an already unbelievably huge defense budget. Thus, I have called upon Secretary of Defense Laird to choose one of the systems. With both our defense and nondefense needs so great, we can no longer afford to encourage interservice rivalry by needlessly spending billions of dollars.

The letter follows:

JANUARY 14, 1972.

HON. MELVIN LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MR. LAIRD: I recently read a General Accounting Office report entitled "Close Air Support: Principal Issues and Aircraft Choices". I was surprised to learn that, in effect, three of the military services are developing aircraft to fulfill the same mission. If all three programs are fully funded, the total bill will be \$4.4 billion.

The reason I am writing to you today is to urge you to select one of the three airplanes for further development and production before over \$4 billion is wasted as a result of childish inter-service rivalry.

The single mission of close air support should be fulfilled by one service and one aircraft. Simply put, only one plane is needed. I believe that the Defense Department must make a decision soon, before the military builds duplicate and overlapping systems.

The parallel funding of the Air Force's A-X, the Marine's Harrier and the Army's Cheyenne helicopter is principally the result of inter-service rivalry, rather than the need for three systems to fulfill the same mission. Unless this rivalry is put to a stop, the United States will have three planes costing a total of \$4.4 billion all doing exactly the same job.

The defense budget of the United States is continuing to rise. Press reports indicate that the Department of Defense plans to request an additional \$200-\$300 million for the fiscal 1972 budget. Clearly, the fiscal 1973 budget request will be in excess of \$80 billion. I fear that, unless curbed, this crazy inter-service rivalry will drive upward an already unbelievably huge defense budget. Thus, I request that you review all three programs and select one of them to fulfill the close air mission.

Thank you for your cooperation.

Sincerely,

LES ASPIN,
Member of Congress.

RED CHINA AT THE UNITED NATIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ASHBROOK. Mr. Speaker, I wish to comment on a serious matter that concerns the administration, the United Nations, and the Chinese Communist mission to the United Nations. Until about a year ago, the Chinese Communists spent considerable time making it abundantly clear that they would not accept membership in the United Nations until its rules were changed to suit their revolutionary fancy. This was understandable because in 1951 the membership of the world body had found the Peking regime guilty of aggression in Korea and then, 10 years later, in 1961, the United Nations upheld the International Council of Jurists in their findings that Red China had committed genocide in Tibet. We know that in 1971 these crimes, as well as a host of others, were, with our Government's assistance, swept under the United Nations' carpeting; and there was great joy and dancing in the General Assembly as the men from Peking were welcomed and a charter member of the world body—the Republic of China—was sent packing.

That was several months ago, and at that time we read, and have continued to read, of the moderate manner in which the Peking delegation assumed its new role. Yes. A new member had been admitted, and an old member had been tossed out, but nothing had really changed.

Unfortunately, we now know that such is not the case. Surprising to some, the moderate men from Peking are not all that moderate. And the rules of the Charter, Mr. Speaker, which were broken to bring their admittance, they are now busily violating in their own avowed fashion. What is equally disturbing to me is the fact that the information I am about to relate has been largely ignored by the media, the State Department, and the U.S. mission at the United Nations.

Article 100 of the U.N. Charter states the following:

In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the organization.

The article further states:

Each member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Mr. Speaker, the vital importance of this article to both the character and the operations of the United Nations is obvious. While we all know the U.N. is made up of power blocs and that amongst the Secretariat employees from Communist nations, first allegiance is always to the homeland, it has been tacitly

recognized by all, that if member nations were to attempt to bring pressure and influence to bear on their nationals in the Secretariat, the world body could not function; it would soon disintegrate.

Bearing that in mind, I would like to draw your attention to the following chain of developments. In early December, the Chinese Communist mission gave a cocktail party for the 160 Chinese working in the U.N. Secretariat. All of the 160, of course, had been recruited by the Secretariat and about 85 percent of them hold passports from the Republic of China. Hosts for the party were Chia Kuan-hua—She-kwan-wha—and Huang Hua—whong-wha—Red China's two top men at the U.N. The party was a great success. Those assembled were assured they had nothing to fear about their job security. Offers of assistance to visit the mainland were made, as well as help in locating relatives. The guests went home full of un-Marxian Christmas spirit.

About 2 weeks ago, on January 8, key members of the Chinese translation section of the Secretariat received a telephone call from their deputy chief, informing them that they had been re-invited to visit the Roosevelt Hotel where the Communist mission is lodged. There were 17 ranking members of the section who were summoned, and they were headed by their chief, Che Chu-yin. Let me point out that Mr. Che has been with the Secretariat for 25 years and, as chief of section, holds a position not far removed from assistant secretary.

This meeting was completely different from the December affair. The 17 were received by several members of the Communist Chinese mission, who for 4 hours lectured and threatened them. From some of those present, who refuse to allow their names to be used publicly for fear of reprisals, we know that the assembled were told to forget the idea of being international civil servants. They were warned that before the revolution those holding secure jobs were considered to have "iron rice bowls." Actually, they were considered to have gold bowls. But, in the new era, there was no such thing as an iron rice bowl, and the only way anyone could be sure of his security was by wholeheartedly serving Mao and the people. They were reminded that the new Secretary General, Kurt Waldheim, could not have gotten his job without Peking's concurring vote.

Of possibly even broader significance, Mr. Che was attacked for the failure to submit to the Chinese Communist mission a list of translators and interpreters who will be assigned to work at the U.N. Trade Law Conference, to be held in Chile next summer. Che had no obligation to submit the list which, of course, is an internal U.N. matter. Nevertheless, Che was told that his neglect to do so was inexcusable.

On the subject of translation, the 17 were lectured that they needed to improve their work, which was unsatisfactory as far as the Red Chinese were concerned. In this regard, all U.N. translations are supposed to be written in a straightforward objective manner, the purpose being to try to avoid partisan

interpretation. Not so in this case. The 17 were informed it was not important to keep in mind the simplified Chinese characters but how to "grasp the direction of thought" to find the correct political stand and then hold to it.

As for reading material, the guests were ordered to start doing some diligent studying of Chinese Communist publications, such as the People's Daily and the Peking Review. They were also instructed to organize into cells and conduct criticisms of each other in periodic meetings. This, of course, is the way it was done on the mainland. It is called the process of struggle, criticism, and transformation, and what it adds up to is terror. The 4-hour meeting ended on such a note when the principal host said:

We won't talk about the problem of your passports now.

The next day, the 9th, Mr. Che called a meeting of the entire 70-member Chinese translation section. All attended, where the complete minutes of the Roosevelt Hotel Sunday meeting were read and Mr. Che invited criticism of his leadership. Mrs. Suzanne Forgues, a French national, who is director of translation services of the U.N. Secretariat, knew of the meeting and its purpose—which in itself was, of course, a violation of article 100.

There the matter lay until the 12th when U.N. correspondents, having gotten wind of the affair raised the question at the daily press briefing. The U.N. press officer, a Mr. William Powell, admitted that the meeting had taken place by invitation. He explained, however, that the get-together related to new Chinese terminology, documents waiting for translations, and how the translation service might be improved. He said that the meeting had been "a bit unusual" and that so far as he knew, no oral or written report on the subject had been submitted to the Secretary General.

A bit unusual indeed, Mr. Speaker. I have it on the most reliable authority that Chinese Secretariat employees have been thoroughly frightened and many of them are cowed and despondent. Mr. Che is no longer reporting for work. He had decided to resign, but was prevailed upon by his superior to take some leave instead before making a final decision. As I view it, the problem these people see threatening their security is not just this latest act alone. It is a series of acts, and one in particular that took place just prior to the Roosevelt Hotel meeting. It occurred when direct Red Chinese pressure against two accredited U.N. news correspondents from Taiwan brought summary eviction from the U.N. by U Thant in one of his last official decrees. This was done via the U.N. legal department which had ruled before the admittance of Peking that under no circumstances could the pair be fired. Once Red China came in, the two correspondents were thrown out and the new Secretary General has upheld the ruling. Naturally, Chinese Secretariat employees now see no support either within or without the U.N. for their increasingly precarious position. What they can see clearly enough is that those among them who

do not shape up and knuckle under the Peking's direction are going to be forced out, too.

And when I say no support from without, I am referring to our own position in these matters. As the country that pays 41 percent of the U.N.'s bills, it seems to me we could make at least 1 percent of a protest. But all we hear is a serene stillness from Ambassador Bush at the U.N. mission, from Secretary Rogers at the State Department, and even Jack Anderson has not been able to supply us with Mr. Kissinger's secret thoughts on the matter. It is really no joking matter, and the silence from the Government and the press is indicative of an attitude that seeks to ignore those things that prove its judgment in error.

These men who are here from Peking know their business. They have come here with an avowed purpose. They have said they would change the U.N.'s rules to fit their special needs and they are doing it. Worse, they are getting away with it. The excuse for the administration's lack of response may be that the incident is not a large enough one over which to raise an outcry because it might jeopardize the President's forthcoming journey to Peking. That is the whole point, Mr. Speaker. The men in Peking know how much the President wants to make his trip, and they know how far they can go in their designs and still be sure he will come. What has happened at the U.N. is simply a manifestation of this fact and our failure to act on it.

RARICK REPORTS ON DECLINING STRENGTH OF THE U.S. NAVY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. RARICK. Mr. Speaker, I recently reported to the people of my district on the dwindling strength of the U.S. Navy when compared with that of the Soviet Union.

I submit the following report:

DECLINING STRENGTH OF THE U.S. NAVY—RARICK REPORTS TO HIS PEOPLE

Recently, I attended a briefing by the Chief of Naval Operations, Admiral Zumwalt, on the declining balance of naval strength of the United States when compared with Soviet Russia.

Because of the precarious times in which we live today and the imperative need to beef up our defenses at once to protect our lives and property, I felt that you would like to hear a résumé of the briefing and my suggestions as to what should be done to improve our military posture.

The military and maritime situation of the United States is changing. It is vital that we Americans understand the nature and the extent of the change and its implications for the future welfare of our country.

Soviet naval and maritime power is on the increase. This represents a new dimension in world affairs. Few Americans have sensed that it has already changed the secure viewpoint from which we have observed world affairs since 1945.

NUCLEAR PARITY

One factor is nuclear parity. Superior nuclear arms and naval strength were the military factors which tipped the balance in our favor in the '50's and '60's. Today, we no longer possess superiority in nuclear arms. Soviet nuclear arms are on a par with ours, and we are involved in a nuclear stand-off where neither nation dares to use its nuclear capability for fear of devastating reprisal.

The main effect of this stand-off is that the United States must look once again to conventional forces to provide the means of protecting our national interests. Without strong conventional forces, we have only two options where our interests are threatened: engage in nuclear war, or back down.

In light of nuclear parity: The capabilities and readiness of our conventional forces are now of greater importance because for the foreseeable future it will be conventional rather than nuclear forces which will be the deciding factors where U.S. and Soviet interests conflict.

Another factor I have mentioned previously—Soviet naval and maritime expansion.

Since we no longer possess nuclear superiority, Soviet naval expansion threatens to negate our sole remaining capability to support our alliances and to protect our commerce.

This Soviet naval growth can be traced directly to the Cuban missile crisis of 1962, when the weakness of the Soviet navy forced them to back down in the face of a U.S. show of strength.

Since then, the Kremlin has allocated vast resources to naval programs. To illustrate, between 1966 and 1971, when the U.S. produced 88 combatant and amphibious ships, Soviet shipyards produced over 200. The Soviet fleet approaches the U.S. fleet in total numbers of combatant ships.

Two of the products of their development and shipbuilding directly threaten the ability of the United States to use the seas. These are the expanding Soviet anti-ship missile and submarine forces. They exist and are increasing in such quantity as to make the adequacy of our counter-forces questionable. Anti-ship missile launching platforms have increased four-fold since 1960. The Soviet submarine force numbers over 300 attack and cruise missile submarines as compared to the 57 which the Germans had at the beginning of World War II. Not counting ballistic missile types, the Soviets passed us in total nuclear submarines in 1963.

Do you see what such naval strength means to our continued use of the seas? This is what causes our naval planners the greatest anxiety—not that we would lose a battle if it occurred between the two fleets, but that we could be denied the use of the seas for commerce and seafight. We would not even have to come to open conflict. As soon as they are reasonably sure of the outcome, the Russians are free to try a Cuba in reverse, possibly in the Mediterranean.

I might also add that the Soviets have already passed us in total number of merchant ships and are overtaking us in terms of total tonnage. More than half of the Soviet merchant fleet is less than 10 years old—over half of ours is more than 20 years old. And the Soviet merchant fleet is centrally controlled and coordinated by the state. Therefore, it is completely responsive to foreign policy and available to bolster the Navy.

Nowhere has the influence of the Soviet Naval buildup been more markedly demonstrated than in the Mediterranean and Indian Oceans. In the Mediterranean the Soviet naval ships, now categorized as the Soviet Mediterranean Fleet, surpassed the Sixth Fleet in total annual ship days within the area by mid-1969. The increasing presence of Soviet ships has contributed to a demonstrable change in the political alignments of the region.

And in the Indian Ocean a similar situation is developing. The Soviet naval presence there became continuous in 1969. Now it exceeds ours by a factor of two.

In the face of the Soviet naval expansion, our own navy is encountering a reduction in strength and resources. This is another factor which inhibits restoration of a satisfactory balance of naval power.

Since FY 1968, Navy budgets declined 11% in terms of buying power of FY 1972 dollar, as defense matters have been accorded less precedence in national planning.

The effects of recent budget cuts on naval forces is demonstrated in force data comparisons between 1965 (prior to the Vietnam buildup) and 1971. Since 1965, the Navy has been forced to reduce 25% of its ships, 20% of its combat aircraft, and 7% of its total personnel. Reflecting the inertia attached to consolidation of the shore establishment, civilian personnel of the Navy have increased by 4% in the period.

The Navy, of course, is adjusting as best it can to the shortages of manpower, ships and equipment. But, all of the Navy initiatives taken together do not offset the effects of recent force reductions in the face of the onrushing Soviet naval expansion.

In light of the kinds of forces we need, what is the adequacy of our Navy today?

The supplemental statement to the President submitted by seven members of the Blue Ribbon Defense Panel stated:

"The Soviet naval buildup . . . is a major element in the shifting balance of military power. Although not itself a direct threat to the United States (except the submarines), the new and growing Soviet naval strength affects adversely the diplomatic and economic position of the United States throughout much of the world. It also threatens an historic American policy, namely, freedom of the seas."

The Joint Committee on Atomic Energy made up of 9 Senators and 9 Congressmen has issued an ominous warning:

"The United States, unless it moves quickly to counter a rapidly expanding Soviet naval threat, faces a future in which it will have to surrender to the Soviets on all issues or risk nuclear annihilation. Any delay may mean no future."

In addition to these warnings, foreign writings have noted the shifting balance of naval power and have expressed concern over the future of their alliances.

In my opening remarks, I said that Americans must understand the nature and extent of changes in our military and maritime situation and also their implications with regard to our welfare.

No one can foresee the future with absolute certainty, but there are certain assumptions which can be drawn from the facts as they are known today.

For instance, it is generally considered that, so long as an approximate parity in nuclear delivery and defense systems exists between the U.S.S.R. and the U.S., nuclear war is not likely between them. The awful results to the people of both nations would make initiation of nuclear attack an irrational act.

The Kremlin may therefore be expected to seek to achieve its objectives short of nuclear war. And, for the first time in modern history, the door is ajar for Russia to break free of the entanglements of encircling land alliances and to spread power and influence toward historical objectives in the Middle East, Asia, and even in Europe.

What can we expect the Kremlin to do in such circumstances?

They will avoid nuclear war.

They will continue their build-up of nuclear weapons.

They will continue their naval expansion in blockade and missile forces.

They will attempt to capitalize on political unrest in Eurasia and Africa.

They will increase "showing the flag" and

continue "gun boat diplomacy" in Eurasia and Africa.

They will foster Communism worldwide through aid and subversion.

When they are ready, they will confront us with superior force in a place like Israel or Korea and we will be forced to back down.

If I have shocked you by saying that this great nation of ours is approaching a point where it could be faced down at sea, such was my objective. I feel it my duty to give you the facts so that you may understand the situation.

In the final analysis, the Navy is the deciding military factor which enables the United States to be an international power.

This is not to belittle the vital contributions made by the other services to the combatant strength of the country. On the contrary, the contributions of the Army, Marines, and Air Force are willingly conceded.

But, it is the unique functions of the Navy which permits the United States to be an international power.

Having heard the deplorable status to which we have allowed our naval strength to deteriorate and the repeated insinuations by the Chief of Naval Operations that the Soviet Union is our adversary, it is only proper that one should ask: "Well, what do we do about this sorry state of affairs?"

First, the Congress should appropriate the necessary funds to bolster our Navy as well as the Army, Air Force, and Marine Corps—regular and reserve forces—to provide adequately for the common defense. Secondly, the Congress should reassert its power to declare war so that our fighting men will know who the enemy is they are fighting and so that the country can unite in their support. While the Chief of Naval Operations tells us that the Soviet Union is our adversary and is escalating its armed might, the President seeks favored nation trading treatment for the Soviet Union and more spending in social programs. And, finally, our military should never be committed where they are not to be allowed to conclude wars with victory as quickly as possible using conventional weapons.

For if we lose our will to defend our liberties, we lose our country, our civilization, our all.

CANCER INSTITUTE DIRECTOR
VISITS CENTER AT BUFFALO

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. DULSKI. Mr. Speaker, the National Cancer Act of 1971 was signed into law last month, setting the stage for a massive national effort to find a cure for cancer.

Over the years, medical science has made great progress in cancer research and treatment.

I am particularly proud of the great achievements which have been made in my home city of Buffalo, N.Y., at the oldest and one of the largest cancer centers in the Nation, Roswell Park Memorial Institute.

During the hearings last fall on the cancer legislation by the House Subcommittee on Public Health and Environment, one of the witnesses was Roswell Park's director, Dr. Gerald P. Murphy. Later, the subcommittee concluded its hearings with an on-site session at Roswell Park which was combined with an inspection of the facilities.

Last week, the director of the National Cancer Institute, Dr. Carl Baker, visited Roswell Park for 2 days where he met with the excellent staff and saw the State-backed institution in full operation.

Dr. Baker described the Roswell Park facility as "one of the great cancer research centers in the world."

Mr. Speaker, as part of my remarks, I include the texts of news stories on Dr. Baker's visit:

[From the Buffalo Evening News, Jan. 14, 1972]

CONQUEST OF CANCER IS FORESEEN BY HEAD OF U.S. RESEARCH DRIVE
(By Mildred Spencer)

Victory over cancer through a concerted national effort is a realistic goal, the director of the National Cancer Institute said here today, even if scientists do not yet have all the basic knowledge needed to achieve it.

Dr. Carl Baker, who is visiting Roswell Park Memorial Institute today and tomorrow, agreed that scientists must learn more about control mechanisms in cells—"what turns on and what turns off the cancer cell"—before the cancer effort will be where the space effort was when the first national space program got under way.

But he believes that knowledge in the cell field is increasing so rapidly that discovery of "this last link in the puzzle" is close at hand.

FUNDING DECISION TO COME

The federal government has approved an acceleration of the attack on cancer over the next three years with a maximum budget of \$1.6 billion. The actual allocations must be approved individually each year.

"The government has said," Dr. Baker pointed out, "that we can have up to \$1.6 billion. That is no assurance that we will get that much. We shall have to justify the need for the funds as we have had to do in the past."

"Nor will the increase in federal funds cut down on the need for funds from state, local and private sources. The federal government will still want assurance that these other agencies are contributing—that they care enough for programs in their areas to give them their support."

The new national cancer plan has seven main objectives, the Washington-based scientist pointed out. They are:

To identify cancer-causing agents and protect people against them.

To modify individuals, for example by vaccination, so that they are less likely to develop cancer.

To prevent the conversion of normal cells to those capable of forming cancer.

To prevent cells capable of forming cancer from doing so.

To accurately estimate the risk of cancer in individuals and groups as an aid to preventing or curing it.

To cure as many patients as possible and control the disease in those who cannot be cured.

ON PLANNING TEAMS

Dr. James F. Holland, chief of medicine at Roswell Park, is chairman of the planning group concerned with the sixth objective, that of curing patients. A number of other Roswell Park Scientists also are serving on the planning teams.

The director of Roswell Park, Dr. Gerald P. Murphy, is working with Dr. Baker and the heads of other cancer institutions, to set up a managerial plan for the program. Dr. Murphy has been recommended as a member of a three-man panel to direct the over-all administration.

Dr. Baker had high praise for Roswell Park Memorial Institute, which he called "one of

the great cancer research centers in the world."

[From the Buffalo Courier-Express, Jan. 15, 1972]

ROSWELL VISITOR SEES TIDE TURNING IN WAR ON CANCER

(By Deborah Williams)

Dr. Carl Baker, director of the National Cancer Institute, Friday predicted that the conquest of cancer is a realistic goal even though scientists have much more to learn about the actual control of cells.

The national cancer director was here visiting Roswell Park Memorial Institute Friday and today to view new facilities at the institute and speak with scientists.

LAST LINK

"Cell control is the last link in the cancer puzzle and although we are not quite there a concentrated national effort can achieve that goal," he said.

President Nixon recently signed a \$1.6 billion bill to finance a three-year cancer program which will stress research but also will provide for the early detection of oral, cervical and breast cancer and authorize creation of additional cancer institutes.

HEARINGS ON FUNDS

However, Dr. Baker stressed that no money has yet been allocated under the program and congressional hearings still must be held to determine how much money actually will be appropriated.

He said that a group of Roswell Park scientists including Dr. Gerald P. Murphy, director of the institute have been meeting with other top cancer scientists throughout the country to draw up a list of objectives to be followed in attacking the cancer problem.

They are:

REDUCE EFFECTS

—Identifying the cancer causing agents such as chemicals, radiation and viruses.

—Determining what can be done to the host individual to reduce the effects of the cancer causing agents.

—Determining the transformation process a cell undergoes from normal to cancerous. Dr. Baker said scientists are particularly interested in this aspect of the problem.

POPULATION GROUPS

—A systematic study into various population groups to determine why certain groups seem to be more susceptible to certain types of cancers. This objective would also involve improving detection and diagnosis.

—Evaluation of cancer therapy, Dr. Baker said that Roswell Park has been a forerunner in developing evaluation techniques among its patients.

—To cure as many patients as possible and control the disease in those who cannot be cured.

HOLLAND CHAIRMAN

—Rehabilitation of cancer patients including cosmetic, psychological and physical.

Dr. James F. Holland, chief of medicine at Roswell Park, is chairman of the planning group concerned with the objective of curing patients.

Dr. Murphy emphasized that it is not the intention of the federal government to supply federal funds in place of existing local support for cancer research programs.

EXPAND FACILITIES

"We hope to qualify for federal funds under this program and use them to expand our facilities and research programs," he said.

Dr. Baker praised the tremendous support the State of New York has given to Roswell Park over its long history and termed it "one of the great cancer research centers in the world."

He stressed that the cancer bill will not be primarily concerned with the delivery of

medical care to cancer patients because that is part of a much broader problem which the federal government is presently wrestling with.

"However we hope to work with various public health agencies especially in the area of prevention," he said.

I WONDER WHO IS KISSINGER NOW?

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. SCHMITZ. Mr. Speaker, with all the news reports these past few months of the multifaceted abilities of Presidential Adviser Henry A. Kissinger and his vaunted expertise in dealing with the Peking Communists, many concerned Americans have been asking themselves how in the world such a relatively unknown personality could have moved so fast in so short a time to become at least the second most powerful official in Washington.

Born in Germany in 1923, and emigrating to America in 1938, Kissinger was appointed Director of Nuclear Weapons and Foreign Policy Studies for an organization known as the Council on Foreign Relations—CFR—in 1955. At the urging of a fellow Harvard professor, William Yandell Elliot, Kissinger became a member of the Council on Foreign Relations and a contributing editor of its influential monthly publication, *Foreign Affairs*.

Professor Elliot was one of a sizable number of CFR members whose names had cropped up in 1953 during hearings conducted by the Senate Internal Security Subcommittee into the activities of the Institute of Pacific Relations. After thorough investigation the IPR was found to be "an instrument of Communist policy, propaganda, and military intelligence." To quote further from that Senate report:

Members of the small core of officials and staff members who controlled IPR were either Communist or pro-Communist.

In 1957, with the publication of his book "Nuclear Weapons and Foreign Policy," Kissinger came to the attention of the then Vice President Richard Nixon and other top Government leaders. He was moved up a notch by fellow CFR member Nelson Rockefeller—whose protegee he has been since 1954—to become Rockefeller's chief foreign policy adviser. Then, oddly enough, Kissinger was chosen to compose position papers for the Democrat presidential candidate, Senator John F. Kennedy, who in the months to come followed Kissinger's advice on the Berlin crisis, urging the President to "enter negotiations with the Russians."

While serving the Kennedy administration as a consultant, Kissinger participated in a "Pugwash Conference," hosted by Soviet Apologist Cyrus Eaton, whose son later teamed up with Kissinger's boss Nelson Rockefeller to form a corporation which would "spur trade" with Communist nations and make American patents available for their use.

In March 1964, Kissinger reportedly attended a high-level meeting of international bankers, industrialists and diplomats at Williamsburg, Va. Known as the Bilderberg Group—named for their first meeting in 1954 in the Bilderberg Hotel at Oosterbeek, Holland, this powerful coterie of wealthy figures has been meeting secretly to discuss formation of a one world government. As a member of this group, Kissinger in 1965 advocated formation of a regional world government in his book "The Troubled Partnership" at the time he was also advising President Johnson to strive toward "a surrender of nationhood" and supervising secret talks with the Hanoi Communists as an adviser on Vietnam for the State Department. Indeed, it was through Kissinger's urging that Johnson called off all strategic bombing of North Vietnam, thus allowing the Reds another privileged sanctuary in Indochina.

In November 1968, shortly after the election of Richard Nixon, Kissinger was appointed by the President-elect as his top national security advisor. He was to work in the same capacity for Mr. Nixon as CFR member McGeorge Bundy had worked for President Kennedy and as CFR member Walt W. Rostow had worked for President Johnson. In January 1969, Kissinger made his foreign policy views crystal clear in an issue of the CFR publication Foreign Affairs, where he advocated that South Vietnam form a coalition government with Communist Vietcong participation. In the months that followed he arranged for the Rand Corp. to draw up a study for the purpose of outlining plans to restore political, economic, and cultural relations with Communist Cuba. He then played a major role in inducing the National Council of Churches to call for dropping the U.S. quarantine of Cuba and reestablishing diplomatic relations with Fidel Castro. Kissinger even went so far as to order a feasibility study to be drawn up to see how the anti-Communist government of Brazil might be overthrown.

Each year for many years a number of top U.S. Government officials have been invited to attend an annual celebration of extreme importance at the Soviet Embassy in Washington, D.C. A picture in the Washington Post of November 6, 1971 shows two grinning men with raised champagne glasses. The caption reads:

Presidential advisor Henry Kissinger toasts the health of Soviet Ambassador Anatoly Dobrynin. . . .

He was attending a celebration at the Soviet Embassy for the 54th anniversary of the Bolshevik Revolution. Kissinger had just the day before been named by the President to head the new National Security Council Intelligence Committee—the most important and powerful post in our Government, second only to that of President. Kissinger's cordiality was of singular interest since according to the FBI Ambassador Dobrynin is the most dangerous KGB agent now operating in the United States—the head of all Soviet espionage activities in our Nation.

PEACE AT ANY PRICE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ROONEY of New York. Mr. Speaker, on the day before yesterday, January 18, 1972, there was inserted at page 199 of the CONGRESSIONAL RECORD of that date an extension of remarks by one of our colleagues which included a pastoral issued by His Excellency, the Most Reverend Carroll T. Dozier, the Roman Catholic bishop of Memphis, Tenn. The member who inserted this pastoral described it as "extraordinarily fine," but failed to indicate that it did not state the true Catholic position and that Bishop Dozier's position on the Vietnam war was clearly contradicted in an interview of His Eminence John Cardinal Krol, president of the U.S. Bishops' Conference on the NBC television network last January 9.

In this connection, I include with these remarks an extraordinarily fine newspaper article by the Reverend Daniel Lyons, S.J., entitled "Peace at Any Price Preached by Bishop," published in the Sunday, January 16, 1972, issue of the National Catholic Register:

PEACE AT ANY PRICE PREACHED BY BISHOP (By Father Daniel Lyons, S.J.)

In contradiction to his fellow bishops, the Most Rev. Carroll Dozier of Memphis, Tennessee, has called for immediate, unconditional, unilateral withdrawal of U.S. troops from Vietnam. His statement appeared in Commonwealth magazine December 24, apparently written almost immediately after the U.S. bishops made their official statement that the war be ended as soon as it reasonably can. His 5,700 word statement was read in all the parish churches in Memphis.

Bishop Dozier, who was installed as the first bishop of Memphis last January, disagreed substantially with the position of his fellow bishops. He called for an end to the war immediately, regardless of what might happen to our POW's, regardless of whether South Vietnam and other countries might be conquered as a direct consequence.

The Memphis bishop declared that "war is no longer tolerable for a Christian." He made the declaration despite the statement of Pope Paul at the United Nations that "as long as man remains as he is, defensive arms, unfortunately, will be necessary."

In calling for peace at any price, Bishop Dozier placed peace above justice, though Pope Paul the same week condemned "the appearance of peace" imposed "by the use of force." In his now famous, January 1st statement: "If you want peace, work for justice," the holy Father challenged the notion that peace resulting from conquest or tyranny is true peace. Peace worthy of the name must be stable, explained Pope Paul, and it must be "a just and human peace."

There is no peace where it exists with force, explained the Pope. Strongly condemning "irrational despotism" and "coercive repression," the sovereign Pontiff cried out: "How false was the peace imposed only by superiority of power and force."

"Peace is not treachery," he insisted. "Peace is not a lie made into a system. Much less is it pitiless totalitarian tyranny." It is difficult, but essential, he said "to form a

genuine idea of peace." Explained Pope Paul: "A peace that is not the result of true respect for man is not true peace. And what do we call this sincere feeling for man? We call it justice." He lamented: "Why do we waste time in giving peace any other foundation than justice?"

Yet Bishop Dozier calls for surrender no matter what the price. He said nothing about protecting the 15 million people in South Vietnam from a Communist takeover. Quite the contrary. He unjustly condemned all South Vietnamese soldiers as mercenaries, and even complained that Vietnamization is using South Vietnamese soldiers to keep that country free.

Peace at any price? Not even the South Vietnamese, according to the bishop, should defend their freedom against unjust aggression. The bishop went so far as to encourage all Catholics to write their elected leaders, encouraging them to end the war in Vietnam immediately, regardless of the consequences.

The bishop does not call for the peace with justice of Pope Paul. He calls for the peace of Communist prisons, the peace of the firing squad, peace without any regard for justice. To call that peace is a farce.

Bishop Dozier has asked his priests "to make our pulpits beacons of truth pointing to peace. Sermons must be given," he declared. But must the sermons be based on the truth as he interprets it? Or may they contradict his views and follow the official position of the U.S. bishops?

May the priests contradict their bishop's interpretation and use instead the truth as spoken by the bishops in Vietnam, whom I have often consulted? May they use the truth as told them by chaplains and laymen who have spent years and risked their lives in Vietnam, the vast majority of whom believe South Vietnam should be defended?

May the priests in the diocese of Memphis base their views on that classic statement of the Second Vatican Council, which the U.S. bishops quoted with approval a few years ago, that soldiers who fight against aggression are "instruments of security and freedom on behalf of their people."

The reason Bishop Dozier was not able to get his fellow bishops to agree with him at their recent national conference in Washington is that his is not the true Catholic position. According to his views on pacifism, not even the police are permitted to defend innocent children.

His position was clearly contradicted, in a special interview of Cardinal Krol, president of the U.S. Bishops' Conference, on the NBC television network January 9th. In the interview the Cardinal explained why the bishops refused to adopt such a position as that taken shortly after their meeting by Bishop Dozier.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

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.

STATE DEPARTMENT DECEPTION
ON CAMBODIA REFUGEES**HON. LES ASPIN**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. ASPIN. Mr. Speaker, on December 15, I called upon Secretary of State William Rogers to immediately provide refugee relief for an estimated 2 million Cambodians who have been driven from their homes since the war in Indochina spread into that country.

I have received a response that I find quite frankly, unbelievable. The Department of State asserts that few, if any, refugees have been created by the bombing of Cambodia. This is simply not true. A still unreleased GAO study reveals that at least 2 million Cambodians have been driven from their homes, and the war has resulted in 30,000 casualties. Since March, 1970, the United States has run tens of thousands of bombing sorties over Cambodia. There is no doubt that thousands of Cambodians have been driven from their homes as the result of American bombing. Yet, the administration is unwilling to accept any of the responsibility for a refugee problem that it has enlarged and, in part, created.

Not only does the State Department claim that we are not responsible for the creation of the refugees, but they also claim that the Cambodians have not asked for help. The Cambodians have asked for help, but on an informal basis. Their pleas have been rejected and, at one point, the Cambodian government was advised to seek refugee aid from the Soviet Union or Japan. It may be true that the Cambodians have not made a formal application for aid. It surely would be foolish for them to make a formal application after the informal pleas have been totally rejected.

On the basis of what I find to be a totally unsatisfactory response to my request for aid for Cambodian refugees, I have renewed my appeal to Secretary of State Rogers to provide relief for 2 million innocent Cambodians. I believe that it is high time that this administration faced up to the fact that it bears much of the responsibility for Cambodia's refugee problem.

The letters follow:

JANUARY 10, 1972.

HON. WILLIAM P. ROGERS,
Secretary of State, Department of State,
Washington, D.C.

DEAR MR. ROGERS: Thank you for the response to my letter of December 15 regarding refugee relief funds for Cambodia, which was written by Mr. Harrison M. Symmes, the acting Assistant Secretary for Congressional Relations.

Frankly, I am surprised by both the content and the tone of the letter. As a result I am writing today to renew my request for the re-programming of funds and the necessary provision for new funds for the relief for an estimated two million Cambodian refugees.

I disagree with the Department's assertion that "few, if any, refugees" have been created by our bombing of Cambodia. At least 20,000-30,000 have been killed or wounded in the fighting in Cambodia. Many of them undoubtedly have been victims of our bomb-

ing. Thousands of others have fled from their villages as a result of both American bombing and invading North Vietnamese/Viet Cong. I believe that it is unconscionable for the American government to disclaim all responsibility for millions of refugees while our bombers continue flying hundreds of sorties over populated parts of Cambodia. I am even more surprised by the fact that in his letter, Mr. Symmes implies that since the majority of the bombing sorties have been flown by the South Vietnamese and Cambodian air forces, we have no responsibility for the results. Is that to say that the Nixon doctrine means we arm our allies, allow them to do any damage necessary, and then refuse aid to the innocent victims of those actions? If correct, I find this to be most disturbing attitude on the part of the Department.

In his letter, Mr. Symmes also indicates that the Cambodian government has not made a formal request for refugee aid. Of course they have not formally requested aid after our embassy in Phnom Penh rejected their informal pleas suggesting that they seek medical supplies from the Russian or Japanese governments. I hope that the Department does not seriously expect the Cambodian government to apply for funds after their informal attempts have been rejected.

As the forthcoming GAO report indicates, the Cambodian society has been thrown into chaos by the war which spread into that country in March 1970. There are about two million refugees or displaced persons. Many of them need aid and need it now. With American bombers daily pounding the countryside of Cambodia, it is high time that this Administration faced up to the fact that it bears much of the responsibility for Cambodia's refugee problem.

As a result of our policy of employing air power where ever necessary to interdict in rural areas many people have been forced to leave their villages. Therefore, I am again today calling upon you to provide the funds necessary to help Cambodian refugees. The least we can do is aid the innocent Cambodians that our bombs have driven from their homes.

Sincerely,

LES ASPIN,
Member of Congress.

DEPARTMENT OF STATE,

Washington, D.C., January 4, 1972.

HON. LES ASPIN,
House of Representatives,
Washington, D.C.

DEAR MR. ASPIN: The Secretary has asked me to reply to your letter of December 15, particularly since it provides the Department an opportunity to clarify the Administration's position with regard to refugees in Cambodia.

The Department of State has not received a copy of the report by the General Accounting Office to which you refer. However, I believe that the refugee figure you cite is one which probably represents an estimate of the total number of persons, including dependents of Cambodian military personnel, who have been displaced, however temporarily, during the course of Cambodia's resistance to North Vietnamese/Viet Cong aggression. Many of these people have undoubtedly returned to their homes, as the fighting shifts from one area to another. Others are living with friends and relatives.

According to the information available to the Department, the largest group of persons who are indefinitely displaced from their homes are those who have fled from those regions of Cambodia which are occupied by the North Vietnamese Army. To our knowledge, few, if any, refugees have been created by United States bombing in Cambodia. In this regard, I would note that the vast majority of tactical air sorties in Cambodia are flown

by planes of the Cambodian and South Vietnamese Air Forces.

The policy of the United States Government in Cambodia is a clear application of the Nixon Doctrine in that we are supplementing with material and financial aid the efforts of the Khmer people and Government to defend their country from foreign aggression. Our assistance includes both PL-480 food and substantial economic aid. However, our Government does not set the priorities for programs of the Government of Cambodia nor do we provide assistance which has not been requested by the Cambodians. To date we have received no request from the Cambodian Government for direct assistance to refugees.

Thus, in summary, I do not believe that U.S. bombing has created large numbers of refugees in Cambodia. The refugees who do exist are being cared for by their own Government which has available to it economic assistance and foodstuffs from the United States which can be and, to some extent, are being used to ease their plight.

I hope that the foregoing will serve to clarify for you the policy of our Government toward the Government and people of Cambodia.

Sincerely,

HARRISON M. SYMMES,
Acting Assistant Secretary
for Congressional Relations.

HELLO CONSUMERISM, GOODBY
AMERICA**HON. JOEL T. BROYHILL**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, a friend and constituent of mine, Mr. Bob Peck of Arlington, Va., recently called my attention to an excellent speech delivered by Thomas R. Shepard, Jr., publisher of Look magazine on April 8 of last year.

Mr. Peck feels, and I agree, that it is time to take a new and closer look at the so-called consumerism which is demanding so much of the public's attention to alleged faults in our system. He feels that Mr. Shepard has done an excellent job of pointing out the fallacy of some of the "consumerists" arguments.

As I believe all who read this RECORD, consumers all, will find Mr. Shepard's remarks of interest, I include excerpts from his speech, "Hello Consumerism, Goodbye America," at this point in the RECORD:

HELLO CONSUMERISM, GOODBY AMERICA

Good afternoon, ladies and gentlemen. Or perhaps I should say good afternoon, politeness, poisoners, connivers, charlatans, rogues, tricksters, warmongers, racists and unconscionable crooks.

Those aren't pretty names, but I assure you they are the names by which you, as American businessmen, are referred to by a large number of your fellow citizens.

To me, consumerism, as presently constituted, represents a major threat not only to the companies we work for but to the entire socio-economic system on which this nation was founded and through which it has flourished.

And I'll go one step further. To me, consumerism is the most insidious peril ever to confront the American consumer himself.

My target is that small but vocal group of far-out activists who keep badgering the United States Congress and various federal agencies for additional controls over industry on the premise that, without these controls, our nation is doomed to ecological and economic destruction. In a previous talk, I called them "The Disaster Lobby," and that's precisely what they are.

And what do we do to counter all of this? We form a bunch of committees to cooperate with the consumerists in the hope that this gesture of good faith will get them off our backs.

Well, ladies and gentlemen, it *won't* get them off our backs—not if we spend all of our time and money doing it. Because the truth is that the nation's hard-core consumerists are not the least bit interested in having us cooperate with them. They don't want us to clean our own houses. What they want are the houses—cellar to attic. What they want is for the government of the United States to take over our companies and operate them along consumerist guidelines.

These champions of galloping socialism have the support of many thousands of influential Americans in and out of government—Americans who, for some reason, feel guilty about living in the richest, most powerful nation on earth and who have apparently decided that the best way to get rid of that guilt feeling is to turn us into the poorest, *least* powerful nation on earth.

The evidence I see clearly indicates that our nation's front-line consumerists do not intend to stop with a handful of new laws and regulations affecting American business. As I said before, their final objective appears to be nothing less than the unconditional transfer of private industry into public hands.

A recent bulletin from the United States Chamber of Commerce points up what I am talking about. Reporting on new trends in consumerism, the bulletin stated—and I quote—"Public interest groups will demand Federal control over aspects of corporate activity now unregulated by government, such as composition of boards of directors. The ultimate goal: a complete democratization of American business." I call it nationalization.

Mr. Nader is also a devout advocate of the nationalization of industry. In a speech in Providence, Rhode Island—and I quote now from an Associated Press dispatch—"Ralph Nader proposed that corporations that abuse the public interest should be transferred to public trusteeship." In an interview for *The New York Times* Mr. Nader called for Federal chartering of all corporations. By any name, it would mark the end of free enterprise, and make no mistake about that.

The consumerists don't want self-regulation. One of Ralph Nader's associates, Mrs. Aileen Cowan said nothing short of government intervention would be acceptable.

All right, we know the nature of the threat. There is nothing to be gained in cooperating with the Ralph Naders of America. They are against free enterprise. They are the enemy.

Let's start by acquainting our fellow Americans with the fact that much of what they have been hearing from the consumerist lobby is hogwash, drivel and poppycock.

Let's show the public, for example, that there is no truth whatsoever to the charge that we are running low on oxygen as a result of fuel-burning by industry. The National Science Foundation recently collected air samples at seventy-eight sites around the world and discovered that the amount of oxygen in the air—twenty point nine five per cent—is precisely the same today as it was in Nineteen Ten.

And while we're exposing the truth about pollution, let's remind America that the bulk of the cleanup was *not* the result of pressures by any Disaster Lobby but stemmed instead from private industry's development

of cleaner fuels, such as oil and natural gas, as replacements for coal.

Let us also identify as blatant falsehoods those accusations about the mercury in tuna fish. Fish caught forty-four years ago in a remote lake in the Adirondacks—scores of miles from the nearest factory—contained twice as much mercury as any fish processed this year.

Let us also tell the truth about those animals that are becoming extinct. Our factories aren't to blame for them, either. If our early ancestors had been as silly as we are about trying to save animals from extinction, we might today be up to our eyeballs in dodo birds.

Let us advise our fellow Americans to stop believing that consumerist malarkey about pesticides, DDT—by killing insects responsible for such diseases as malaria and encephalitis has saved the lives of hundreds of millions of human beings. And, except for accidental misuse, it hasn't harmed a single person.

And let's speak up with regard to the rest of the hokum circulated by consumerists who are out to stampede us into a new socio-economic system.

And let's tell our fellow Americans not to get overly alarmed about unemployment. We've had less, but we've also had more—much more. Like *twenty-five* per cent in the recovery days of Franklin Roosevelt's second term!

And let's tell the people of America something about ourselves and about free enterprise in general. About the convenience foods and labor saving appliances that have cut the average housewife's kitchen chores from five hours a day in Nineteen Hundred to an hour and a half today and, as a result, have done more to liberate women than all of the braburners in Washington Square. About the fact that, while consumer spending has skyrocketed from four hundred and thirty billion dollars a year in 1965 to over six hundred billion in 1970—a gain of forty-four per cent—corporate after-tax profits have actually declined by about three per cent.

And of course, let us set the record straight about the consumerists themselves. Let's tell the public about the curious lack of ethics of consumer lobbyists who pervert the truth in an attempt to get the laws they want.

But above all, ladies and gentlemen, let's acquaint the people of America with the very solid fact that, if free enterprise disappears as a result of consumerist pressures, their freedom will disappear with it.

Their freedom to buy milk by the quart, even though some government economist has decided that quarts are impractical and that milk should be sold only by the gallon.

Their freedom to buy a red convertible in the face of a government determination that black sedans are more economical. Their freedom to eat the least nutritious breakfast cereal if they happen to like the taste. Their freedom to do business with the retailer that serve them best because only in a system of free enterprise can the consumer select the people he wants to patronize.

Their freedom, in short, to live their lives the way they want to—whether or not it's the most economical way. In the opinion of some paternalistic government bureau.

Let's quit talking only to each other. If we wait much longer before speaking up for free enterprise, we may have to ask Ralph Nader for permission.

SPACE: GETTING PRACTICAL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. TEAGUE of Texas. Mr. Speaker, the Huntsville Times of Tuesday, Decem-

ber 14, 1971, carried a brief but significant editorial on the organization of our national space program. This excellent editorial points out that NASA now has a separate organization for space applications and the application of space techniques to our down-to-earth problems. A publication of the Committee on Science and Astronautics also speaks to that same important issue—the opportunities to derive direct practical benefits from our national space program. That publication is entitled "For the Benefit of All Mankind." This new organization within NASA can only help to increase the great return for our investment that is accruing from our national space program developments.

The editorial follows:

SPACE: GETTING PRACTICAL

We were delighted to see the National Aeronautics and Space Administration announce the other day the creation of a special, high-level office to manage the agency's "most important new thrust"—the application of space technology to down-to-earth problems.

The vast knowledge and know-how harvested from America's space program have already been put to manifold valuable uses on earth, of course. But the taxpayers, for the most part, seem not to have perceived the full extent of all this space spin-off.

NASA's new emphasis on this aspect should result not only in an increased yield of practical applications of space technology, but hopefully also in a heightened public awareness and appreciation of this bumper crop.

For some, our answering the challenge of the unknown has been justification enough for the spending of billions of dollars on space exploration. For others, the presence of Soviet competition in space has necessitated it for nationalistic reasons. But it seems to us that widespread public support of a vigorous, viable American space effort can now be marshaled only if Mr. and Mrs. John Q. Taxpayer are convinced our investment in space is paying off sufficiently in tangible, utilitarian ways that benefit their lives.

Space flight, to many, has lost much of its fascination, now that the primeval dream has become reality. Much of its novelty has worn off, and those who foot the space bill have grown somewhat hard-nosed about getting their money's worth. Man must continue, of course, to reach out in exploratory, speculative ventures without demanding immediate practical returns, for such "impractical" strivings invariably have led eventually to solid benefits. But the hard reality remains: Space exploration and utilization, if it is to advance at a healthy pace, must now become more of a paying proposition.

NASA's establishment of an "earth applications" department is a promising step in that direction. If anything, it is years overdue.

TOWNSHIP'S NAMESAKE A RATHER RADICAL AND CONTROVERSIAL FIGURE

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. McCLORY. Mr. Speaker, recently a new publication appeared in my congressional district appropriately titled "The Fremont Patriot." This weekly newspaper published by the Frontier Publishing Co. is in addition to the Vernon Town Crier and the Wauconda Leader, which are published by the same

concern. The publisher, Joyce L. Klug and the executive editor, Tom Smith, have forwarded me a copy of the first issue.

This readable publication contained a most illuminating article regarding the career of John Charles Fremont, after whom Fremont Township and the Fremont paper have taken their names.

Inasmuch as this historical article is the result of careful research by George Bell, the Fremont Township supervisor, and the editorial staff of the Fremont Patriot, I am taking occasion to reproduce the article here. Entitled "Township's Namesake a Rather Radical and Controversial Figure," the article describes the first Republican candidate for President of the United States, John Charles Fremont. The Fremont Patriot article is as follows:

TOWNSHIP'S NAMESAKE A RATHER RADICAL AND CONTROVERSIAL FIGURE

Fremont Township's namesake was, in his day, never quite in tune with other early settlers, something of a radical and a political nonconformist.

John Charles Fremont, note historians, was a well-known dramatic and controversial figure in American history. He was a famous American explorer and this country's first Republican presidential candidate in 1856.

Pioneer reporter and writer of his experiences on his expeditions through the Southwest, Rocky Mountains and California, Fremont was known as "The Path Finder" through his explorations.

"A History of Lake County, Illinois," published by Roy S. Bates in 1912, outlines the life and exploits of this early pioneer.

Fremont was born in Savannah, Ga. in 1813 after his parents eloped, but never married.

He qualified for college, and although he showed promise, he was expelled for "incorrigible negligence." Fremont had sufficient training, to qualify as instructor of mathematics on a sloop of war.

He clandestinely dated and later married daughter of Senator Thomas Hart Benton, after whom Benton Township was named and was named to conduct an official reconnaissance of the Continental Divide.

Engaging the famous Kit Carson as a guide, he charted what was reported to be the most favored route toward Oregon. Known as "The Path Finder," Fremont's other expeditions took him through the Southwest, Rocky Mountains and California.

Although his name was on everyone's lips in the mid-1800's there seems to be no record that John Charles Fremont was ever around the Fremont area.

In 1856, he gave permission to use his name for Fremont Township when early settlers were unable to decide which one of the various family factions should give its name to the township. They settled, instead, on the famous figure of Fremont.

A daring, respected and famous American Army officer, Fremont was court martialed for disobeying orders and charged with mutiny, but was later cleared of the latter charge.

Discovering gold on a California land grant he bought in 1847, Fremont was elected one of California's first two senators.

In 1856, John Charles Fremont was nominated presidential candidate in the first Republican party convention held in Rockford. He lost the presidential election to James Buchanan, the Democrat. However, Fremont carried Lake County by a vote of 2,347 to 558—and the township by a vote of 149 to 9.

With the outbreak of the Civil War, Fremont was made commander of the Department of the West, where he again came into conflict with higher authority. When he arbitrarily declared martial law and issued an

order freeing the slaves in Missouri, President Abraham Lincoln, embarrassed by this premature act and nettled by Fremont's other political and military mistakes, relieved him of his command.

Because he was still popular with the radical element of the Republican Party, Fremont was assigned command in 1862 of the Mountain Division. He later asked to be relieved when this command was consolidated under a junior officer whom he strongly disliked.

He had backing for the Republican nomination for the presidency in 1864, but in the interest of party welfare, withdrew his name, historians say.

In the late 1860s and 1870s, Fremont was active in railroad building projects, notably the Memphis and El Paso, which went into bankruptcy and left him virtually penniless. He was governor of the Territory of Arizona from 1878-1883 and spent the remaining years of his life in New York City, Washington D. C. and Los Angeles.

In 1890, Congress voted him the rank of major general and placed him on pension at \$6,000 a year. He died three months later.

Several historians have written about the life style of John Charles Fremont and he himself published at least three works dealing with his expeditions and memoirs.

Four other places bear Fremont's name: Cities of Fremont in Michigan, Nebraska and Ohio as well as Fremont Peak mountain in Wyoming in the Wind River Range.

The history book says about the township that was named after the intrepid officer, explorer and politician:

"Probably no other town in the county showed more public spirit and patriotism in the trying times of the Civil War than did the town of Fremont.

"In 1860 there were cast in the Town of Fremont 195 votes and during the war at least 120 different men enlisted from that town.

"When the war closed, 34 of those sent from the town were dead, many of these having been killed or mortally wounded in battle and others dying in southern prisons.

"Few townships in the state furnished so large a percentage of volunteers, and so many soldiers killed in battle."

Information from the history book was provided by George Bell, Fremont supervisor, who obtained it from the State Historical Library in Springfield.

FOR THE BIRDS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. WALDIE. Mr. Speaker, one of the greatest tragedies that results from oil spills along our Nation's coasts is the great loss of mammal and bird life. These oil spills bring death and destruction to the entire spectrum of living organisms.

In the past, the mortality rate of birds affected by these oil spills has been over 95 percent.

Recently, I was pleased to read an article in the Washington Evening Star, written by Sandra Blakeslee, which reported a new process for cleaning oil-covered birds. Dr. James L. Naviaux, a veterinarian of Pleasant Hill, Calif., and a personal friend and constituent of mine, has developed a new solvent which removes oil from the feathers of the bird while increasing their survival rate to more than 75 percent.

Mr. Speaker, I feel this a most im-

portant and worthwhile development. I would like to include this excellent article in the RECORD so that my colleagues can benefit as I have:

[From the Washington Star, Jan. 3, 1972]

LIFE FOR OIL-SLICKED BIRDS

(By Sandra Blakeslee)

SAN FRANCISCO.—A California veterinarian working with a grant from an oil company has developed the first highly successful technique for saving wild birds from the lethal after-effects of oil spills.

Up to now it has been common for less than 5 percent of the birds caught in major oil spills to survive the arduous ordeal of cleanup procedures. It is now possible to save more than 75 percent of oil-soaked birds, according to Dr. James L. Naviaux, a veterinarian with offices in Pleasant Hill, Calif.

Naviaux became involved with the problem in February, when thousands of birds in San Francisco Bay were soaked by oil after two Standard Oil tankers collided in the mouth of the bay. Naviaux, as founder and director of the National Wildlife Health Foundation, knew more than most about how to handle distraught birds, and he hoped to direct and advise many of the local rescue operations in the days and months that followed the oil spill.

ONLY 5 PERCENT SAVED

The outcome was not satisfactory, Naviaux said in a telephone interview. After months of expensive, demanding care, fewer than 5 percent of the more than 4,000 birds rescued managed to survive.

Since February, however, Naviaux has been working with a \$10,000 grant from the Standard Oil Co.

"We had to figure out just what gives the birds' feathers water repellency," Naviaux said. "Earlier, we were concerned about leaving the natural oils and waxes on the feathers because we thought the oils played a crucial role in water repellency. We didn't like to use detergents because we thought they stripped off the necessary oils, leaving birds vulnerable to water and to cold."

Now, through experiments, Naviaux has found that a single bird's feather can be totally defatted—stripped of all oils and waxes—and still remain water repellent.

DETERGENTS LEAVE RESIDUES

Detergent cleaning fails, Naviaux said, because detergents leave microscopic residues on the feathers which then attract water. Mineral oil as a cleanser left the birds' natural oils intact but failed to clean the feathers thoroughly. The birds had to preen off residues by themselves.

With the help of Dr. Alan Pittman, a U.S. Agriculture Department scientist at the Western Regional Laboratories in Albany, Calif., Naviaux began to try various cleaning agents on experimental mallard ducks.

The best solvent, the two have found, is a substance called Isoparaffin 150, a purified hydrocarbon used in the paint industry and as a charcoal lighter fluid. Perhaps ironically, all major American oil companies make Isoparaffin 150, since it is a normal byproduct of oil refineries. The substance is cheap for oil companies to produce, abundant, and it can save birds' lives.

WEEKLY REPORT TO NINTH DISTRICT RESIDENTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HAMILTON. Mr. Speaker, I include the text of my January 3 weekly

report to Ninth District residents, which reviews the concerns of the first session of the 92d Congress.

WASHINGTON REPORT

Foreign and economic policy dominated the concerns of the Congress in 1971.

Foreign policy—The 92nd Congress, following the example of the 91st, challenged the President in a series of legislative tests on national security policy. Vietnam debate centered on the Mansfield amendment, a proposal to set the date for all troops to withdraw, subject only to the release of American prisoners of war. The amendment passed three times in the Senate, was diluted twice in House-Senate conference committees, and was rejected once. There was, however, a gradual trend towards support of the Mansfield amendment, as evidenced by the votes.

The Senate stunned itself by rejecting foreign aid. But it was clear at the end of the First Session that foreign aid was not dead, and the program was continued, although at a far lower level than the President wanted. Intense struggles to limit the President's authority to shift funds without Congressional approval are still unresolved.

An unsuccessful effort also was made in the Senate to reduce the number of American troops in Europe from 300,000 to 150,000. After extended debate, and even after the draft law had expired, the draft was extended for two years with a \$2.4 billion pay increase for servicemen. The Congress reduced by \$3 billion the President's military budget request of \$73.5 billion.

The Senate probably will approve next year a measure to restrict the President's authority to enter into hostilities without Congressional consent. The reaction of the House is uncertain. The disagreement between the President and the Congress on foreign policy was less partisan than institutional, with the Congress seeking—sometimes hesitantly—a large role. In the end, the President prevailed in most of the disputes.

Economic policy—The President also received the support of the Congress for his new economic policy. The Congress extended the President's authority to regulate the economy by authorizing him to control wages, prices and rents, and passed a major bill cutting personal and business taxes by nearly \$16 billion over three years. The bill repealed the 7 percent auto excise tax, provided business with a 7 percent investment tax credit and accelerated depreciations, and raised the personal income tax exemption from \$650 in 1970 to \$675 in 1971 and \$750 in 1972. Both measures were requested by the President.

For the 27th consecutive year, the Congress reduced the President's total budget requests. This year, the reduction, mostly in military and foreign assistance programs, was \$2.3 billion.

Other domestic issues—The Congress did not pass much, if any, of the President's program which he identified in his 1971 State of the Union address as the new American Revolution. It consisted of bills for full employment, welfare reform, environmental control, health care, revenue sharing and reorganization of the federal government. The full employment proposals were changed by the President when he substituted his New Economic Policy. Several of the other bills are pending for action in 1972, and all of them, except the reorganization proposals, have a chance of emerging in some form next year.

The major legislative achievements of the First Session include the extension of the draft, public service employment during times of high unemployment, and a 10 percent Social Security increase, a constitutional amendment lowering the voting age to 18 in all elections, tax reductions, a mas-

sive cancer research program, extension of the President's wage and price control authority, and extended unemployment benefits for States with consistently high unemployment rates.

In other action the Congress disapproved of the SST, the constitutional amendment to allow government-sponsored prayer in the public schools, and, in early 1972, will approve a bill to impose limits on the amount of money spent on political campaigns and to require disclosure of campaign contributions and expenditures.

The agenda for next year also includes: "no-fault" automobile insurance, minimum wage increase, strengthened Equal Employment Opportunities Commission, assistance to colleges and college students, and to help school systems desegregate, water pollution control, a consumer protection agency, a constitutional amendment to bar discrimination based on sex, and some form of national health insurance.

A reform voting procedure in the House, the recorded teller vote, increased attendance by about 150 percent, and required each House member to cast many more recorded votes.

WHAT'S GOOD ABOUT NEW YORK?

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. HALPERN. Mr. Speaker, I wish to call to the attention of my colleagues the first of a welcome series of articles on what is good about New York entitled "Hey, Currier! Hey, Ives! See What We Got!"

Columnist Donald Singleton of the New York Daily News has managed to put into proper perspective the constant carping of New York City's myriad prophets of doom. The favorite indoor sport of reporters, columnists, and editorialists alike often seems to be picturing New York as a crime-ridden, smog-infested, overcrowded town—hardly the place for America's saner citizens.

Mr. Singleton, on the other hand, has focused on the quiet and beautiful scenes—such as the Central Park Wollman Memorial Ice Skating Rink—which reflect the spirit of humanity and grace characteristic of this amazing metropolis. Any true New Yorker knows that a modicum of suffering and inconvenience must be tolerated as the natural price of greatness. No one would be foolish enough to bill this city as a utopia, but it is about time someone called attention to the many humanizing aspects of the New York scene.

Mr. Speaker, I would like to congratulate Donald Singleton on his excellent series, and submit the attached article to the RECORD as articulate testimony to the inner serenity which often goes unnoticed by the fleeting bands of tourists, but which lies at the very heart of New York City:

[From the Daily News, Jan. 20, 1972]

HEY, CURRIER! HEY, IVES! SEE WHAT WE GOT!

(NOTE.—New York is not just crime, strikes, crowded subways and dirty streets. It is also a lot of good things—unnoticed and unsung things, like pleasant places, beautiful vistas, and people doing heart-warming

deeds. These things need to be talked about too, and they will be in a new NEWS series called What's Good About New York.)

(By Donald Singleton)

It's a scene from some Christmas card, an artist's vision in pen and ink; a mirror meadow of ice, streaked with gracefully gliding skaters, nestled among the dark boulders and winter-gray trees of Central Park, the skyscrapers of midtown Manhattan looming majestically above, so close against the sky they almost seem painted on a huge canvas.

But the Wollman Memorial Ice Skating Rink is really there, as if the Christmas card scene had somehow come to life, with lilting organ music and the steely sound of skate runners on ice; with the laughter and shrieks of children darting one by one, and the silence of couples gliding two by two; with puffs of frozen breath vanishing in the cold wind, and the steam rising from hot cups of good cocoa and bad coffee in the shelter of the refreshment stand.

The skating rink is the magical kind of a place that brings out the best in New York City and the best in its people, who go there in droves, 10,000 to 12,000 of them every week. There is no need for competition, hostility, urgency; time passes slowly and easily; sounds are pleasantly muffled by earmuffs and scarves and coat collars.

The differences that separate people outside seem to draw them together at the rink—after all, what advantage can a Caroline Kennedy have over a kid from East Harlem or Chinatown when the admission is only a quarter? Are Johnny Carson's fingers any less numbed by the cold than the Bronx teenager's as they both fumble with their skate laces?

All the real world's economic realities are mocked gently at the rink. You put in a dime to lock your locker, and when you return to unlock the door your dime comes back to you. And the youngster who doesn't have a quarter to get in isn't entirely left out in the cold, either. There are free sessions at off hours, and the rest of the time the guards have been known to look the other way so the fence can be stopped.

KIDS AND THE TOPCOAT SET

Bundled-up kids who arrive on the BMT and the IRT, showing off their Christmas skates, men in suits and topcoats and women in maxi furs, who walk from Fifth Ave. and Central Park West apartments. There is the man who hasn't skated for 15 years, lurching and falling; the showoff who goes to the center of the ice to do loops and spins backwards; the kids, weaving in and out; the expert, going like the wind with his hands behind his back.

The rink is a special little oasis in the middle of the city, a place of peace and tranquility and togetherness.

"THESE ARE NOT EASY TIMES"—
PRIME MINISTER CAETANO OF
PORTUGAL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. RARICK. Mr. Speaker, in a superb address delivered September 27, 1971, by Prof. Marcello Caetano on receiving compliments of the leaders of the National People's Action Movement on the occasion of the third anniversary of his investment as Prime Minister, the Portuguese Prime Minister enunciated his analysis of the road Portugal should

take in the trying days ahead. Hence the title of his discourse, "These Are Not Easy Times."

While pointing out that his government has been successful in "maintaining the defense of the overseas provinces against the subversion instigated on a growing scale by that incredible organization which goes by the name of the United Nations," Prime Minister Caetano informed his fellow citizens that the Portuguese Government has been concerned not to let Portugal drift further away from "the development standards of traditionally rich Europe, and to prepare the future in such a way that the younger generations might find a place in it and be able to act within it."

Expressing optimism in the face of adversities, the Prime Minister talked about love of country, unity, patriotism, placing the common good above individual interests, private initiative, individual responsibility, careful management of public moneys, the responsibility of the Government to keep citizens informed, and disallowing any form of defeatism or betrayal. These characteristics of good government and citizenship are the same as those which made the United States the leader of the free world.

To preserve one's country should be the first order of business of any responsible national leader.

So that our colleagues may have an opportunity to benefit from this outstanding speech by a true leader of a great nation, I insert the text of Prime Minister Caetano's address at this point in my remarks.

THESE ARE NOT EASY TIMES . . .

(By Marcello Caetano)

Members of the Central Committee of the National People's Action Movement, Mr. Chairman and members of the Executive Committee, Ladies and Gentlemen: I am most sincerely grateful to you for being here and above all for the work done in the last few days, and the resulting proposals for future action. I am expressing my gratitude not only in my capacity as Chairman of the Central Committee of the National People's Action Movement, not only as head of the Government but, together with these positions, as a Portuguese citizen.

It is absolutely necessary for all Portuguese worthy of the name to stand united about the leaders they have chosen and to help them to further and complete successfully the harsh, thorny tasks which lie before us. Of course my Government has worked hard, and has not shunned any effort or watchfulness. We have sought boldly to face national problems. We have been successful in maintaining the defence of the overseas provinces against the subversion instigated on a growing scale by that incredible Organization which goes by the name of the United Nations, and armed and subsidized by powerful interests. We neither weaken in the struggle in the overseas provinces nor allow any let-up in our vigilance over those who seek to bring terrorist tactics to the Homeland.

But, while defending the overseas provinces, on the diplomatic and on the counter-subversion fronts, with all the inconveniences, liabilities and difficulties that such a process of defence entails, we have also been concerned not to let our country drift further away from the development standards of traditionally rich Europe, and to prepare the future in such a way that the younger generations might find a place in it and be able to act within it.

During the early years of subversion in Africa it was thought impossible to reconcile the defence effort with the economic and cultural development effort, carried out on the scale called for to make up for our backwardness.

We have been trying to achieve such a conciliation, persuaded that a victory in Africa could only be a precarious one if it were to be attained at the cost of stagnation in Europe. This is why we launched out boldly on the policy of enhancing the Portuguese people through reforms in education, health, aid and social welfare, at the same time that we have endeavoured to strengthen the work of the State in economic promotion and to give private initiative greater incentive.

I believe that this effort has been understood and applauded by the Nation. But, in recalling this fact here, to guarantee our intention of going on with this policy, I must of necessity stress the serious difficulties it entails. Many think that they have an unbounded right to everything, but that they should not be called on to contribute. There is building up a dangerous mentality of claims and facilities that is absolutely incompatible with our country's resources and real features.

I should not be true to my duty to tell the Portuguese the truth if I did not point out once more that we are undergoing very critical times, when the acuteness of national problems is worsened by unsettling conditions in world economic affairs and politics.

It should not be thought that we are surrounded by abundant human and material resources. It is only a very careful management of public moneys that enables us to make our current effort with the armed forces and at the same time allows us to deal with matters of urgent significance for the conservation and progress of our life as a nation. The expression "very careful management" must be stressed so that citizens may not constantly be calling for further expenditure and so that civil servants may become aware of their duty not to waste such resources as are at our disposal. What about human resources? They are made scarcer by emigration and mobilization, and without them money is useless, for it is only of value when there are people to make use of it, to transform it into useful goods, to enhance it to the good of the community. Men and women are the major wealth of a homeland; no progress is possible without able, sufficient human resources.

This is why I said, ladies and gentlemen, that the unity of all Portuguese around their Government is quite indispensable, as is the existence of a grouping of citizens like the National People's Action Movement, to maintain a constant dialogue with the authorities, to inform and to be informed, to make the Government aware of what people are thinking and then to inform the latter, enlightening them on the basis of the reality of events and the facts of government.

It is inevitable that there should be an egotistic trait in individuals, in places, in undertakings, in professions and occupations. All think of themselves first; all think their primary duty is to watch over and further their own interests; all consider their conveniences and advantages to be just. This ocean of claims and requests washes up against the Government. But, since the vision of the authorities must take in the whole horizon of the entire country, from Caminha to Timor, they are forced to weigh needs and resources, the better to decide the satisfaction of such needs according to a scale which will recognize priority for the most worthwhile purposes, not only at the present moment but also on a view of future prospects.

Now the Movement must be imbued with the same spirit that should orientate the work of the government, and it must trans-

mit it to all other citizens. I will repeat once again that these are not easy times. What is being done can only be performed thanks to a close collaboration in the midst of the Government and with patriotic understanding on the part of the Portuguese people.

I should like to be able to address you and the country with optimistic words. I am still an optimist, because I believe that we shall overcome the obstacles that stand in our path, however many they may be, threatening our existence as an independent Nation that will neither give up its rights nor will readily abandon hope of attaining its ambitions. But I cannot hide the existence of such obstacles. I cannot conceal from the Nation that we have to overcome great difficulties, which will continue for a long time and may even increase in number and gravity as time goes on.

They can be overcome, but to do this we shall have to work hard. We must produce more and more wealth; we must keep the feeling of love for our country alive and shining. Above all we must envisage the future in a spirit of unity, firm decision, the persistent desire to conquer, not permitting around us any form of defeatism, still less any kind of betrayal.

I am sure that the Portuguese people will understand this language and that, as hitherto, it will continue to be the pledge of our continued existence as a Nation. I would like the National People's Action Movement to be the yeast destined at all times to leaven this admirable patriotism which has always, at times of crisis, provided the greatest reserves of Portuguese energy.

When, three years ago, I took over as Prime Minister, I said that I did not lack courage to face the gigantic tasks that I foresaw. These tasks are gigantic indeed, but the courage to face them has not abandoned me, nor has the confidence that I have felt since the outset in the worthy, admirable, incomparable Portuguese people. With them I am sure that we are on the right road and I believe that, with them, we shall always prove able to find a path worthy of Portugal!

LACKAWANNA EDITOR MAKES MARK IN HOME TOWN

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 20, 1972

Mr. DULSKI. Mr. Speaker, the suburban editor plays an important role in the activities of his community.

Operating in the shadow of the main city with its metropolitan newspapers calls for a personalized type of journalism that differs as much, in many ways, from the small town editor as it does from the big city editor.

In the Buffalo, N.Y., area we are fortunate in having several fine suburban weekly newspapers in addition to our dailies. One group is published and edited by William A. Delmont of Lackawanna, a friendly, always-on-the-go civic dynamo.

Recently, the very popular columnist of the "big city" Buffalo Courier-Express, Mrs. Anne McIlhenney Matthews, wrote an excellent article on Mr. Delmont, the text of which follows:

NEWSMAN IS TOPS IN STEEL CITY

(By Anne McIlhenney Matthews)

From the Square and Compass Club, a Masonic meeting place at 36 Ridge Rd., to the J and J Restaurant in the 1200 block of Ridge near Abbott, is a long walk for anyone. When

that person is William Angelo Delmont, it's twice as long. The reason is simple: Every step takes longer because "Billy" Delmont knows nearly everyone in Lackawanna, and as he meets other pedestrians, he stops to greet them. They joke with him, tell him of their troubles, ask for help. They're talking to the right man, too. For Billy Delmont has a sense of humor, much empathy, and the kind of political savvy and know-how that gets things done.

Lackawanna is a political town and it is fitting that "Mr. Lackawanna" is Billy Delmont, for Billy is a political man. A five foot nine inch, ever-smiling, Italian-American newspaper publisher, Billy was elected at age 25, a city councilman in Lackawanna's old 3rd Ward in 1955.

Today, at 41, Billy publishes four weekly newspapers in Lackawanna, South Buffalo, West Seneca and Blasdell. He serves the city as a commissioner of civil service, and just completed serving the unexpired term of the director of urban development in former Mayor Mark Balen's administration. He was an unusual appointment, for Balen is a Democrat, and Billy is a Republican committeeman.

Former English teacher Bill Carney, now secretary of the Erie County Water Authority, likes to kid Billy about being the only

newspaper publisher in these parts who flunked English. But Billy, who graduated from George Washington School, where he now serves as a member of the PTA, and Lackawanna High School, where he led steelworkers' sons to victory after victory as the toughest, sharpest "little" quarterback in that school's gridiron history, did attend Canisius College and Ithaca College before embarking on a journalistic career. His forte isn't scholarship, however. Where Billy excels is in his concept of service.

He believes that newspapers are not only journals of fact and opinion, but institutions designed to serve the communities they address. And he gives substance to this belief by being available to all who wish to approach him, virtually 24 hours a day.

His familiarity with the names, families and lives of almost every citizen of Lackawanna grew out of his personal contact with the people when he operated a delivery service for a clothes-cleaning enterprise. Discharged from the Navy in 1951 after being severely injured in an auto accident, Billy established the delivery service. Almost every home in town became familiar with "Billy the Cleaner." Later Billy was appointed chairman of the Lackawanna Municipal Housing Authority, from which he retired in 1968 after 11 years of service.

An uncomplicated, friendly man, Billy Delmont, is people oriented. People, not creeds, ideologies or causes, are his bag. He is a credit to the newspaper business, to his father and mother, the former Catherine Pitillo, to his wife, the former Maryann Salem, and to his six children, Kathy, Kim, Noreen, Lynne, Mary and Phillip.

The Lackawanna Front Page currently is undertaking to establish a scholarship fund for Lackawanna boys and girls to study journalism. As I said, Bill Delmont is interested in service. I wish him well in this venture. It only underscores my claim that Billy Delmont deserves the soubriquet, Mr. Lackawanna.

The first annual awards dinner for the scholarship fund is set tentatively for March 19 and the probable location will be the Hotel Lackawanna. Plans are in the making, but the speaker is assured and he is sensational. He is Malcolm Kilduff, great newsman who was assistant press secretary to Lyndon B. Johnson and a deputy press secretary to President John F. Kennedy. It was he who carried Kennedy into the Parkman Hospital in Dallas, and it was he who quietly said to Johnson, "Let's get to the airport, Mister President," intoning the title for the first time.

SENATE—Friday, January 21, 1972

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. ELLENDER).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty and ever-living God "our help in ages past, our hope for years to come," guide our leaders that the Nation may be rebuilt on the principles of the Founding Fathers and on the everlasting truth of Thy Word. In turbulent and contentious times keep our purposes pure, our honor untarnished, our vision high and clear. Through honest expression of differing appraisals, may there be forged a final wisdom higher than our own, overruling our faulty judgments and our human errors. Set our feet in high places and keep us there.

"Under the shadow of Thy throne
Still may we dwell secure,
Sufficient is Thine arm alone,
And our defense is sure."

Amen.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 20, 1972, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ATTENDANCE OF SENATORS

Hon. BIRCH BAYH, a Senator from the State of Indiana, and Hon. MARLOW W. COOK, a Senator from the State of Kentucky, attended the session of the Senate today.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE PUBLIC BROADCASTING FAIRNESS DOCTRINE

Mr. SCOTT. Mr. President, I notice that the three networks and the public broadcasting system, in honorable pursuit of the fairness doctrine, have allowed the opposition twice as much time to reply as the President used in his state of the Union message.

I can only observe that, indeed, they will need it.

Mr. President, I yield back the remainder of my time.

Mr. MANSFIELD. Mr. President, I would like to take this means to thank the networks for the consideration and the fairness they have shown toward the party of the opposition in the Congress of the United States.

May I say that I am especially delighted with the fact that four of the outstanding Senators on this side of the aisle—Senators CHURCH, PROXMIRE, EAGLETON, and BENTSEN—will be representative of this body and this party.

They have our full confidence. We know that they will handle themselves extremely well.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, not to exceed 30 minutes.

The Senator from Montana (Mr. METCALF) is now recognized.

(The remarks of Mr. METCALF when he introduced S. 3052 are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

ANNIVERSARY OF THE DEATH OF SENATOR RICHARD B. RUSSELL, OF GEORGIA

Mr. GAMBRELL. Mr. President, a year ago today, on January 21, 1971, my distinguished predecessor in this body, Senator Richard B. Russell, of Georgia, passed away. A man of high character and principle, he was one of the great leaders in all the history of this country. He served for 38 years in the U.S. Senate. At the time of his death, he was its senior Member, being President pro tempore.

He was beloved among his fellow citizens in Georgia, as well as by his colleagues in the Senate. He was a close personal friend, and a respected mentor to me.

I think it is appropriate that this body honor him and his memory today by tak-