EXTENSIONS OF REMARKS

A TRIBUTE TO J. EDGAR HOOVER

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CHAPPELL. Mr. Speaker, the silence which pervaded the splendor of the U.S. Capitol was broken only by the slow moving footsteps of 12 men. While several persons looked on, six honor guards proceeded into the great hall.

They paused under the dome which supports the Statue of Freedom and then took their places as six other men slowly carried a flag-draped casket and placed it on the catafalque.

The Honor Guard saluted.

J. Edgar Hoover was dead; his body now lying in state, where, heretofore, only Presidents, Senators, two unknown soldiers, and a general have rested.

As I witnessed this moving ceremony, I glanced up at the mural which encircles the area just below the dome. Here is capsuled the story of the exploration and settlement of the new world, beginning with Columbus and ending with the Wright Brothers. I thought, if this mural is ever continued in another part of the building surely there will be a scene depicting the life and work of this great American who has done so much to preserve our freedoms.

Speaking to the House of Commons in August 1940, Sir Winston Churchill paid this tribute to the Royal Air Force:

Never in the field of human conflict was so much owed by so many to so few.

To my mind, this tribute can be applied with equal validity to a man and an institution in our society—a man who has devoted his entire life in an unflagging effort, zeal, and dedication to the pursuit of justice and has created an institution which stands today as the Nation's chief bulkwark against crime and subversion. Seldom in our national history has an entire Nation owed so much to a single individual.

J. Edgar Hoover spent a better part of his life—48 years—building an organization which has the trust of the American people. Citizens throughout the country, in all walks of life, have a deep, abiding feeling of confidence in the FBI—that it will do its job, not only efficiently, but in the highest tradition of ethics. J. Edgar Hoover made it so.

Take an organization like the FBI and inaugurate it in many countries in the world and you would have a gestapo. Not in America. Here it is the investigative arm of the Justice Department. J. Edgar Hoover has implemented the concept that we need strong, effective, and well-trained local and State law enforcement. Through the cooperative services he originated—the FBI National Academy, the Laboratory and Identification Divisions, and the National Crime Information Center—our State and local law enforcement agencies are better equipped to do their jobs.

J. Edgar Hoover did far more than directing the work of the FBI. He tried to instill in all Americans a sense of pride in our national heritage. In his book, "Masters of Deceit," which has been read by thousands of Americans young and old, Hoover said:

We, as a people, have not been sufficiently articulate and forceful in expressing pride in our traditions and ideals. In our homes and schools we need to learn how to "let freedom ring." In all the civilized world there is no story which compares with America's effort to become free and to incorporate freedom in our institutions. This story, told factually and dramatically, needs to become the basis for our American unity and for our unity with all free peoples. I am sure most Americans believe that our light of freedom is a shining light. As Americans we should stand up, speak of it, and let the world see this light, rather than conceal it. For too long we have had a tendency to keep silent while the communists, their sympathizers, and their fellow travelers have been telling the world what is wrong with democracy. Suppose every American spent a little time each day, less than the time demanded by the Communists, in studying the Bible and the basic documents of American history, government, and culture? The result would be a new America, vigilant, strong, but ever humble in the service of God.

The legacy which J. Edgar Hoover left us through his work with the FBI must be preserved and transmitted to future generations. It is my fervent hope that another such individual will emerge to continue where J. Edgar Hoover left off.

But equally as important, it is a time for all Americans to reflect on the life and work of J. Edgar Hoover. I challenge the people of the 4th District to rededicate themselves to the principles upon which America was built and to unashamedly proclaim those principles in their everyday lives. We must be unwavering in defending those principles which made America great. We can do no less if America is to remain strong and free.

JOHN G. LEACH SALUTES ARE DESERVED

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Thursday, May 11, 1972

Mr. BOGGS. Mr. President, recently a group of Delawareans took time out to honor one of our number who has performed outstanding service for his State and country.

I am speaking of John G. Leach, a retired educator, but an active humanitarian, who has been a friend of mine for many years. A testimonial to his great service was held last Saturday in Wilmington.

Johnny Leach served for years as vice president and dean of students at Goldey Beacom College, in Wilmington, Del. He helped to build that college into the fine institution it is today.

But his contributions to education did not stop there. He worked tirelessly to improve the educational opportunities available to both the gifted child and the handicapped child.

In another field, he helped to create our fine Veterans' Administration Hospital at Elsmere, Del., and he served as an adviser to several Governors in developing programs to improve educational opportunities for veterans.

It has been my great privilege and pleasure to know John Leach for more than 40 years. I can truly say there is no one in the State of Delaware who is held in higher esteem and affection.

Mr. President, the Evening Journal, of Wilmington, in an editorial published on Tuesday, May 9, 1972, recognized Mr. Leach's contributions, I ask unanimous consent that the editorial be printed in the RECORD.

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

SALUTES ARE DESERVED

It was never true that John G. Leach superimposed a photo of Beacom College on one of Rockford Tower to give prospective (and distant) students the impression that the school had a sprawling campus—Mr. Leach did paint the school in glowing colors, but when the students arrived the Leach enthusiasm helped it live up to the colors.

Mr. Leach is an enthusiast who has channeled his interests in diverse ways, but always the school that is now Goldey Beacom Junior College was the center of his enthusiasm. He was interested in spelling enough to keep the spelling bee alive for years after it had died in other places, he compared different forms of shorthand, discussed extrasensory perception, loved to talk about the language.

In only one field did he keep a separation from Beacom: Politics, Mr. Leach was never a nonpartisan, rather a devout Republican. With his humor, his gifts as public speaker, his knowledge of government, he was offered a shot at political office by the Republicans more than once—including the governor's slot in a year when the Republicans won. He always said no. The school came first.

He was one of the pioneers in aiding the blind, the lame and the retarded, working for years before general help began to arrive in any quantity. He is one of the few men around to have a school, or any other kind of building, named for him in his lifetime—the John G. Leach School for the handicapped in the De La Warr School District.

Mr. Leach was saluted last week with a citation for his work at the Coordinating Council of the Handicapped Child of Delaware. Both houses of the General Assembly also passed resolutions honoring him.

The only regrettable part of it is that the news of the honors came along with the information that Mr. Leach is leaving the area, perhaps to live in Nova Scotia or Tilghman's Island, perhaps both. He's retired now, and has the right, but Mr. Leach is the kind of man with enough acquaintances still to get things done. He should be called on.

A SECOND LOOK AT THE AUSTRIAN SITUATION

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BRASCO. Mr. Speaker, very recently a group of young American Jews

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

were involved in an altercation at the Austrian Embassy in Washington. It seems there was some physical contact involving the Austrian Ambassador to the United States. In the process, a swastika flag was hung from the front of the embassy in question. A message was attached to the flag, asking Americans to refrain from visiting "Nazi Austria."

I certainly deplore the violation of the grounds of the Austrian Embassy. And I hold no brief for those who would lay hands upon any ambassador of a sovereign state with which the United States maintains correct relations. But this incident deserves a little more research, particularly into reasons for such an outburst by young people who are lawbreakers in a very different sense of the word than is ordinarily understood by our general public.

Austria is the spiritual home of nazism. Hitler was a native of Linz, Austria. Adolph Eichmann was also a citizen of that country. Austria's very name in the old European lexicon was "Oestereich," which really means an eastern extension of the "Reich."

The Nazi movement was exceptionally strong from the start in this nation. When "Anschluss" arrived with Germany, cheering mobs of Hitler's sympathizers lined her roads to welcome his armies first, and himself later.

Antisemitism has deep roots in the Austrian consciousness, even, as some might say, in the soul of this small nation. Large numbers of native Austrians not only fought for and served Hitler ardently unto death, but also were involved in many stupefying crimes of the Nazi regime.

Hundreds of thousands of Austrians had more than a nodding acquaintance with the eastern portions of Europe which fell swiftly under Nazi domination at the start of the Second World War. These were singled out, although thousands volunteered cheerily, to administer conquered territories, all of which contained large numbers of Jews.

Austria was a Nazi nation to its last corpuscle, participating in a thousand ways in what the Hitler regime planned and carried forth across the face of Europe. Many of those tried and executed or imprisoned as a result of the Nuremberg trials were Austrian nationals.

As Nazi hordes spilled over and took control of Eastern Europe, an administrative infrastructure was created everywhere across these conquered territories. Gauleiters, or area governors, were set up, with a complete power structure beneath them, charged with exploitation of lands and extermination of undesirables. They were in charge of enforcing laws, producing slave labor in massive quantities and running a variety of activities. Among these were extermination camps, where upward of 6 million innocent Jews were murdered methodically, and toward the close of the war, on an assembly-line basis. Many of the people who staffed scores of death camps were Austrians. Many of those who dealt with the daily administration of mass murder were Austrians.

Hundreds and hundreds of death trains weekly crisscrossed Europe. Many carried Jews to their doom. Others carried loot from across Europe to feed and clothe Nazi Germany and Austria.

Tens of millions of non-Jewish Europeans were exploited and murdered by this administrative infrastructure, which cooperated fully on a daily basis with the German Army, Gestapo, and SS.

Einsatzgruppen roamed areas behind frontlines, their sole purpose to round up and exterminate Jews, gypsies, and other so-called "undesirables." Many assassins in their ranks were Austrians. In fact, some of the most unspeakable crimes committed on a daily basis in the Second World War upon noncombatants were committed by Austrians.

After the war, an international outcry sought and obtained trial of the worst of these war criminals. Many trials were held across Europe for years, as these men and women were sought out, secured, brought to the bar, and condemned to death or long prison terms. One nation was an exception to this rule of law: Austria.

Her population harbored a massive ratio of members of the Nazi Party. Tens of thousands of war criminals found their way back to Austria, quietly melting back into the mass of the population, secure in the knowledge that few neighbors, if any, would betray them to authorities. Their confidence was well placed, for most such neighbors were in fact sympathizers, if not actual participants in the worst of these deeds. The same was true of the police authorities. The man who arrested Anne Frank and sent her to Belsen was recently discovered as an Austrian policeman.

Over the years a few stout hearts who have never forgotten clamored for Austria to bring some of these butchers to trial. I speak of concentration camp commandants, camp guards, and the like. Some were openly living under their own names, even though they were widely known to be guilty of unspeakable crimes.

At last, in the past year, a few token trials were put on by Austrian authorities. And the entire Western World looked on in disbelief and shock at the result.

At Auschwitz, 3 million Jews were exterminated on an orderly assembly-line basis. Some men who designed and built these extermination facilities were brought to trial and found innocent of any criminal activity.

Austria did not blanch at that. She put on a second trial. The defendant was typical of a certain class of Nazi war criminal, of which there are thousands alive and well today in Austria. This beast was a former Nazi SS officer in the Mauthausen Concentration Camp, a mass murder facility. His name is Johann Gogl, and he acknowledged in open court that in 1944 he commanded a section at this camp called the "Stairway of Death."

According to witness testimony, prisoners were forced to drag 110-pound stones up 186 steep steps of a stone quarry. Those who did not perish on the steps were thrown into an electric fence when they reached the top. Gogl's name, according to testimony, was on the death orders.

Gogl, like the rest of his kind, said he did not know what was being done; that his name was forged. His attorneys produced a petition signed by 268 persons, virtually the entire adult population of his home village of Ottnang, declaring he could not be guilty because he dedicated his life to saving life, a reference to his membership in a mountain rescue unit. How touching.

This, then, is what Austria conceals beneath her smiling facade of mountains, skiing, snow an· "gemütlichkeit." Come to happy Austria and vacation with all the jolly old butchers of noncombatants. For they are everywhere in that accursed nation, and the entire world knows it. Austria sees fit to infuriate civilization by staging nonsense trials of the scum of the earth, and then acquits them.

We all know the real story. None of these people will ever be punished for their unspeakable deeds. After all, who were those they murdered? Who cares? And it was so long ago, wasn't it?

Where are the great voices of conscience who plead for even-handedness in the Middle East? I hear them not. I see them not.

I say, let Austria claim her own and hug them to her national bosom. She deserves them. And they deserve her. These young demonstrators who perpetrated the action against the Austrian Embassy did not do a nice thing. They did not do a legal thing. But they certainly did an understandable one.

LEAGUE OF VOTERS KEEPS BAN ON MEN

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. HUNGATE. Mr. Speaker, in these days of equal rights and democratic principles, this report of the proceedings of the League of Women Voters should be of interest to all Members.

[From the New York Times, May 7, 1972]

LEAGUE OF VOTERS KEEPS BAN ON MEN—URGES WITHDRAWAL OF U.S. FORCES IN SOUTHEAST ASIA

ATLANTA, May 6.—In this Southern city known for its hospitality the League of Women Voters was none too kind to men last week at the conclusion of its 30th annual convention.

Despite the pleadings of a small portion of the estimated 1,500 delegates to grant men membership rights, a stand-up vote on the final day of the convention resulted in a solid majority rejecting the proposal.

One delegate voting against the measure seemed to express the sentiments of most of the women when she said:

"The league is about the only moderate organization that has power for women. And I don't want to give up that power."

In another move that came as no surprise, the women went on record calling for total and immediate withdrawal of United States forces from Southeast Asia.

The anti-war expression represents only the sentiments of this particular convention and is not binding as an official league position, a representative of the organization said after the vote taken Wednesday night.

There was never any doubt that the delegates would block any attempt to bring men into their ranks.

But several pro-male supporters gave it a try. One woman suggested, "One of our purposes is to educate, and men are people who need educating." Besides, she added, "Men would be a good source of money."

But it was left to one of the leaders of the women's liberation movement, Gloria Steinem, to bring the delegates to their feet repeatedly during a speech she delivered earlier in the week.

Referring to the league's debate over the admission of men, she said, "No indeed. I can't understand why you need the validation of a man. The truth is we are not ready. We cannot integrate with men on an equal basis until we are equal."

"If you admit men," she went on, "let them do the typing, run the child care centers and donate money."

She also warned politicians to take women's votes seriously. An advocate of women's unrestricted rights to abortion on demand, Miss Steinem characterized many of today's politicians as "ancient white men and state legislatures . . . legislating the reproductive freedoms of women.

Noting that one-third of all women in the United States live below the poverty level, compared to one-tenth for men, and that 80 percent of the country's welfare rolls are women and children, she said, "Most of you in this room are only one man away from welfare yourself."

Acknowledging the unheralded role of the average housewife, Miss Steinem estimated that a man would have to pay between $9,000 to $14,000 a year for the 99.6 hours a week that the housewife puts in. "And that's not including parttime prostitution privileges," she added.

COAST GUARD MISMANAGEMENT

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ASPIN. Mr. Speaker, I am publicly releasing today two recent General Accounting Office reports that reveal that estimated payroll accounting errors by the Coast Guard totaled in 1970 approximately $200,000. This $200,000 would be more than enough money to open, modernize, and operate the Racine Coast Guard Station. Earlier, the Coast Guard had estimated that it would take $130,000 to repair the Racine station and put it in top operating condition. In 1969 the Coast Guard estimated that it would only save $35,000 per year by closing the Racine station.

If the Coast Guard would eliminate mismanagement and waste in its own organization, more money would be available to keep stations like Racine open for the protection of boaters.

The GAO report indicates the Coast Guard made errors in 24 percent of the pay records of Coast Guard servicemen. A similar survey made of the records of men leaving active duty with the Coast Guard, reveals that 32 percent of the records were in error. The cost of these errors could be as high as $300,000.

No matter how you look at it, the Coast Guard could operate the Racine station for several years with these misused funds.

I have requested the General Accounting Office to make a comprehensive review of all Coast Guard programs. If these two reports are any indication then the GAO will find more mismanagement and misuse of funds by the Coast Guard.

The GAO reports follow:

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., September 6, 1971.

Adm. CHESTER R. BENDER,
Commandant, The Coast Guard.

DEAR ADMIRAL BENDER: We have completed an examination at Coast Guard Headquarters, Washington, D.C. of a statistical sample of Coast Guard military pay records closed during the period January 1 to June 30, 1970. The examination included a review of 266 pay records of Coast Guardsmen on active duty during the period.

We found that there were 72 errors amounting to about $1,035 contained in 65 of the 266 pay records included in our sample. A statistical projection of the results of our examination indicates that there may have been about 10,450 errors amounting to an estimated $151,800 contained in the pay records of the 38,567 members on active duty as of June 30, 1970. More specifically, our computations showed that there was a 95-percent probability that (1) the number or errors in the pay records ranged from about 8,080 to about 12,800 and was more likely to be about 10,450 and (2) the probable dollar amount of these errors ranged from about $53,500 to about $250,000 and was more likely to be about $151,800. A summary of the types and frequency of the errors found is contained in Attachment I.

During the course of our examination we reported our findings in detail to the Coast Guard Payments and Claims Division so that corrective action could be initiated promptly. That Division has taken corrective action on all errors reported.

We also examined the pay records of those members among the 266 in our sample who received reenlistment and variable reenlistment bonuses prior to January 1, 1970. This review disclosed two members who were paid bonuses for greater amounts than they were entitled. These cases and the actions taken by the Payments and Claims Division are discussed in Attachment II.

Our examination did not include an overall evaluation of Coast Guard's payroll operations since we considered only those records available at Headquarters. We plan to initiate a review of pertinent source documents in the field in the near future. We are currently examining pay records available at Headquarters of those members separated from active duty during the six month period ended December 31, 1970, and we plan to report to you on the results of this examination.

We appreciate the cooperation and courtesies extended to us by Headquarters officials during our examination. We could appreciate your advice as to any actions the Coast Guard plans to take to reduce the incidence of the types of errors discusesd in this letter.

Sincerely yours,

RICHARD W. KELLY,
Assistant Director.

SUMMARY OF ERRORS—SAMPLE OF 266 MILITARY PAY RECORDS

Type of error	Number	Over-payment	Under-payment	Total
Federal income tax incorrectly withheld [1]	45	$383.93	$94.95	$478.88
FICA tax computed incorrectly	3	2.05		2.05
Basic allowance for quarters incorrectly recorded	1		45.00	45.00
Sea duty incorrectly recorded	5	3.60	8.80	12.40
Foreign duty incorrectly computed	2	.80		.80
Incorrect number of days entitled to leave rations	1	4.17		4.17
Incorrect determination of entitlement of basic and standard maintenance clothing monetary allowances	4	56.06	10.80	66.86
Basic allowance for subsistence and commuted rations incorrectly computed	2		$10.14	$10.14
Overwithheld allotment	1		1.00	1.00
Proficiency pay awarded before member had met eligibility requirements [2]	1	$308.00		308.00
Member paid family separation allowance while on leave and proceed time	1	34.00		34.00
Base pay incorrectly computed [3]	3	17.77	53.90	71.67
Taxable income incorrectly computed [4]	3			
Total	72	810.38	224.59	1,034.97

[1] Withholding of Federal income tax errors included cases where (1) no amounts or incorrect amounts were withheld from retroactive pay increases, (2) sea duty was not included as income for withholding tax computation purposes, and (3) no amounts were withheld on taxable income.

[2] Proficiency pay was awarded before the member met the eligibility requirement of demonstrating superior performance in assignment for a minimum period of 6 months.

[3] Errors in base pay were (1) failure to reduce pay for being AWOL, (2) rate of pay not increased when promoted, and (3) wrong pay base used for computation of retroactive pay adjustment.

[4] Consists of an overstatement of $847.32 and understatements totaling $181.

INFORMATION ON OVERPAYMENTS OF REENLISTMENT AND VARIABLE REENLISTMENT BONUSES

CASE 1

A member was paid a reenlistment bonus by the Air Force in 1956. He subsequently enlisted in the Coast Guard and after completing his initial enlistment, reenlisted in October 1966 and was awarded a reenlistment bonus and a variable reenlistment bonus.

The amount of the reenlistment bonus paid the member was incorrect because the Coast Guard did not consider the prior reenlistment bonus paid by the Air Force in the bonus computation as required by 37 U.S.C. 308(a). Also, the member was not entitled to the variable reenlistment bonus since he did not meet the requirements of 37 U.S.C. 308(g). At the time of our review, the member was overpaid $4,175.75 and had not been paid $666.67 representing the remaining installment of the variable reenlistment bonus.

We reported this matter to the Payments and Claims Division. A pay adjustment was authorized against the member's pay. In April 1971, the Coast Guard approved the member's request for remission of indebtedness.

CASE 2

An enlisted member entered Officer Candidate School (OCS) in September 1966 and was awarded a reenlistment and variable reenlistment bonus. He was paid $305.40 for the first installment of the variable bonus in October 1966. This member had been selected to attend OCS prior to the date of his reenlistment. Inasmuch as the purpose of the variable reenlistment bonus is to provide the services with the continued use of enlisted men who possess certainly critical skills, we believe that the bonus payment was improper.

A Comptroller General's decision dated February 8, 1968, (47 Comp. Gen. 414), states that the variable reenlistment bonus is not atuhorized to enlisted members who are selected for college training under the Navy Enlisted Scientific Education Program or other similar programs and who reenlist for the purpose of meeting the obligated service

requirements for such training. The decision states further that in view of an apparent misunderstanding by the military departments of the proper application of a previous Comptroller General's decision regarding the subject, we would not question bonus payments otherwise correct that were made incident to such reenlistments. However, the decision required that further payments, including yearly installments for such reenlistments already entered into, were to be promptly discontinued.

Since this variable reenlistment bonus was paid prior to 47 Comp. Gen. 414, dated February 9, 1968, we did not request that collection action be initiated. However, we alerted the Payments and Claims Division to the need to comply with the decision in the future. Also, the Division agreed to review the pay records of all members who attended OCS subsequent to the effective date of the decision in order to determine whether any variable reenlistment bonuses were improperly awarded.

U.S. GENERAL ACCOUNTING OFFICE,
Washington, D.C., December 13, 1971.

Adm. CHESTER R. BENDER,
Commandant,
The Coast Guard.

DEAR ADMIRAL BENDER: We have completed an examination of a statistical sample of the pay records of Coast Guard members who were separated from active duty during the period July 1 to December 31, 1970. Final pay and allowances to members who are separated includes cash settlement for unused leave and travel allowances to their home of record or place of entry in the service.

There were 115 errors amounting to $2,526 in 61 of the 193 pay records included in our sample. A statistical projection of the results of our examination indicates that for the 3,473 members who separated from active duty between July 1 and December 31, 1970, there was a 95 percent probability that (1) the number of errors in the pay records ranged from 1,570 to 2,570 and was more likely to be 2,070 and (2) the dollar amount of these errors ranged from $26,050 to $64,900 and was more likely to be $45,460. A summary of the types and amounts of errors is shown in the attachment.

About 32 percent of the pay records we examined contained errors. Although this high percentage shows a general need for greater care in the maintenance of pay records, we were unable to identify the cause of error in most cases because our review was limited to the records available at Headquarters. Therefore, we plan to begin a review in the near future of pertinent source documents and control procedures in the field.

During the examination we reported our findings in detail to the Payments and Claims Division so that corrective action could be initiated promptly. That Division has taken corrective action on all errors reported.

We appreciate the cooperation and courtesies extended to us by Headquarters officials during our examination.

Sincerely yours,

RICHARD W. KELLEY,
Assistant Director.

SUMMARY OF TYPES AND AMOUNTS OF ERRORS, LUMP-SUM LEAVE PAYMENTS AND ALLOWANCES FOR 193 MEMBERS SEPARATED FROM ACTIVE DUTY, JULY 1, TO DEC. 31, 1970

Type of error	Number of errors	Over-payment	Under-payment	Total
Leave taken not recorded on leave record [1]	20	$1,430.76	----------	$1,430.76
Leave taken incorrectly recorded on leave record [1]	24	293.89	$86.16	380.05
Mathematical error in computing leave record balance	6	40.06	30.50	70.56
Improperly allowing member to earn leave while in excess leave status	12	46.47	----------	46.47
Over deduction of allowances in connection with excess leave	2	----------	17.03	17.03
Excess leave incorrectly computed	3	6.51	1.51	8.02
Payment of basic allowance for quarters when not entitled because of grade or dependency status	2	85.00	----------	85.00
Mileage allowance incorrectly computed	2	$9.78	----------	$9.78
Leave rations not recorded on pay record	27	----------	$376.59	376.59
Leave rations incorrectly recorded on pay record	6	6.60	1.32	7.92
Leave rations improperly paid while in excess leave status	4	45.87	----------	45.87
Improper payment for sea duty while on leave	5	28.30	----------	28.30
Improper payment for basic allowance for subsistence while on leave	2	19.99	----------	19.99
Total	115	2,013.23	513.11	2,526.34

[1] Includes both ordinary and delay en route leave.

RESPECT FOR LAW

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. LONG of Maryland. Mr. Speaker, Miss Evelyn Mills, of Baltimore, a young lady 14 years old, has won the Optimist Club of Dundalk's essay contest on "Respect for Law."

I would like to share with you her eloquent statement on a very significant subject:

Respect for law to me means to obey and uphold those concepts which have been created to insure and guarantee the safety of every individual. Respect for law not only means the respect of the institution, but for those people who serve in some capacity in our own law enforcement system.

We must not only obey the law ourselves, but we must assist in the apprehension of those who abuse the laws of our land. We cannot refuse to get involved when innocent people must suffer. The old "I don't want to get involved" line can correctly be termed today as a "cop-out."

Everyone wants a feeling of security. I consider it a right to walk the streets safely, a right to feel unharmed in your own home, a right to have peace of mind. When these rights are denied to any human being, no one can sit and remain apathetic.

I think it only fair to remark that at this point it may seem to many that it is too late to fight crime, that we can only sit back and watch our crime-infested society further deteriorate. Besides, you may say, "I'll only endanger my own life by sticking my neck out."

There is a spark of hope which can only be brought aflame by people who respect the law and want to get involved in bringing violators of the law to justice.

The first step in involvement is a respect for law ourselves. This includes obeying the laws and co-operating with law enforcement officers. We all hear the words pig, cop, fuzz, and words of the like that are used to label our law enforcement officers. This is extremely ironic because these people risk death to protect us. They aren't some band of outcasts but indeed perform valuable service to society. The next step is to report crimes. If you have any association with a crime, such as eyewitnesses, gladly answer questions. Third, and most often the least-practiced, help those on the street who need your help.

Remember that every crime committed, every policeman murdered, every criminal, every minute someone remains apathetic, every minute you remain apathetic, takes away from your safety, security and well-being.

I respect the law because I want safety, security, and most of all peace of mind for myself and everyone else. Remember, you can never pay back those who have daily risked their lives for us. The least we owe them and the institution they uphold is respect.

HON. JOHN VOLPE, SECRETARY OF TRANSPORTATION, REVIEWS THE OKLAHOMA CITY ALCOHOL SAFETY ACTION PROJECT

HON. JOHN N. HAPPY CAMP

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CAMP. Mr. Speaker, the Secretary of Transportation, John Volpe, was a recent visitor of Oklahoma City where he personally reviewed the Oklahoma City alcohol safety action project. Secretary Volpe was accompanied on his visit by the Administrator of the National Highway Traffic Safety Administration, Douglas Toms.

The alcohol safety action project is a demonstration project for the city of Oklahoma City under the Highway Safety Act of 1966 with the city of Oklahoma City as the prime contractor.

Secretary Volpe and Mr. Toms conducted a site visit of the two mobile alcohol laboratory processing units and the eight subsidiary patrol vehicles which were secured for the Oklahoma City Police Department under the provisions of the contract. These mobile vans are equipped with chemical breath testing, video tape and booking facilities which have greatly lessened the out-of-service time for police officers who arrest individuals suspected of "driving under the influence."

The police department has also been authorized 31 new police officers, the alcohol traffic safety unit, to operate this new equipment, all of whom received 3 weeks intensive training in breath or blood test techniques as well as in arrest and courtroom procedures.

This year, the Oklahoma Legislature lowered the presumptive level of legal intoxication to 0.10 percent blood alcohol concentration and defined impairment as being from 0.05 to 0.10 percent BAC, depending on the circumstances and the degree of impairment observed by the arresting officer. Under the implied consent law of Oklahoma, refusal to submit to either the breathalyzer or blood withdrawal automatically requires a hearing with the department of public safety with the potential loss of driving privileges and license suspension for 6 months.

The Oklahoma City ASAP became op-

erational January 1 and this expanded enforcement contingency has resulted in an increase of DUI arrests by 110 percent in the first quarter of 1972 as compared to the same period in 1971. The conviction rate for those charged with DUI was 72 percent. Of those charged and subsequently convicted of DUI, 35 percent were diagnosed as problem drinker drivers and placed in rehabilitation programs.

Those individuals charged with DUI are given the usual opportunity to enter a plea of their choosing. Two full-time prosecutors and a legal intern have been added to the municipal attorney's staff with funds provided under the contract. Also with ASAP moneys, one full-time judge and five probation officers complement the existing municipal courts' staff and work exclusively with the ASAP in order to conduct presentence investigations and supervise convicted defendants.

After conviction, but prior to sentencing, each defendant is interviewed to determine the extent of his drinking problem. Those classified as nonproblem drinkers are directed into the more traditional sentencing categories, often supplemented by mandatory attendance in a 12-hour Drinking Driver Institute, the purpose being to reinforce safe driving habits and to emphasize the potentially hazardous results of drinking and driving.

Those individuals classified as problem drinkers are channeled into rehabilitation programs which, if voluntarily accepted, are offered as probation in lieu of incarceration. These programs include psychological and/or medical evaluation, inpatient or outpatient therapy, and group counseling, Disulfiram and behavioral modification training. The probation department keeps a check on the individual's progress during all stages of this rehabilitation. If successfully completed, the defendant then is allowed to terminate his active participation in the ASAP.

A significant part of the ASAP is an intensive public information and education campaign. It is designed to increase public awareness of the alcohol problem as it relates to highway safety, to impress the public that alcohol related accidents and deaths can and must be reduced and to develop public support in order to ex-judge and five probation officers comple-

Mr. Speaker, preliminary results indicate that with consistent, dedicated effort this program may prove to be the single most important factor in reducing the tragedies caused by the drinking driver on our streets and highways.

A BILL THAT PRODUCES RESULTS EVEN BEFORE IT PASSES

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, I want to call the attention of Members of this House to part of an interesting article which appeared on May 1 in the Journal of Commerce about a bill with which I have become closely identified, the Foreign Trade and Investment Act of 1972. I think the article takes a balanced point of view and this in itself is refreshing. Usually emotions seem to run high in any discussion on the prospects of legislation on the subject of foreign trade.

The article follows:

OPPOSITION EASING TO HARTKE TAX CHANGES

(By George F. W. Telfer)

Signs of a break in the opposition to the tax provisions of the Burke-Hartke bill are appearing within the Nixon Administration and in academic circles.

Present law providing American-based multinational corporations with credits or deferral in payment of federal taxes on their foreign earnings should be re-examined to see how they affect American domestic production and jobs, C. Fred Bergsten, a former assistant to President Nixon on international economic affairs, said here Friday.

Mr. Bergsten told a Columbia University forum on Friday that he shared some doubts of organized labor and others that the foreign operations of multinational corporations should continue "untrammeled." But even if such operations are limited by removing some of the tax advantages, he added, "this doesn't mean that we should abandon liberal trade policy."

Recently, a high Treasury tax official indicated that the Treasury had only a "lukewarm interest" in opposing removal of the tax deferral on income earned from manufacturing abroad.

The statement was made before a group of accountants of leading corporations by Nathan Gordon, speaking for Edwin S. Cohen, assistant secretary of the Treasury for tax policy.

ADDITIONAL REVENUE

As pointed out by specialists in the field, such a step would not produce much additional revenue. It also would not be a very heavy burden on U.S.-owned plants operated in high-tax countries such as the United Kingdom, Germany and France. However, it could be a serious burden on plants in countries having substantially lower tax rates than the United States. These have counted on exemption from both their own government's the U.S. income tax until profits are repatriated to the U.S.

Among other things the Burke-Hartke bill would repeal the tax credit now available to U.S. companies manufacturing abroad based on the amount of tax they pay to foreign governments. It also would require the companies to pay taxes to the U.S. Government on the income they earn abroad as they earn it, rather than only when they repatriate it.

STRAIGHT-LINE DEPRECIATION

The bill would further require straight-line depreciation of property located outside the U.S. Also, the President would have the authority to prohibit transfers of U.S. capital abroad and to prohibit holders of U.S. patents from producing or using the patented product outside the U.S. if this could reduce the level of U.S. employment.

Executives of multinational companies recently have indicated their greatest concern over Burke-Hartke is caused by the proposed tax changes. As is well known, organized labor strongly backs the bill, although some elements in the labor movement opposed it.

Mr. Bergsten, now Visiting Fellow at the Council on Foreign Relations and guest scholar at the Brookings Institution told the forum that he believed multinational corporations had become more interested in the free flow of capital than the free flow of goods. Therefore, he said, "I share some of the concern of the AFL–CIO on this score. We must look very closely at the overall impact from the foreign investment activity of multinational firms before we let them go ahead in the uncontrolled way which they have in the past."

The forum, entitled "Trade Policy at the Crossroads: Which Route to Negotiations?" was sponsored by Columbia Society of International Law and held at the university's School of Law.

Mr. Bergsten did not actually tell the forum that he was referring to the Burke-Hartke bill's proposed tax changes. But in a brief interview afterward, he indicated that Congress and the administration should scrutinize, in particular, the tax treatment of corporations' foreign operations.

Stanley H. Ruttenberg, president of Stanley H. Ruttenberg & Associates, Inc., Washington, asserted that American multinational corporations might strive to become a more competitive and prod Washington to force other countries to reduce barriers to U.S. exports if some of the tax and other advantages of operating abroad were removed.

"There is no incentive for large U.S. corporations to make their U.S. operations more efficient—and thus more competitive, nor to help the U.S. Government reduce tariff and nontariff barriers around the world," he claimed. He pointed to the fact that most companies had invested in the European Economic Community to get behind their tariff walls.

Another speaker, John C. Renner, director, Office of International Trade, U.S. Department of State, refuted the claim that Burke-Hartke would save U.S. jobs. He asserted that the currency realignment should improve the U.S. trade position most in lower-technology industries. This is because they are "quite price-responsive, and the competition is fierce."

He pointed out that for the first time in recent years in March purchases of color televisions in the U.S. focused more on U.S. produced units than on foreign made ones. "By mid-1973 our total balance of trade position should be going into surplus, largely because of the pickup in low-technology products," Mr. Renner said.

While we are on the subject of the Foreign Trade and Investment Act of 1972, and without wanting to appear too boastful, I think the news this weekend of the agreement with eight of our trading partners to curb steel sales in the United States demonstrates the effect that legislative proposals can have on affairs of state even though in the form of a bill rather than law. It has always been my hope that my bill would lead to action such as this. In other words, even without passing judgment on the merits of the specific contents of the agreement, it would appear to be a step in the right direction following on the heels of the much publicized textile agreement with Japan and other Asian countries as well as the voluntary agreement with the Italian shoe industry—all agreements initialed since the Hartke-Burke bill has been filed—I think that the bill's authors can justifiably feel as though they are contributing to a new attitude on the part of both our negotiators and our foreign trading partners. In short, if our bill accomplishes nothing else—and it must accomplish more than the agreement signed to date—it will not have been in vain. My many colleagues who had the courage to cosponsor this bill, or file bills of their own which closely parallel this bill, can take justifiable pride in such results. Their cosponsorship has clearly not been in vain.

An article from the Boston Globe follows:

EIGHT NATIONS TO CURB STEEL SALES IN UNITED STATES

WASHINGTON.—The White House announced yesterday agreements with Japan and seven European countries aimed at curbing further inroads by imports into the American steel market.

The producing foreign countries apparently agreed to curb their exports lest Congress enact protectionist legislation that could have placed even stricter limits on their shipments.

The new agreements, climaxing a year of negotiations, cover 1972–74 shipments and supplant more generous, voluntary quotas that went into effect in 1969.

President Nixon said in a statement:

"This undertaking represents a substantial improvement over the arrangements of the last three years and will enable domestic steel producers to make their plans with confidence that imports will not be disruptive in the domestic market. It will help preserve the jobs of American steel workers."

Under the old agreements, foreign steel makers were allowed to increase their exports here at the rate of 5 percent annually.

The new restriction on shipments will limit annual increases to 2½ percent, or roughly the rate at which the total American market grows.

The settlement with Japan will limit its 1972 shipments of steel mill products to the United States to 6,498,000 tons. The Europeans will hold shipments to 8,013,794 tons this year, 8,093,573 tons in 1973 and 8,295,910 tons in 1974.

Thus, through 1974, imports should be held to their present estimated level of 15 percent of the US market.

For the first time, the United Kingdom initialed the latest curbs. The other European countries involved are Belgium, France, West Germany, Italy, Luxembourg and the Netherlands.

Together with Japan, three countries account for about 85 percent of total US imports of steel-mill products.

The American negotiating team won another concession from the foreign producers to impose special curbs on exports of higher-priced specialty steel such as stainless, tool and other alloys.

Tonnage limitations on stainless and other alloy steels for 1972 and 1973 will, in fact, represent rollbacks from actual 1971 shipments.

The agreements place restraints also on exports of fabricated structural steels, not covered under the 1969–71 arrangement, and on shipments of cold-finished steel bars.

Nathaniel Samuels, deputy US undersecretary of state for economic affairs, supervised a year of talks culminating in the accords.

Some American steel companies would like to see similar arrangements with Scandinavian producers, and Samuels told newsmen at a White House briefing that such a development would be desirable. However, he said no negotiations toward that end are under way.

BUSING BILLS TURN BACK CLOCK

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DIGGS. Mr. Speaker, on April 27, 1972, Mrs. Frank W. Wylie, president of the Michigan Civil Rights Commission, testified before the House Committe on the Judiciary concerning House Joint Resolution 620 and H.R. 13916, legislation dealing with the question of busing.

The Michigan Civil Rights Commission, the only State constitutionally created civil rights enforcement agency in the Nation, has communicated its deep concern over this legislation and its consequences on the civil rights progress which this Nation has made in recent years. The commission charged that these resolutions, should they pass, would "render the implementation of desegregation plans absolutely impossible."

I would like to share the full text of Mrs. Wylie's comments with my colleagues:

TESTIMONY BY MRS. FRANK W. WYLIE, PRESIDENT, MICHIGAN CIVIL RIGHTS COMMISSION, BEFORE SUBCOMMITTEE NO. 5 OF THE COMMITTEE ON THE JUDICIARY

Chairman Celler and members of the Subcommittee, I am Martha Wylie, president of the Michigan Civil Rights Commisison. Accompanying me this morning is Rita Scott, director of Education Programs. We are pleased to have this opportunity to appear before you to describe the Commission's experience and to share its concerns.

The MCRC is a major department of state government, created under provisions of a new state constitution which took effect in January 1964. The Commission is charged with the responsibility to protect the enjoyment of the civil rights guaranteed by law and by the constitution and to secure the equal protection of such rights without discrimination because of religion, race, color or national origin. It is the only constitutionally created civil rights enforcement agency in the nation.

The Commission urges this Subcommittee and Congress to reject H.J.R. 620 and H.R. 13916.

The Michigan Civil Rights Commission is painfully aware that events and officials in Michigan have influenced members of this Congress to consider legislation that would turn back the clock—reestablish the Plessy v. Ferguson doctrine of "separate but equal" in education, and impede the implementation of Titles IV and VI of the Civil Rights Act of 1964.

On February 22, 1972, the Michigan Commission responded to the proposition of constitutional amendments, as embodied in H.J. Resolution 620, and communicated its concern to state and federal officials. Let me share with you the substance of our unanimous position statement:

"The Michigan Civil Rights Commission calls upon the President, the Congress and public officials at all levels to join together to resist the current effort to amend the United States Constitution in a way which would have the effect of nullifying the United States Supreme Court's decision of 1954 outlawing racial segregation in our public schools.

"The momentum building toward an amendment prohibiting busing to end segregation could well bring us to a constitutional and moral crisis the likes of which we have not seen since the Civil War.

"It took more than a half century since 1896 to overturn the 'separate but equal doctrine' . . . It appears that it has taken less than 20 years from Brown vs. Board of Education for the clamor to begin to deny Fourteenth Amendment rights. . . . Those who urge amendment, we believe, fail to comprehend fully the awesome significance of action which would amend the Bill of Rights for the first time in our history.

"This Commission's Constitutional mandate compels it to speak to those in critical power and to every citizen of Michigan. Racial antipathy is the reality of this nation's history and what is wanting is a new understanding of how present inequities have developed and should be cured. To assume sectional differences between North and South impedes final resolution of the conflict between belief and practice. To amend the Constitution or to legislate to restrict the means of achieving equity leads the country away from its stated goals.

"The young people in Pontiac who are actively seeking to convince their elders that they *can* make it work, are symbolic of the commitment to the sense of justice which was the original source of our Constitutional strength. Adults have a moral duty to note and to emulate these young people. Public officials have a Constitutional duty to do so.

"As a civil rights enforcement agency, the Commission points out the contradictions of stating our complex racial dilemma only in terms of 'forced integration of the suburbs' when speaking of Open Housing; or 'forced busing of school children' when speaking of education.

"So interrelated are the systems of Housing, Employment and Education discrimination that our courts now find there is no longer a distinction between de jure and de facto segregation.

"To oppose busing as one of the methods of contributing to the achievement of equality in education for all children—to advocate the passage of a Constitutional amendment sanctifying the 'neighborhood school' when so often neighborhoods have been kept white by design, is to sanction the notion that we are incapable of bringing reality up to the level of belief. . . ."

While the Michigan Civil Rights Commission spoke to the critical and debilitating impact of a federal Constitutional amendment on public education policy and practice in Michigan, President Nixon on March 17, 1972, proposed a legislative strategy which would have the immediate effect of restricting any additional transportation of students now and in the foreseeable future. Enactment of this legislation would severely restrict minority youth access to desegregated schools and retain the status quo in terms of existing inequality of education facilities and services.

Such action only serves to prolong the divisive debate on busing. It precludes our attention to correction of educational circumstances which are in violation of Constitutional principles in Michigan and across this nation.

Let me now describe the situation in Michigan. In 1963 the people of Michigan reaffirmed their commitment to a system of free public education as a new State Constitution was adopted.

The fundamental importance of education to all members of a free, culturally diverse society, has been a basic tenet of this nation and Michigan.

Under provisions of Michigan law, residents are required to support public education; and under penalty of state law, every young person between the ages of 6 and 16 is required to attend a state-approved program of education.

In April of 1966, the Michigan Civil Rights Commission and the State Board of Education adopted a *Joint Policy Statement on Equality of Educational Opportunity* [attached] which set forth the findings of Brown I, supported the provisions of the Civil Rights Act of 1964, and described the legal and educational responsibility of school officials to prevent and/or correct segregation.

Some voluntary affirmative actions resulting in the elimination of racially identifiable

schools have been taking place in a few small Michigan communities . . . Ann Arbor, Baldwin, Cassopolis and Covert.

In our middle cities, however—particularly in urban centers providing instructional programs for a student population of from 15,000 to 40,000, and in Detroit, voluntary actions to desegregate even at the secondary grade level have been challenged by residents who resist change.

This has been our early experience, for example, in such cities as Lansing and Flint, and our recent experience in Kalamazoo. I am pleased to report that the State Court of Appeals has used the State's Joint Policy Statement of 1966 in affirming that school officials have the authority and the mandated responsibility to assign students to facilities, and to consider race along with other factors in such decisions.

Seven Michigan districts* have been the subject of federal HEW review on their compliance status. One of these, Ferndale, was found in a state of noncompliance. A directive to terminate funds to Ferndale was ordered only last week.

Five local districts have been charged with discrimination and denying equal protection of the laws in action before the U.S. District Court. These several cases are at different stages.

Under the district court orders to Kalamazoo and Pontiac, school officials were required to implement a student-staff desegregation plan effective September 7, 1971.

The Pontiac appeal to the U.S. Supreme Court was denied; final orders are awaited in the Detroit desegregation case; appeals are pending in litigation involving Kalamazoo and Benton Harbor; and hearings on the complaint against the Grand Rapids schools will begin within a month in federal district court.

The immediate and continuing public response to court rulings have focused on the busing of students as a means to eliminate segregation. The federal courts, which have provided some relief for America's minorities since 1954, are facing severe criticism by the public and by elected officials. Even those who agree with the courts' findings now proclaim their total opposition to any remedy which would involve the transportation of students or the dissolution of the neighborhood school—often in terms of their "right" to a neighborhood school.

In his decision on the case Bradley v. Milliken, Judge Stephen J. Roth describes the reality—that black youth have been illegally confined to segregated, inferior schools. He found the Detroit and state school officials, the State, and local, state and federal housing officials guilty in that they acted to create and maintain racially segregated schools. Young Ronald Bradley, his family, and thousands of black families in the Detroit district took comfort as the Court described its legal responsibility and intention to seek appropriate remedies. There was hope that at last practices which were constitutionally and educationally offensive would be corrected, that the Constitution meant what it said, and that public officials, sworn to uphold the Constitution, would do just that!

I am sure that you must be aware that the hope and belief in justice, and the enforcement of civil rights, is at this moment somewhat dim. I can assure you that this describes the feelings of minority residents within our state. The disillusionment in the legal system and in the commitment of public officials is almost total at all levels of the minority community in Michigan—and I might add, among a large segment of the white community.

The Court decisions and orders involving Michigan school districts have implications for all other local districts where similar circumstances prevail.

In the school year 1970–71, public school enrollment in Michigan totaled 2,157,273 and included 13.4% black and 1.3% Spanish-surnamed pupils. Nearly three-quarters of all black pupils and 29% of all Spanish-surnamed pupils attend schools in the Detroit metropolitan area . . . Wayne, Oakland and Macomb counties. The remaining non-white pupils, except for 7% of the total American Indian student population, attend schools in southern Michigan.

In our core cities—approximately 27 school districts—racial segregation, particiularly in the elementary grades, is the rule rather than the exception. Complaints to the MCRC of unlawful discrimination are increasing. Among the complaints brought to us by members of the black, brown and red communities are allegations regarding extremely poor school/pupil academic performance; unequal treatment, conditions and benefits; grossly deficient curriculum content; and racial segregation and isolation. Exhibit B.

All of these urban school districts have qualified for and receive funds under the Elementary and Secondary Education Act. Compensatory education funds have had little impact upon minority student progress through school.

In many Michigan districts, minority group members are convinced that the elimination of segregation is the basic component of any plan to assure equal and quality education. There are school administrators and boards of education who support this concept. In Jackson and in Lansing, Michigan, school officials and the community have been engaging in the process of identifying feasible options for desegregation. Despite some vocal opposition, these districts are proceeding and expect to decide upon a time schedule and plan this school year. The plans will call for the transportation of more students than are currently bused in the districts.

The H.J.R. 620 proposal, if ratified would render the implementation of such plans absolutely impossible. The enactment of the legislative proposal H.R. 13916 invites opponents of these plans to intervene through the courts and thereby bar implementation.

Thus, even when the professional judgment of those who have direct responsibility for the operation of local schools, call for student desegregation, they are likely to be restrained by the action this Congress contemplates.

In addition, the enactment of the proposed H.R. 13916 would require the districts of Kalamazoo and Pontiac to cease transportation of students ordered by the Court in 1971. These districts have, with earnest effort and good faith, complied with Federal Court orders. Desegregation has been achieved district-wide, and is working well. The reorganization to achieve the previous status of schools as of December 31, 1970, would place an intolerable burden on these districts.

We in Michigan viewed our legal responsibility and opportunity to provide equal educational opportunity with some clarity and enthusiasm prior to November 4, 1971.* Educational leaders in this state understood the meaning of "affirmative duty" as described by Chief Justice Burger in Swann vs. Charlotte-Mechlenburg. There was a real prospect that the victims of discrimination in education would no longer be required to initiate court action at their own expense.

We are faced now with the prospect that such litigation will provide little, if any, realistic remedy.

This is indeed a critical moment in this nation's history. At a moment when leadership and encouragement from federal and state officials should facilitate local desegregation efforts, and exert the calm example of upholding the Constitutional guarantees, we are met with equivocation and retreat. For the Congress of the United States to act affirmatively on the proposed measures would be to record the greatest failure of this nation.

The Michigan Civil Rights Commission urges you to reject H.J.R. 620 and H.R. 13916 and similar measures.

We thank you for the opportunity to appear before you this morning.

EXHIBIT A

JOINT STATEMENT—MICHIGAN STATE BOARD OF EDUCATION AND MICHIGAN CIVIL RIGHTS COMMISSION

In the field of public education Michigan's Constitution and laws guarantee every citizen the right to equal educational opportunities without discrimination because of race, religion, color or national origin. Two departments of state government share responsibility for upholding this guarantee. The State Board of Education has a constitutional charge to provide leadership and general supervision over all public education, while the Michigan Civil Rights Commission is charged with securing and protecting the civil right to education.

In addition to the declaration of public policy at the State level, the United States Supreme Court, in the case of Brown vs Board of Education, ruled: "that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

The State Board of Education and the Michigan Civil Rights Commission hold that segregation of students in educational programs seriously interferes with the achievement of the equal opportunity guarantees of this State and that segregated schools fail to provide maximum opportunity for the full development of human resources in a democratic society.

The State Board of Education and the Civil Rights Commission jointly pledge themselves to the full use of their powers in working for the complete elimination of existing racial segregation and discrimination in Michigan's public schools. It shall be the declared policy of the State Board of Education that in programs administered, supervised, or controlled by the Department of Education, every effort shall be made to prevent and to eliminate segregation of children and staff on account of race or color.

While recognizing that raical imbalance in Michigan schools is closely related to residential segregation patterns, the Board of Education and Civil Rights Commission propose that creative efforts by individual school districts are essential and can do much to reduce or eliminate segregation. Local school boards must consider the factor of racial balance along with other educational considerations in making decisions about selection of new school sites, expansion of present facilities, reorganization of school attendance districts, and the transfer of pupils from overcrowded facilities. Each of these situations presents an opportunity for integration.

The Board of Education and the Civil Rights Commission emphasize also the importance of democratic personnel practices in achieving integration. This requires making affirmative efforts to attract members of minority groups. Staff integration is a necessary objective to be considered by adminis-

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* Ecorse, Ferndale, Flint, Pontiac, River Rouge, Saginaw, Westwood.

*The date Congress acted with dispatch to propose several antibusing amendments to pending legislation.

trators in recruiting, assigning and promoting personnel. Fair employment practices are not only required by law, they are educationally sound.

The Board of Education and the Civil Rights Commission further urge local school districts to select instructional materials which encourage respect for diversity of social experience through text and illustrations and reflect the contributions of minority group members to our history and culture. A number of criteria are enumerated in *Guidelines for the Selection of Human Relations Content in Textbooks,* published by the Michigan Department of Education in 1965.

The Board of Education and the Civil Rights Commission believe that data must be collected to show the racial composition of student bodies and personnel in all public schools as a base line against which future progress can be measured. Both agencies will begin next month to assemble information on the present situation.

To implement these policies the State Board of Education has assigned staff to work cooperatively with the Civil Rights Commission and local school authorities for the purpose of achieving integration at all levels of school activity. The Michigan Civil Rights Commission also stands ready to assist local school boards in defining problem areas and moving affirmatively to achieve quality integrated education.

EXHIBIT B-1

STATE OF MICHIGAN—PUBLIC SCHOOL CENSUS, 1970-71

	Number	Percent
Total	2,157,273	100.0
White	1,830,367	84.8
Black	290,018	13.4
Spanish surname	27,801	1.3
American Indian	4,885	.2
Oriental	4,212	.2

Note: Public school environments: 80 percent of all Negro public school students attend predominantly Negro schools (over 50 percent); 46.4 percent of all white public school students attend all-white schools.

EXHIBIT B-2

38 RACIALLY IMPACTED SCHOOL DISTRICTS, STATE OF MICHIGAN—RACIAL CENSUS SUMMARY, 1970-71 (BY DISTRICT)

District	Indian		Black		Asian		Latin American		White		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Albion	5	0.1	1,051	29.2	6	0.2	174	4.8	2,362	65.6	3,598
Ann Arbor	27	.1	1,810	9.1	261	1.3	167	.8	17,725	88.7	19,995
Battle Creek	24	.2	2,844	27.1	11	.1	78	.7	7,542	71.8	10,499
Bay City	21	.1	224	1.3	18	.1	743	4.4	15,714	94.0	16,720
Beecher	6	.1	2,221	33.2	7	.1	174	2.6	4,287	64.0	6,690
Benton Harbor	34	.3	6,138	53.8	4	(1)	38	.3	5,189	45.5	11,409
Buena Vista	0	(1)	1,511	42.9	0	(1)	269	7.6	1,743	49.5	3,520
Cassopolis	3	.2	577	29.0	0	(1)	7	.4	1,405	70.5	1,995
Clintondale	7	.1	380	7.5	4	.1	39	.8	4,643	91.5	5,073
Covert	0	(1)	579	68.9	0	(1)	0	(1)	261	31.1	843
Detroit	235	.1	181,567	63.8	666	.2	3,860	1.4	98,119	34.5	284,442
Dowagiac	33	.8	483	11.6	2	(1)	90	2.2	3,557	85.4	4,163
Ecorse	2	(1)	2,135	50.8	9	.2	237	5.6	1,817	43.3	4,200
Ferndale	10	.1	770	9.5	28	.3	34	.4	7,297	89.7	8,137
Flint	27	.1	18,475	40.5	60	.1	625	1.4	26,472	58.0	45,659
Grand Rapids	137	.4	7,605	22.0	70	.2	857	2.5	25,865	74.9	34,534
Hamtramck	6	.2	816	28.7	3	.1	28	1.0	1,990	70.0	2,843
Highland Track	9	.1	6,556	85.1	23	.3	14	.2	1,106	14.3	7,708
Inkster	0	(1)	3,795	88.0	5	.1	2	(1)	509	11.8	4,311
Jackson	7	.1	2,016	14.8	19	.1	157	1.2	11,379	83.8	13,578
Kalamazoo	20	.1	2,947	16.5	58	.3	124	.7	14,679	82.3	17,828
Lansing	89	.3	4,084	12.5	56	.2	1,972	6.1	26,358	81.0	32,559
Monroe	1	(1)	326	3.5	3	(1)	84	.9	8,783	95.5	9,197
Mount Clemens	4	.1	1,418	21.3	17	.3	78	1.2	5,145	77.2	6,662
Muskegon	46	.5	2,289	22.7	23	.2	323	3.2	7,424	73.5	10,105
Muskegon Heights	9	.2	3,028	74.6	0	(1)	41	1.0	983	24.2	4,061
New Haven	1	.1	311	17.7	3	.2	49	2.8	1,394	79.3	1,758
Oak Park	0	(1)	558	10.1	13	.2	3	.1	4,950	89.6	5,524
Pontiac	26	.1	7,977	33.1	42	.2	1,063	4.4	14,979	62.2	24,087
Port Huron	40	.3	870	5.6	14	.1	283	1.8	14,222	92.2	15,429
River Rouge	26	.7	1,588	43.2	8	.2	27	.7	2,026	55.1	3,675
Romulus	25	.4	958	16.5	16	.3	21	.4	4,781	82.4	5,801
Roseville	26	.2	205	1.4	37	.3	44	.3	14,114	97.8	14,426
Saginaw	16	.1	7,632	33.7	26	.1	1,822	8.0	13,139	58.0	22,635
Taylor Township	43	.2	301	1.5	38	.2	232	1.1	20,109	97.0	20,723
Westwood	5	.1	1,980	39.9	8	.2	25	.5	2,943	59.3	4,961
Willow Run	0	(1)	907	20.1	4	.1	12	.3	3,597	79.6	4,520
Ypsilanti	13	.2	1,662	21.4	19	.2	25	.3	6,038	77.8	7,757
District totals (column percent)	983	20.1	280,594	96.7	581	37.6	13,821	49.7	404,646	22.1	701,625
State totals (row percent)	4,885	.2	290,069	13.4	4,202	.2	27,802	1.3	1,830,491	84.8	2,157,449

[1] Less than 0.1.

EXHIBIT C

SOME MICHIGAN SCHOOL STATISTICS

[Taken from local district results—Michigan educational assessment program, 1970-71, published by the Michigan Department of Education]

District name	State equalized valuation per resident pupil (1969-70)	Total current operating expense per pupil (1969-70)	Percent minority students	7th grade basic skills composite achievement (percentile)
Ann Arbor	$25,642	$1,004	11.1	93
Detroit	17,720	756	65.0	1
Flint	19,087	869	41.6	5
Grand Rapids	20,343	810	24.5	9
Jackson	17,579	925	16.2	25
Kalamazoo	22,139	894	19.0	54
Lansing	18,828	894	19.0	14
Muskegon	16,831	863	26.2	21
Muskegon Heights	11,334	679	75.8	0
Pontiac	21,033	857	38.0	5
Saginaw	18,744	757	41.9	4
Benton Harbor	13,323	714	54.4	1
St. Joseph	20,929	880	1.9	96
Ypsilanti	$19,528	$888	21.9	19
Beecher	11,686	693	36.0	3
Bloomfield Hills	23,845	965	1.1	98
Dearborn	41,231	1,056	1.3	87
East Lansing	22,584	1,025	8.0	97
Grosse Pointe	29,634	1,025	.3	97
Inkster	6,637	708	88.2	1
Livonia	16,758	792	.6	76
Oak Park	30,452	1,276	10.5	91
Warren Cons.	17,809	774	.8	83
Willow Run	14,521	754	20.2	4
Wyoming	14,281	699	1.8	46

FEDERAL HEALTH PROGRAMS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1972

Mr. ALBERT. Mr. Speaker, the people of the United States surely rank their personal health of utmost importance among their many needs.

This is true in every corner of the country, from our smallest rural communities to our largest industrial cities. It is true of rich Americans as well as poor Americans. It is true among all ages of our people. It is even true of Democrats and Republicans alike.

Together, we need to achieve the goal of better health throughout the lives of all the people of this Nation.

Is there a national health crisis? There is indeed.

What do we need to do about it?

We need to work toward preventive health care for all Americans. We need to train young men and women in the many health professions—and we need to train them now, before the already serious shortages in health personnel become critical. We need to advance the knowledge of medicine through research that is simultaneously broad and specific. We need to make more health services available to more people. We need to reduce the high costs of curing illness. We need to give extra support to those health-care institutions and training facilities that are in financial distress.

On the part of the Federal Government, these needs can be met only through the authorized programs of the Department of Health, Education, and Welfare. Yet with its proposed budget for fiscal year 1973, the Nixon administration would let all too many of these needs go unmet.

President Nixon may have acknowledged a national health crisis in his public speeches, but he has not taken it into full account in his budget recommendations. There is too little evidence in this budget that the President ranks concern for health as highly as the general public does.

In the proposed 1973 budget, health manpower programs are severely curtailed. Grants for building or modernizing hospitals, community clinics, and health schools are all but eliminated. Worthy programs to combat mental illness and alcoholism are not allowed to grow. Important health services, designed to deliver adequate care to all Americans, are held in place or actually reduced, considering increased operating costs and Federal pay raises. Most of the research institutes are given increases that amount to only half the annual inflation rate for health research.

If the goal of better health for all Americans is to be achieved in our day, or in our children's day, then the Congress will have to show more concern for Federal health programs in the coming fiscal year than the Nixon administration has shown. It is a duty that cannot be ignored by the Members of the House. It is our responsibility to the health and well-being of our people.

PLEA FOR NATIONAL REPENTANCE

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mrs. ABZUG. Mr. Speaker, this morning, I was privileged to receive a most eloquent "Plea for National Repentance" over the inhuman terror we have wrought in Southeast Asia. This statement is being circulated in petition form and will be presented to Congress at a later date. I include the item in the RECORD at the conclusion of these remarks.

I am also including "War is Peace," a paper on the President's latest escalation by Fred Branfman. Mr. Branfman, who is director of Project Air War, is one of the foremost experts on our air tactics and weaponry in Indochina, and I commend his paper to you.

The articles follow:

A PLEA FOR NATIONAL REPENTANCE AND A PETITION TO THE CONGRESS OF THE UNITED STATES

Whereas, millions of Vietnamese, Cambodians and Laotians have been maimed and uprooted from their homes and more than one-half mil'ion killed;

Whereas, more than 50,000 Americans have been killed in Indo-China and 300,000 have suffered casualties;

Whereas, the lands and cities of Vietnam, Cambodia, and Laos have been devastated by napalm, defoliants, bombs and all the vast arsenal of the automated air war;

Whereas, the lives of United States prisoners held by the North Vietnamese are now threatened by the further escalation of the war;

Whereas, the war waged by the United States in Indo-China wastes our human and material resources and weakens our security rather than insuring it;

Whereas, the United States armed forces continue to impose upon the people of Vietnam the Thieu government dictatorship, thus depriving the Vietnamese people the inalienable right of freedom;

Whereas, the peace of the whole world is threatened by the recent escalation of the war by the United States, including the mining of Vietnam harbors, thus risking the beginning of World War III;

We, the undersigned citizens of the United States repent of our own complicity in this sin against the Providence of God and this crime against humanity; and we call for a national time of mourning and repentance.

We petition the Congress of the United States to take its proper responsibility for ending participation by the United States in the war in Indo-China by cutting off funds used for the prosecution of the war, that sanity and justice may be restored in the foreign relations of the United States government.

WAR IS PEACE

(By Fred Branfman)

(NOTE.—Mr. Branfman spent 4 years in Laos, from 1967 through 1971. He is currently director of Project Air War, a research group in Washington, D.C. He is editor of *Voices From The Plain of Jars*, to be published this month by Harper and Row.)

"All entrances to the North Vietnamese ports will be mined . . . United States forces have been directed to take appropriate measures within the internal and claimed territorial waters of North Vietnam to interdict the delivery of any supplies. Rail and all other communications will be cut off to the maximum extent possible. Air and naval strikes against military targets in North Vietnam will continue . . . You want peace. I want peace . . . and that is why, my fellow Americans, tonight I ask you for your support of this decision—a decision which has only one purpose—not to expand the war, not to escalate the war, but to end this war and to win the kind of peace that will last. With God's help, with your support, we will accomplish that great goal."—Richard Nixon, May 8, 1972.

George Orwell predicted that the leaders of major powers would come to wage war by machine and call it peace; that they would annihilate distant and unseen societies from the air even as they constantly reiterated their earnest desires for peace at home.

On May 8, 1972, Richard Nixon announced the most serious and dramatic set of escalations in the Indochina war, removing the last remaining restraints on automated war observed by his predecessor; at the same time, he used the terms "peace" or "ending the war" on 19 separate occasions in a 17-minute talk.

He didn't quite claim that "war is peace." But then he did not have to.

His speech was one of the most striking attempts to rewrite history in recent memory. Virtually every sentence in it contradicted the written record, ranging from the writings of Lacouture and Fall, to the Pentagon and Kissinger papers, to today's newspapers.

Two tons of bombs were exploding every 60 seconds as he solemnly declared "I, too, want to end this war;" mines were being laid in and around Soviet vessels as he called upon the Soviet Union not to "slide back into the dark shadows of a previous age."

It is as much in wonderment as dismay that one turns to an analysis of some of the more striking distortions and outright falsehoods of this remarkable speech:

1. INVASION—"FIVE WEEKS AGO, ON EASTER WEEKEND, THE COMMUNIST ARMIES OF NORTH VIETNAM LAUNCHED A MASSIVE INVASION OF SOUTH VIETNAM"

The very basis of the 1954 Geneva Settlement on Vietnam is that Viet Nam is *one country*. There is no reference to a "South Vietnam." The 17th parallel, far from being an "international border" as the President claimed in his April 26 speech, was merely a temporary military demarcation line. Point 6 of the Joint Declaration by the 9 powers guaranteeing the settlement specifically states that: "the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary." This line was only in force for 300 days following July 21, 1954, and was meant merely to mark time until a 1956 election which would unite Viet Nam. When the Diem regime did not allow this election, the 17th parallel lost any legal, political, or moral meaning. The cancellation of the elections threw the issue of who would rule in Viet Nam back to the Vietnamese themselves.

2. ORIGINS—"WE AMERICANS DID NOT CHOOSE TO RESORT TO WAR—IT HAS BEEN FORCED UPON US"

In fact, the United States did indeed unilaterally choose this war two decades ago, when the Truman Administration decided to pay ¾ of the costs of the war for the French between 1950 and 1954. And the Geneva Accords were barely signed when in August 1954, while Mr. Nixon was vice-President, the United States dispatched a team under Colonel Edward Lansdale to take over the French position. As Lansdale has written in the Pentagon Papers, team member "Major Conein was given responsibility for developing a paramilitary organization in the north" and "a second paramilitary team was formed to explore possibilities of organizing resistance against the Viet Minh in the south." These American teams, as

Lansdale describes, then proceeded to assure the installation of a little-known exile, Ngo Dinh Diem, and then carry out a wide variety of espionage, sabotage, and psychological warfare missions throughout Vietnam.

3. RESTRAINT—"THROUGHOUT THE WAR IN VIETNAM, THE UNITED STATES HAS EXERCISED A DEGREE OF RESTRAINT UNPRECEDENTED IN THE ANNALS OF WAR."

The next 10 years saw a variety of American-supported initiatives ranging from herding people into "agrovilles" and "strategic hamlets" to execution of suspected Viet Minh to war supported by U.S. combat troops. By 1965 Bernard Fall reported that "already, in what may be loosely termed the 'American period,' the dead are near a quarter million, with perhaps another half-million people seriously maimed. And other Vietnamese people are dying because they are starving." This was nothing, however, to the American "restraint" which followed. Between 1965 and 1972, the United States has expended over 13 million tons of ordnance, created over 23,000,000 bomb craters, and dropped over 100,000,000 pounds of herbicides which have destroyed an estimated 5,000,000 acres of crop and forest land. According to the Senate Subcommittee on Refugees, the United States bears the major responsibility for the creation of over 6,000,000 refugees in South Vietnam (and 2.7 million more in Laos and Cambodia), the death of 325,000 civilians, the maiming of 700,000 more, and generating 700,000 orphans.

4. THE NIXON RECORD—"AND I THINK YOU KNOW, FROM ALL THAT I HAVE SAID AND DONE THESE PAST THREE AND A HALF YEARS, HOW MUCH I TOO WANT TO END THIS WAR"

Mr. Nixon has done nothing to end the war. On the contrary, he has steadily expanded it, transforming it from a ground war in South Vietnam to a massive and indiscriminate air war throughout Indochina.

He has initiated and waged a full-scale air war in once-peaceful *Cambodia* for two years now. Over 2 million Cambodian refugees have been created under Mr. Nixon, according to an official Government Accounting Office study reported in the *New York Times* on December 5, 1971. The bombing in *Laos* has been double that under Mr. Johnson, and Mr. Nixon has also introduced over 10,000 new Thai troops in northern Laos as well as invading southern Laos with 22,000 ARVN in February, 1971. He resumed the bombing of *North Vietnam*, struck on 328 admitted occasions *before* the recent offensive began; and hospital admissions in *South* Vietnam in 1971 were running as high as in 1967, when there were 450,000 U.S. ground troops there.

In all, Mr. Nixon had already dropped over 3.3 million tons of bombs in Indochina before the offensive began, more bombs than have been dropped by any leader in history; and, according to the U.S. Senate Subcommittee on refugees, there had also been over 3,000,000 civilians killed, wounded or made homeless during his first 3 years in office.

At this writing he has tripled his aerial and naval forces in Indochina from what they were at the beginning of this year: B–52's have risen from 40 to 130, attack planes from 350 to nearly 900, aircraft carriers from 2 to 6, and other naval vessels from 10 to 55.

Most strikingly, there are now some 100,000 men waging the air and naval war against Indochina; 40,000 airmen in Thailand, 40,000 naval personnel in the Gulf of Tonkin, over 20,000 airmen within South Vietnam. By contrast, there are only some 45,000 ground troops left. It is the first time in history a nation has deployed more men abroad to wage automated war than ground war. Mr. Nixon's transformation to an age of Orwellian mechanized war has arrived.

5. NEGOTIATIONS—"THE UNITED STATES . . . HAS OFFERED THE MAXIMUM OF WHAT ANY PRESIDENT OF THE UNITED STATES COULD OFFER . . . (BUT) WE WILL NOT CROSS THE LINE FROM GENEROSITY TO TREACHERY . . ."

Mr. Nixon's continued insistence on determining who will rule in Saigon has precluded any hope of a negotiated settlement. For the very basis of the Vietnamese struggle for the last 20 years has been their insistence that the United States has no right to intervene.

And, in fact, Mr. Nixon's "generous" peace offers have added up to little more than a demand that the NLF surrender. He is asking that they lay down their arms while over 100,000 American troops are still in and around their country. He is asking that at that point they cede the Thieu regime nominal control of the country. He is asking that they then surface to contest elections, in the face of a CIA-run Phoenix program which is officially admitted to having killed or imprisoned 35,727 "suspected" NLF under Mr. Nixon. And he is asking that they take comfort in Thieu's offer to resign one month before elections, when the United States has put over $3 billion in the past 3 years to creating a giant machinery of repression consisting of over 1,000,000 troops, 200,000 police, and a vast network of appointed officials, informers and assassins down to the village level. And he is asking them to do all this when he could at any time rescind his pledges of a free election, just as the Eisenhower Administration did in 1956.

6. THE OTHER SIDE'S TERMS—"DO WE JOIN WITH OUR ENEMY TO INSTALL A COMMUNIST GOVERNMENT IN SOUTH VIETNAM?"

The idea that the PRG would be so foolish as to demand that the United States install a "communist" government in South Vietnam is patently absurd. They have made it more than clear that they understand the American desire to withdraw gracefully. In public, they have simply asked that Mr. Nixon set a date for total withdrawal, withdraw support from the Thieu regime, and allow a coalition government headed by a non-communist to take over. They have also taken the unpredented step of offering to begin the return of American captured personnel before the cessation of hostilities. In private, I am assured by high-ranking officials in the State Department, they have offered to guarantee Mr. Nixon a substantial period of grace after full American withdrawal before contesting for full power. Under the circumstances, no American president could hope for more generous terms if he had any intention of withdrawing and allowing the Vietnamese to settle their own affairs.

7. BLOODBATH—"ABANDONING OUR COMMITMENT IN VIETNAM HERE AND NOW WOULD MEAN TURNING 17 MILLION SOUTH VIETNAMESE OVER TO COMMUNIST TERROR AND TYRANNY . . . WE WOULD ONLY WORSEN THE BLOODSHED."

The use of the "bloodbath" argument was one of the most Orwellian aspects of this speech. It is not only that a "communist bloodbath" is a vague and distant possibility, that the only Vietnamese certain to suffer retaliation have already made plans for luxurious retirement in Europe, e.g. President Thieu in his villa in Switzerland; that the PRG, faced with the awesome task of attempting to rebuild a fractured nation, would most likely opt for a policy of national reconciliation both to build national unity and attract foreign aid; that even a group of prominent Catholic intellectuals recently issued a statement calling for a "halt to American aggression in Viet Nam today."

It is that even as he was speaking Mr. Nixon was continuing one of the greatest bloodbaths in recent history; that while a communist bloodbath was but a possibility, the American bloodbath was a reality and that Mr. Nixon's speech would be followed by an orgy of bloodletting that even Viet Nam had not yet seen.

8. ARVN BRAVERY—"THE SOUTH VIETNAMESE HAVE FOUGHT BRAVELY . . . (THEY) SHALL CONTINUE TO HAVE OUR FIRM SUPPORT IN (THEIR) RESISTANCE AGAINST AGGRESSION."

The very reason for Mr. Nixon's taking so drastic a step as attempting to mine and blockade Haiphong harbor was the lack of spirit of the "South Vietnamese." Devoid of the spirit to fight led by incompetent and corrupt officers, the ARVN has literally fallen apart. When the offensive first began, the *New York Times* reported on April 9, the entire Third Division ran away: "Let's face it; the third division was routed," one U.S. officer in Dong Ha said, "it was nothing but a mad rush to the rear once the North Vietnamese started shelling them." By April 15, the *Times* was reporting widespread lootings: "All day long, the army trucks moving south from Dongha were filled with soldiers and piles of loot—chairs, tables, refrigerators, television sets, food, chickens, pigs."

Relief columns were not getting through, as the *Washington Post* reported on April 16, "What might sound surprising . . . is that with all the American-supplied vehicles—including tanks and cars—and an estimated 20,000 troops assigned to the job—the South Vietnamese so far have not been able to open the road nor even to supply water to their troops in the bush." And two days after the fall of Quang Tri on May 1, the route was complete. The *Times* reported from the Hue that "thousands of panicking South Vietnamese soldiers—most of whom did not appear to have made much contact with the advancing North Vietnamese—fled in confusion from Quangtri Province today streaming south down route 1 like a rabble out of control." On the same day it was reported, "thousands of militiamen as well as regular soldiers of the 22nd Infantry Division gave up their posts and left their weapons behind in Binhdinh Province rather than contest the North Vietnamese for three districts inhabited by 200,000 people."

10. PROTECTING U.S. TROOPS—"WITH 60,000 AMERICANS THREATENED, ANY PRESIDENT WHO FAILED TO ACT DECISIVELY WOULD HAVE BETRAYED THE TRUST OF HIS COUNTRY"

Mr. Nixon's greatest betrayal of this country—and its soldiers—is his refusal to withdraw the 60,000 men in Vietnam and the 80,000 around it from the Indochina theater. It is clear that the only way to protect them is to take them out. As long as they remain there, they will be killed and maimed in ever-increasing numbers.

Since the offensive began, the American people have been told of the 36 men listed as killed by hostile action and 57 missing in action (MIAs). They have not been told that most of the MIAs are presumed dead, and another 23 men are listed as killed by nonhostile causes, making well over 100 men killed in the month of April alone. Another 197 men were wounded during the same period. These rates are roughly double those of the monthly average for the first three months of this year. This loss of American lives can be expected to intensify as the bombing and ground fighting increase in the weeks to come.

11. POW'S—"ABANDONING OUR COMMITMENT IN VIETNAM . . . WOULD MEAN LEAVING HUNDREDS OF AMERICAN PRISONERS IN COMMUNIST HANDS WITH NO BARGAINING LEVERAGE TO GET THEM RELEASED."

The only "bargaining leverage" the United States has to secure the return of captured military men is withdrawal, not more war.

Continued war ensures the prolonged in-

ternment of those already captured. In addition, it ensures that new men will be shot down daily. Over 350 men who were alive and well when Richard Nixon took office are now listed as missing in action or captured. The 57 men listed as missing in action in April are mostly airmen.

And, most seriously, the kind of war Richard Nixon forecasts creates even greater risks for those captured. As a March, 1968, study prepared by a Clark Clifford study group notes in the Pentagon Papers, "Although the NVN do not mark the camps where American prisoners are kept . . . heavy and indiscriminate attacks in the Hanoi area would jeopardize the lives of these prisoners and alarm their wives and parents into vocal opposition.

12. EFFICACY—"THERE'S ONLY ONE WAY TO STOP THE KILLING. THAT IS, TO KEEP THE WEAPONS OF WAR OUT OF THE HANDS OF THE INTERNATIONAL OUTLAWS OF NORTH VIETNAM."

The notion that mining and blockading Haiphong harbor will "stop the killing" in the south strains credulity. To begin with, according to Mr. Nixon, most of the North Vietnamese army is already in the south. A blockade's only conceivable effect on the situation in the south for the next few months will be to encourage anti-U.S. forces to fight harder than they ever have.

More importantly, there is no reason to believe that a blockade can stem the flow of supplies into the south. The Clifford Study stated categorically that "if the Port of Haiphong were to be closed effectively, the supplies that now enter Haiphong could, albeit with considerable difficulty, arrive either over the land routes or by lighterage . . . the closing of Haiphong Port would not prevent the continued supply of sufficient materials to maintain North Vietnamese military operations in the South."

The Kissinger papers show that the CIA and Office of the Secretary of Defense agree with this analysis. And though the Joint Chiefs of Staff do not, the history of past predictions shows little reason to believe them this time.

Indeed, the real reason for the blockade of the harbor and intensified bombing does not seem to lie in attempting to stop arms shipments. Rather, it seems in part an attempt to break Vietnam's spirit. As the Clifford Group suggested, "the only purpose of intensification of the bombing campaign in the North . . . would be to endeavor to break the will of the North Vietnamese leaders."

This hope is clearly also chimerical. It is not only that the Vietnamese have long since learned to de-centralize, protect their civilian population, and move supplies under a steady hail of bombs. It is far more that from their point of view, the recent offensive is not a question of the past month, the last 5 years, or even the last 25 years. It is a part of what they see as a 1000 year struggle to see their land free, unified and independent from foreign intervention. This is no doubt the reason why the Clifford Group notes that: "CIA forecasts indicate little if any chance that this would result even from a protracted bombing campaign directed at population centers."

13. SOVIET AID—"(THE) INVASION . . . WAS MADE POSSIBLE BY TANKS, ARTILLERY AND OTHER ADVANCED OFFENSIVE WEAPONS SUPPLIED TO HANOI BY THE SOVIET UNION AND OTHER COMMUNIST NATIONS."

Mr. Nixon's peculiar insistence on the importance of Soviet military aid to the Vietnamese may suggest another motive behind the blockade.

It must be noted that Soviet military aid to North Vietnam is of secondary importance. A *Times* report on April 13, based on official figures, showed that Soviet military aid to North Vietnam in 1971 was only $100 million, down by 80% since 1967. The combined total of Soviet, East European and Chinese economic and military aid in that year was $775 million. This may be compared with the $15.1 billion budgeted by the U.S. for the war in 1971.

Moreover, the use of tanks in the current offensive seems more a matter of convenience than necessity. The NLF, after all, managed to launch a highly successful Tet offensive against 550,000 American ground troops. There is no reason to believe that if deprived of their tanks they—with or without the North Vietnamese—could not succeed against the ARVN.

If the offensive is not due to "advanced weapons" supplied by the Soviets then, why Mr. Nixon's shrill insistence on this point? The reason may stem from Administration and Pentagon fears of growing movement against prohibitive defense spending. For some time now a massive public relations campaign has been underway to replace the Chinese threat with the Soviet threat. Mr. Nixon may be blockading Haiphong in part to build up anti-Soviet feeling in this country to justify high defense expenditures.

14. THE DOMINO THEORY—"AN AMERICAN DEFEAT IN VIETNAM WOULD ENCOURAGE . . . SMALLER NATIONS, ARMED BY THEIR ALLIES . . . TO ATTACK NEIGHBORING NATIONS AT WILL, IN THE MIDEAST, IN EUROPE AND OTHER AREAS."

Nothing damages American credibility in the world more than the ongoing spectacle of the mightiest nation on earth attempting to bloody a small, agrarian nation into submission. It is not only that much of the world is morally outraged. Any group of leaders—no matter how corrupt—would have to think twice before inviting the United States in to apply the same "help" it has given to South Vietnam. There is much evidence for example, that nations as close as neighboring Thailand are giving second thoughts to heavy involvement with the United States.

Perhaps this is why despite the sharp disagreement noted in the Kissinger Papers over the eventual consequences of an American withdrawal in South Vietnam, all agencies rejected "the view that an unfavorable settlement in Vietnam will inevitably be followed by Communist takeovers outside Indochina."

15. TERROR—"DO WE . . . LEAVE THE SOUTH VIETNAMESE TO A LONG NIGHT OF TERROR?"

The long night of terror came long ago to Indochina. Indeed it started one million Indochinese lives ago, and has continued for most of the lifetimes of those who have survived.

It came in the form of men of a strange and different race with whom they could not even communicate, men who respected neither their women, nor their culture nor their very existence; and it has continued in the form of their machines circling high in the skies, machines which have already dropped more than 6.5 million tons of bombs on them, more bombs than have been absorbed by the rest of the world put together in all history.

And Mr. Nixon's speech could only have meant one thing to ten million Indochinese now packed into refugee camps, to hundreds of thousands now huddling underground hiding from his bombs, to over 100,000 political prisoners packed into Saigon's inhuman jails, to a million ARVN forced on pain of death to fight for a cause they do not believe in, to the orphans and the widows and the mutilated and the prostitutes.

It could only have meant that their long night of terror would continue. And, that the worst would be yet to come.

HEALTH FUNDS NEEDED

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1972

Mr. GUDE. Mr. Speaker, even the most casual newspaper reader must be aware of the extended congressional debates last year which led to the National Cancer Act of 1971 and a large increase in funding for cancer research. The budget of the National Cancer Institute was $185 million in 1969; the President's budget request for fiscal 1973 is $432 million. Only a few days ago a supplemental request was made for $40 million in fiscal 1972.

Increasing attention is being given also to heart disease and associated problems. The administration's fiscal year 1973 request called for an increase of $23 million for the National Heart and Lung Institute.

Even though the momentum of Federal support has been regained or accelerated in these major areas—the total picture is not so optimistic. Other important areas within the National Institutes of Health are being slighted.

For other major disease problems and for the foundation which underlies all health progress—basic research—increases are modest and uneven, sometimes nonexistent. More than 80 percent of the requested increases for research in 1973 are concentrated in two institutes—cancer, and heart and lung. The other eight research institutes of NIH do not fare nearly well enough.

In fact, research in other areas has suffered an actual decline in terms of rising costs. Inflation has eaten away at the costs of biomedical research, as it has in other areas of life. The same amount of dollars in 1973 simply will not buy as much research as it did in 1971 or 1970. With the exception of cancer and heart disease, therefore, we are actually losing ground.

This does three things. It neglects many health problems which sap the strength and vitality of the American people. It produces serious imbalances along the whole spectrum of health research and creates great stress for the biomedical research community. And it weakens the fight against our targeted diseases.

The conquest of cancer, for example, depends on work done by geneticists, molecular biologists, virologists, cell biologists, and others engaged in research so basic that it cannot be classified as cancer research. The history of progress against cancer is filled with milestones from other fields of research.

The key that unlocks the riddle of cancer may be labeled something quite different. I hope we will not throw away any key, or neglect any lead, that may provide us with some fundamental answers.

Medical research depends upon gifted and trained investigators. Here, too, we are in danger of losing ground. The re-

search fellowship and research training programs of NIH have been on a slow dollar decline for 5 years, with the exception of training programs related to cancer.

I am happy to see that increases have been proposed for cancer and heart disease. But I am disappointed about the amounts requested for such serious problems as arthritis, kidney diseases, diabetes, digestive diseases, population research, mental retardation, sudden infant death, and malnutrition. It is as if in a war for survival, a general concentrated all his forces on two sectors and kept the rest of his line so weak that the enemy might break through and engulf him. This is as poor a strategy in the war against disease as it is in a military conflict.

The NIH is the world's leading institution for biomedical research. It has made many outstanding contributions to the health of our people through its support of research in the Nation's academic institutions, hospitals, and laboratories. We must not allow major segments of its comprehensive program to lag, for if we do the whole mechanism for progress against human disease can be impeded. I want to strengthen that mechanism. I want to maintain the momentum of research in the interest of the American people and all humankind.

INTEGRITY AND THE ECOLOGICAL CRISIS

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, I wish to share with my colleagues a letter from Glen L. Martin of Montana State University and the technical paper he sent to me by Dr. Myron Tribus.

I believe the paper makes important remarks which need to be carefully considered.

MONTANA STATE UNIVERSITY,
Bozeman, Mont., May 8, 1972.

Hon. RICHARD SHOUP,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: Enclosed is a copy of a presentation entitled "Integrity and the Ecological Crisis." This presentation, although given last August, is still timely and worth reading.

Starting on page 5 Dr. Myron Tribus makes many pertinent remarks with regard to the crises of the times. I commend it to you for your reading and thought. As Dr. Tribus points out, the solutions to today's problems are complex, and the leadership in federal agencies must have technical as well as legal competence to approach a solution to these problems.

Sincerely,

GLEN L. MARTIN,
Head, Civil Engineering and Engineering Mechanics.

INTEGRITY AND THE ECOLOGICAL CRISIS

(By Dr. Myron Gribus)

When I received the invitation to speak at this conference, my first inclination was to turn it down, for I do not like to be reminded of how many years have passed since I last presented a technical paper before a conference of this kind. But when I learned that the conference was to be dedicated to Hunter Rouse, I could not decline, for, quite unknown to him, he was an important influence in my career, and I feel I owe him something.

It is difficult now to recall the state of engineering education in 1940. It is hard to realize now what most engineering students actually studied then, usually under the heading "hydraulics." Those of you who share my pleasure at such things should go to a large library and look at engineering textbooks of 1938—especially those for students of hydraulics. Examine the required level of mathematics and the subject matter of the concurrent courses. Then, you will see what I mean. There were, however, important forces at work in the field of fluid mechanics, forces which have changed education and brought us to the state of affairs we see today—in which advanced students are able to predict the behavior of fluid systems not even imagined then. I shall not dwell on the many successes in analysis and experimentation, to which we have become accustomed in fluid mechanics. It is probably all to the good that so many of you are dissatisfied with the way things are. It is only right that the new Ph.D. should look with disdain at the scientific basis the previous generation have laid down, seeing only the gaps in the structure and the elements which need replacement. But having been witness to the swift transitions over the last 30 years, I am able to appreciate what has been wrought and to appreciate what has been the burden men like Hunter Rouse have carried.

I hope that some historians of science and technology will present us with a chronicle of the development of education in fluid mechanics from the period say in 1921 (when Zeitschrift Fur Angewandt Mathematic und Mechanic began publication), to the present time. The Blasius solution was available in 1908, but I choose 1921 for two reasons: First, it is the year Prandtl published an account of the use of integral methods in boundary layer calculations and, thus, marked a clear distinction between the main flow and the boundary layer. Second, it was the year I was born! Regardless of when the historical survey is begun, the period from the late 1920's to the very early 1940's will surely be recognized as critical in the development of our subject, and it was in this time that Hunter Rouse began to play the role we associate with him today.

There were at that time some farsighted engineers who knew what was urgently needed was adequate reference works. They endorsed the publication of certain books as "Engineering Societies Monographs," and among their choices was the book by Hunter Rouse published in 1938. That book was three years old when I began to study fluid mechanics and, from the brighter graduate students who were often my teachers, I often heard—"That's not the way to do it. Look it up in Rouse." That book is not yet out of date, a fact evident to Dover Publishing who have made it available in paperback.

In preparation for this talk, I did a little research on Hunter Rouse and came up with some information you may not know.

When he first showed up at M.I.T. and was pledged to Sigma Chi, his classmates recall that they let him in with some reluctance. He didn't have a Stutz Bearcat or a racoon coat—and he gave the overall appearance of a kid fresh from the farmlands, which he was. However, appearances are deceiving, for I have been told that he went on to be president of his chapter two times, president of his class, and to establish the highest scholastic record the fraternity had ever had.

As I said earlier, Hunter was an influence on me from afar—and he early learned to exert an influence from afar. I'll wager that very few of you know that Hunter Rouse supported himself through college as a professional ventriloquist! There are still people around who remember him sitting motionless and expressionless while the dummy sang an aria from Aida!

It was from this sort of start that Hunter went on to his studies in Germany and, thence, to the beginnings of a career which has brought him ever greater influence over the years.

Hunter Rouse and the field of fluid mechanics have come a long way since then, and I am proud to have been invited to participate in this salute to his steady, helpful, uplifting influence in the continuous pursuit of excellence. In an age when so many are eager to discard the values of the past, without knowing what they shall substitute for them, and at a time when the quest for better technology has been branded as irrelevant to improving society, I am proud to be here to stand up and be counted among those who say to Hunter Rouse—"Well done. Carry on. We who know what you have done and can do never doubt for a moment the worth of it all for the good of mankind."

Today I wish to talk with you about some of the facts of life . . . not the birds and the bees . . . for I suppose you know all that—if not, ask today's children! Rather, I mean some of the facts of life in a technological society. By definition, a technological society is one in which almost every event in the daily lives of every one of its members is deeply affected by, and totally dependent on, technological systems. And it is in the nature of things that these are systems over which he personally exerts little control. A modern city is, of course, an example of such a society.

In our country, with the exception perhaps of some parts of Appalachia, or Vermont, or a few isolated parts of the west, we are everywhere a technological society. Our food, our clothing, our shelter, our health, our education, our economic welfare—all depend upon the smooth functioning of vast, complex technological systems. These systems have long time constants, are interdependent in ways we do not fully comprehend, often behave in ways counter to our intuition and common sense, and are almost all designed for an earlier era, for different goals and managed by people who march to their own drummer.

Today, for the first time in many years, we no longer take it for granted that these systems will serve us as we wish. We are at their mercy and many of us are afraid, for while we know they must be changed, we recognize that our leaders do not know how to do it. Our perception that they are unaware they don't know makes it all the more disturbing.

I do not mean merely the problem of power shortages or of overloaded transportation systems. I do not refer to inadequate health care systems or to the crisis in housing. They are symptoms. I want to cut beneath these symptoms and find the really critical issues.

I accept, for the moment, that population pressures represent the ultimate force driving all organized societies to exceed their resources and, unless that force is brought under control, nothing else can matter for long. I believe that Malthus was right for the wrong reasons. It is true, as the anti-Malthusians have claimed, that we can increase food production to keep up with population. But the extra efficiencies come at the cost of inherent stability and we find that overpopulation breeds slowness of changes to the point of breakdown.

If the population explosion is to be brought under control, it will be through education or coercion on one hand or by war, pestilence, or famine on the other. To avoid the second set of alternatives, our citizens must be persuaded to give up something they want in exchange for a contribution to the welfare of their society. This step calls for the building of a kind of trust and faith in our government

which is conspicously absent today. It is not a matter of distrust of motives. It is a lack of confidence in capability and commitment that saps our strength. Our democratic institutions permit the people to exert power . . but the power is useless if there are no viable alternatives. Rebuilding a faith in ourselves is one of our most urgent tasks. In rebuilding that faith, it is not only what we do, but the style in which we do it that counts. Therefore, today I want to discuss with you the style in which our Nation approaches technical challenges. My remarks will be centered on the environment as a specific example.

Today we have embarked on a most ambitious technological challenge—the rescue of the ecosphere. The conquest of the moon costs us about four billion dollars per year, which measured against a trillion dollar economy is less than ½ of 1 percent or even if reckoned as part of the Federal budget, is about 2 percent. In contrast, to protect and restore our environment will probably cost about five or ten times as much. Apart from the enforcement aspects of pollution abatement laws, the task is almost entirely a technical problem with about ⅔ of the work to be done outside the Government.

As with all technical problems in society, this problem is separable into two parts, the generation of technical possibilities and the choice of which ones to fund. The selection process is the point at which value judgments are exercised. Science and technology, through engineering, determine what the alternatives are. Political, economic, and social pressures determine which alternatives are pursued. The style whereby these interact is as important as what is actually done.

The task of making environmental decisions is never simple in practice, for just as the decision makers are stewing over which unattractive alternatives to select, it is likely that someone will propose a new alternative—one not clearly thought through and one not endorsed by all the so-called experts. Environmental decision makers are usually not served clear cut choices. They will have to make judgments in the fact of uncertainty. It seems obvious to us, who are technically qualified, that the decision makers must be well versed in technology if they are to act wisely. This view is not shared generally in Washington.

The decision makers should also reflect the sense of priorities of our people, if they are to produce the results which accord with the people's wishes. But if the people are confused, who is to say what their wishes are? The decision making process should help enlighten the people and not add to their confusion. This is part of the style needed to retain popular support.

Economists use the term "externality" to describe a cost which one group must bear for another group's benefit. This is the dawning of the age—not of aquarius—but of externalities! If everyone else accepts the cost of anti-pollution devices except one, that one person will benefit nonetheless. Action programs to rescue the environment will depend on the cooperation of the citizens who will view their own costs as externalities. If they do not trust the system which generates the laws and regulations, there will be no prospects for success. This makes the integrity of the process for deciding what to do in pollution control a central question. When we concern ourselves with the need for integrity in ecological matters, we must not only be concerned with individual integrity—the process must be consistent with its own aims, and one of those aims must be to enlist popular support.

The battle to save the environment must be won—and it can be won. As with population control, environmental protection will surely require a mixture of cooperative and coercive measures. We know from the social experiences of the past that enforcement alone will not work. Cooperation is essential to success, but we also know that cooperative measures alone will not work. There are too many externalities in the system. The degree to which coercion is needed depends on the faith of the people in what is done. There are not enough policemen in the world to enforce the laws if our citizens do not support them.

It is at this point in the argument that I wish to make the point that integrity or lack of it will win or lose this battle. The style in which the issues are addressed by the leaders of our society will either make or break the programs for through their perceptions of style the citizens will learn to trust or distrust our leaders.

No one knows for sure what the costs of cleaning up the environment will be. There are no systems for reckoning the costs and benefits associated with the many externalities. Better health, better recreation, cleaner air, more abundant wildlife, a more viable ecosystem—these do not appear in the GNP or even in the sum of the corporate P. & L. statements. My guess is that the increased costs of doing business will be of the order of 10 percent for a large number of companies in the power, chemical, and process industries. But statistical averages are apt to hide rather than reveal problems, as welfare clients in a trillion-dollar economy sadly attest. For older plants, the costs may be much greater than 10 percent; perhaps great enough to close them down. For new plants, yet to be constructed, the increment may even be negative—i.e., by looking more carefully at so-called "waste products," engineers often find a way to turn out useful products. But, whatever the cost turns out to be, it will necessarily be reflected in the price to the consumer.

The costs will be unequally distributed, and so will the benefits. The farmer in Kansas pays more for his family sedan, loaded with antipollution and safety devices so the people of Los Angeles can breathe more easily and drive more safely. The ghetto dweller will not be able to distinguish between price increases caused by environmental protection measures and those brought on by inflation. The housewife is asked to segregate waste products and her husband is asked to pay more for separate haulings of trash. They are told their extra efforts will assure that the rivers and air will be cleaner. Now, I have faith in the educability of the great majority of my fellow citizens and believe they will do the right thing—they will accept these sacrifices—but only if they believe the system that makes the rules is honest and competent. The majority will accept externalities, but only if they believe in the system.

The problems of our citizens and their government are made much more difficult because of a relatively recent phenomenon—the affluent activist. Lincoln is said to have forecast the problem years ago, "The challenge to democracy will arise from the youth who will not wish to build upon the foundations laid down by their elders." We are witnessing an attempt at revolution led by those who have been best treated, in a physical sense, by the system they have set out to destroy. It is of interest to consider how the ecological problem suddenly became a common cause with civil rights, consumerism and ending the war in Vietnam.

My own hypothesis on how it all happened is fairly simple. Any student of economics soon discovers that the available economic theories are almost useless as guides in deciding what to do about pollution control. Most of you have probably been sheltered, until very recently, from the need to look closely at what the economists have been doing in our society. Those, such as you, who build approximate mathematical descriptions of natural events long ago learned (or should have) that simple useful approximations should not be extrapolated to new regimes without question. The economist deals with more complex systems than even the full navier strokes equations. Because of successes in guiding the economy in the 50's and 60's, the economist's methods have gained power and prestige which seem to me to be overstatements of prowess for the era we are about to enter. These matters are surely transparent to any graduate student. My own guess is that many graduate students of political activist leanings recognized in their studies of the subject that, in fact, our theoreticians have only very crude ideas of how to treat the economics of pollution—or if they have clear descriptions of the illness cannot generate clear prescriptions for recovery. I believe that these students saw very clearly that at the interface between the government and business there were no satisfactory ways to move the country in the directions it should go. To them the economics of pollution appeared as an achilles heel in a system they wanted to destroy. I cannot believe they really care about ecology—except as a battleground in a war they wish to widen. Young people, especially, fail to recognize that this is a problem inherent in the decision making processes of a large technological society.

A review of ecological efforts in the Soviet Union, for example, shows essentially the same kinds of problems as in the U.S.A. The plant manager is told to worry about ecology, but he is also told to worry about production schedules, quality of the product and cost. When he is first told about pollution, he is aware that it has been a problem for some time—so what's the big rush. If he sees that Ivan at a nearby plant gets a promotion because he cuts costs, even if he didn't take care of pollution, you can guess what his own priorities will be next year.

If I tell you to rearrange the furniture in your room as quickly as you can and as silently as you can, you will surely ask me for clarification, for high speed and total silence cannot be had simultaneously. If the decisions are to be made centrally, it will take time to study the question.

In a technical society the tradeoffs are much more complex than just speed versus noise. Most of these tradeoffs cannot be made centrally without danger of extensive disruptions to the system as a whole. A sense of urgency arises only when things begin to be obviously wrong.

These problems are apparently invariant to the political system. They are the same in the U.S.A. and the U.S.S.R. and show up wherever technology is intensive.

Fundamentally, the stickiness in the economics of pollution resides in the tradeoffs between optimum solutions viewed locally and optima defined globally. A collection of locally optimum solutions often generates globally pessimum solutions in ecology. Global optima are found only with the help of a strong centrally oriented group capable of looking at the total system. In a complex society, no one can define the global system, let alone analyze it! The difference between a globally optimum solution and the sum of locally optimum solutions is the sum of the externalities. If the local groups are strong enough, they can resist solutions posed as "globally optimum." I find it disconcerting to realize that the phrase "power to the people" leads towards locally determined solutions which may be quite unsatisfactory on a global basis. If you doubt this, watch how local communities try to put the sanitary

land fill somewhere else. The phrase "more power to the people" needs to be replaced with "more concern for the people." The problem is not that people don't have power—they just don't have the information or choices to make exercise of their power meaningful.

These shortcomings have been recognized by our youthful activists and taken as one more piece of evidence concerning the failure of the system as a whole. So they decided to add it to civil rights, consumerism, and Vietnam. That's why the same people show up on the boards of directors of separate organizations, why the confluence of posters showing black fists, Vietnamese suffering, and polluted rivers show up on the same office walls. My main concern is that these people believe that ends justify means, that it's all right to lie to the people if it is done in a good cause. They do not understand that the destruction of a technological society, if successful, carries with it unprecedented dangers to everyone. Mao clearly sees the difference between the stability and recuperative ability in an agrarian society on one hand and a technological society on the other. Anyone who is concerned over human misery and suffering must think twice about sabotage of a large industrial society.

People who want to right the wrongs of our society, without destroying the people in it are caught between the socially irresponsible activists who plan only to destroy and have no plan for rebuilding, and an unresponsive system of government and business. The activists, being young and unaffected by the adage, "good judgment comes from bad experience," can be counted on to pursue their course for the immediate future. I have, therefore, chosen to address myself to the style followed by business, industry, and government.

The challenge of environmental protection is different from almost every other challenge we have ever faced before. Our government tries to serve as the enforcement agency, the educational agency, the research agency, the forecasting agency, the standards setting agency, the monitoring agency, and the source of laws and regulations. About a third of the effort must be made in agriculture and about one third in industry. To oversee this work, we shall require the best technical talent we can muster. And this talent must be led by men whose competence for the job is beyond question.

If the federal government appoints to the key positions men whose qualifications may be questioned, there will surely be set in motion a reaction, first in industry and then in the general public. If the key positions in the new environmental protection agency are filled primarily on the basis of political considerations, if positions which should be held by men of the highest technical competence are filled by lesser men, we are at a poor beginning indeed.

I have studied the duties and responsibilities of the top managements of the new Environmental Protection Agency and the qualifications of the men appointed to these positions. In my opinion, the grand campaign is won or lost at this level. I leave to you the task of getting the data and drawing your own opinions. Your Congressman and Senator can obtain for you statements from EPA regarding the top three levels of administration, the duties of the offices and the qualifications of the men appointed to them. I have no reason to question either the sincerity or the integrity of these men. But I should like to call attention to the disparity in stature between the administrations of EPA and, say the historic leadership in the AEC. If protecting the environment is as important as we say it is, why do we not find men of nobel laureate status near the top? I am greatly disappointed at the failure of the administration to seek out the very best men to lead technical efforts.

The mobilization of the Nation's top technical and industrial resources calls for more than the skills of a district attorney. An approach which emphasizes the lawsuit will be met by phalanxes of industrial attorneys. The war against pollution is to be judged by how much the environment is cleaned up and not by the fines collected.

Let me give a specific example of one instance where failure to understand what is involved has cost us precious time and momentum. The ASTM has developed a cooperative program of standardizing measurements for pollution control. As you well know, it is one thing to measure the chemical composition of a flowing stream in controlled laboratory conditions—it is another thing to measure it under industrial conditions. Flows are apt to be unmixed, unsteady, and unhandy. We need a wide assortment of new measuring techniques useful for practical applications. Not only does this call for the best of theoretical analysis, it also requires experimental work. There must be cross-checking by different laboratories.

The ASTM has proposed a program of development and inter-laboratory testing. This is the kind of cooperative venture the Government should support and in which it should participate. If the Government tries to do all the work itself, it will surely fail, for the Congress has not provided the facilities and manpower to do the job. If the Government tries to do the work by contract with the separate laboratories, it will get hopelessly bogged down in contract details. As far as I know now, this program by ASTM still languishes for want of support. Nothing can be more disastrous to the cause of pollution abatement than standards of measurement which can be discredited in court. It takes experience in technology to appreciate how vulnerable measurements often can be.

The failure to support the ASTM is a good example of why strong technical leadership is needed at or near the top. It takes someone with technical knowledge and in a position of authority, above the level of bureaucracy, who sees the importance of outside influences in promoting integrity of measurement, to cause the right technical things to happen. Otherwise, the agencies succumb to the "not invented here" syndrome, and they view outsiders as competitors rather than helpers.

This country has had much experience in the mobilization of technical effort. These experiences have taught us that such mobilization requires technical leadership of the highest order. Given such leadership, we have achieved what they said couldn't be done. Sometimes it has required the mobilization of scientists and engineers to help make our politicians understand. I believe we are approaching such an instance.

Fundamentally, our problems stem from the fact that ours is a technological society run by technologically illiterate people. They simply do not know how to cope with technical problems. But because our problems are not purely technical, it will not do merely to replace them with technically trained people. We need to find ways to have the voices of technology heard, as equals, in the higher councils of government.

My experiences in Washington, and what I have learned since leaving there, have taught me the importance of the views of those who set the budgets and allocate the manpower. If they do not understand the job, neither the budget nor the manpower will reflect the necessary priorities. The wrong people will be promoted for the wrong things, expediency will rule as policy and the long-range planning so vital to success will not be done. The ecological crisis is a long run affair and success will only come to those who plan for it. Planning to deal with the ecological crisis requires the integration of technical, economic, and political considerations. If one of these considerations is missing or misunderstood, there will be no sensible plan. Somewhere near the top of EPA, we must find absolutely first rate, technically qualified men, or else we must expect a continuing ecological crisis.

Another area of environmental protection in need of attention is the protection of the integrity of information. We are today beset on all sides with claims and counterclaims about the costs and benefits of various aspects of environmental protection. I have proposed that an agency, such as the National Academy of Engineering, or perhaps some of the professional engineering societies, might join with representatives of the legal profession to design a new kind of hearing procedure or forum, in which technical issues might be debated in a new format. The procedures we now use are totally inadequate. The Library of Congress publication, "Technical Information for Congress," contains a series of case histories which shows clearly that the Congress and, therefore, the country, has been misled again and again because the typical adversary proceedings of our Government do not really get at the truth..

Take, for example, the procedures we now follow in an area such as the Flammable Fabrics Act. This act calls for the establishment of standards to protect us against burning up in our own clothing. When witnesses appear before committees of the Congress, they do so on different days, with different Senators or Representatives present at different times. Some witnesses make outlandish statements which are not caught at the time by the committee members or are rebutted a day or so later before a slightly different audience.

Under the system I have in mind, on important issues the statements of witnesses would be obtained ahead of time, circulated for rebuttal comment by opponents, and the areas of agreement and disagreement stipulated. Figures presented in a misleading way might be challenged and unsubstantiated claims could be identified. Wild and exaggerated claims would be exposed. Each witness should be given prior access to the comments made on his testimony and allowed to revise his remarks accordingly. If these interchanges were carried out under the supervision of a technically trained professional staff, the quality of the testimony would be enhanced. Of course, the sessions would be less lively—but we are not so much in need of entertainment as we are of integrity. Granting that our legislators will not be technically trained, we need to have professional help to organize the kind of information they hear without interfering with the content of the information.

It is for this reason that I proposed that the committees of the Congress have on their staffs at least one person whose technical competence had been endorsed by, say, the National Academy of Engineering or the National Academy of Sciences.

I have made these suggestions because I think that there needs to be a voice for truth in technology present in the debates of our legislators. I cannot say for such that the SST decision was a wrong one—that issue is closed. But I do say that the process whereby it was arrived at was irrational. I heard representatives of both sides say things in private that simply did not square with their public positions. We set dangerous precedents for ourselves and our children by such procedures.

The situation on the industrial side is not much better. I read about the additives that are supposed to make my car burn cleaner—so much so that one is tempted to believe the exhaust will be healthier than the intake! And who really knows where to go to get the truth about detergents and phosphates?

The Congress has, under the clean air act, requested the National Academy of Sciences

to make an official report on whether industry is doing what it should to meet the objectives of the act. This is a wonderful opportunity for the academy to experiment with new and more rational ways to discuss these technical issues which cut across society. I hope they will not simply come forth with a long scholarly report, summarizing the data they have been able to cull from secret testimony from witnesses. I hope instead they will develop public debates, with genuine protagonists, with rules of procedure to guarantee as well as possible against wild and irresponsible claims. I know that there are many who do not welcome the truth—but these are matters too important to be left to a small group of "technological wise men." It will not be easy to do, but we must find a way to bring all sides to a discussion they perceive is honest.

The question of whether the government should modify hurricanes is an exceptionally interesting and important example which could lend itself as a test case. The problem is of national importance and interest, it is timely and it involves many special interests. It is not yet so pressing that we must have an immediate answer, yet it may soon become so. The necessary action to structure a debate has already been taken—but no one has clearly decided to stage the debate.

A decision to seed or not to seed a hurricane affects the environment of many citizens. The problem has many unknowns, including those which arise from our inability to solve the time dependent, energy, and momentum equations for four discrete phases for a fluid system described in rotational coordinates covering the globe and having imprecise initial and boundary conditions. The annual damage from hurricanes in the U.S. amounts to about half a billion dollars on the average, and some individual hurricanes can do 2 billion dollars damage. The scientific evidence that we can cause predictable decreases in hurricane intensity is not conclusive, but it is strongly suggestive. There is a sense of urgency but we can see no clear cut path to universally desired ends. Some of the things we could do to reduce hurricane intensity might improve the lot of one group at the *apparent* expense of another. I say apparent expense because there are always statistical fluctuations in our data, and we seldom know in an individual case what caused things to be slightly better or worse.

The problem, from a decision analysis perspective, is the same as discovering a month after leaded gasoline is outlawed in Tokyo that the most severe smog attack in history has occurred. No one has the data to say what really happend or how bad it might have been if lead had not been banned.

I hope that we will have well-structured debates on the question of hurricane control for two reasons. The problem fully justifies this kind of treatment, and the experience we gain in developing a full and honest presentation of the technical information in question will prove invaluable when we subsequently grapple with other technological issues. It will be most instructive to see how a properly structured presentation of the technical facts affects the quality of the congressional decision-making process.

I said before that the style with which our leaders address the major issues will either make or break the programs, and I don't think this point can be emphasized too strongly. At this juncture we find ourselves, for the most part, caught between the style of government representatives who play politics as usual and the style of industry leaders who play business as usual. Neither is calculated to inspire the confidence of an increasingly disenchanted public.

The pity of it is that, occasionally, pearls of wisdom will indeed drop from the lips of a politician or businessman whose past behavior has done violence to his credibility. When that happens, the effect is often much worse than that of crying into the wind. For the public may not merely ignore sage comment from an unlikely source but decide reflexively that it should take the diametrically opposite view.

Those who would make a sincere contribution to the solution of our technology-based problems must, like Caesar's wife, conduct themselves in a manner to place themselves above suspicion. And they would be well advised to heed an old adage:

"Don't bend down to tie your shoes in the middle of a pumpkin patch, and don't stretch your arms in an orchard."

PEACE? YES! SURRENDER? NO!

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ERLENBORN. Mr. Speaker, in the past 3 years, the United States has reduced its forces in Indochina by almost 500,000 men; and the world can only regard that as a conciliatory gesture. If actions speak louder than words, then this withdrawal fairly shouted that we seek peace.

We do not want a surrender, but we do want an end to the killing.

Using arms supplied in abundance by the Soviet Union, North Vietnam has responded to this proffer of peace by sending 12 divisions, including armored divisions, into South Vietnam. It is a massive invasion and it endangers the lives, not only of 17 million South Vietnamese but also of 65,000 American troops.

Thus, our act of conciliation has been answered by an act of aggression.

In this situation, President Nixon spoke to the Nation and the world Monday evening. He offered a complete withdrawal of American forces if North Vietnam would agree to release our men who are prisoners of war and would abide by an internationally supervised cease-fire to stop the killing. He also announced that mines are being laid at the harbor entrances of North Vietnam, and that our bombers would cut rail lines leading into that country.

And he asked for the support of the American people. Mostly, I believe, he has it. Most Americans know that we are in a tight spot. We do not know how the Soviet Union will react to this sealing off of those ports. We do know that there is a better chance of Soviet understanding if the American people were to present a united front.

This is an election year, however, and some Americans give a higher priority to their political advancement than to their country's stance.

This has happened many times in our history.

For example, 196 years ago, our country's leaders signed a Declaration of Independence in July, and then began to lose battle after battle. General Washington found it necessary to withdraw from New York.

The enemy's morale was high; our morale was low. Many scoffed at the disunited colonies and their pretensions of independence from Great Britain.

One, however, did not scoff. Thomas Paine wrote:

> These are times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now deserves the love and thanks of man and woman.
>
> Tyranny, like hell, is not easily conquered.

Mr. Speaker, the spokesmen for the summer soldiers and the sunshine patriots of 1972 have met in caucuses in recent days and told the world they hope the United States—your land and mine—knuckles under to tyranny. I do not believe the people of the United States want to do that.

Peace, we want; surrender, we do not.

UKRAINIAN AMERICANS SPEAK OUT FOR FREEDOM

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. KEMP. Mr. Speaker, I would like to call my colleagues' attention to a manifestation which will be held this weekend in front of the White House by the Conference of Central Youth and Student Organizations of the Ukraine Congress Committee of America.

This event is being held to show support for the rights of all Ukrainians throughout the world and especially those who have been unjustly arrested in the Soviet Union. A followup to this manifestation will be a demonstration which will take place on the same day, Saturday, May 13, in front of the Soviet Embassy.

The most important part of the day's events will be the presentation of a petition to President Nixon.

I was notified of this manifestation by Atanas T. Kobryn of my district who was kind enough to send me complete details. Two of Mr. and Mrs. Kobryn's children, Maria Luba Kobryn and Andrew B. Kobryn, will be among those participating in the event.

During the past few days Washington has once again been invaded by demonstrators who defame their country. These demonstrators appear to be completely oblivious of the priceless heritage of freedom which we all possess in America. The freedom of speech which they treat so lightly is only a cherished dream in captive nations around the world.

The freedom gained by the Ukrainian Republic was short lived, but countless Ukrainian Americans keep the hope of a free Ukraine alive in their hearts and minds.

Earlier this year I urged President Nixon to speak out for the captive nations, such as the Ukraine, during his trips to China and Russia. I am proud to support in every way possible the Ukrainian people's struggle for freedom and self-determination and I wish every success to the efforts of the Ukrainian Americans this weekend.

Mr. Speaker, I include for the information of my colleagues, the announcement of the Ukrainian manifestation this

weekend and the letter from my constituent, Mr. Atanas T. Kobryn:

ANNOUNCEMENT

May 22, 1972, President Nixon is scheduled to leave the United States for a "good will" trip to the Soviet Union. One of his stops will be the capital of Ukraine, Kiev.

The Conference of Central Youth and Student Organizations of the Ukrainian Congress Committee of America is organizing a manifestation in front of the White House in Washington, D.C., on Saturday, May 13, 1972. We have the right to manifest our massive strength before the American people and before our President. As American citizens we have the right to ask President Nixon to hear our plea and to stand up for the rights of all Ukrainians throughout the world and especially those who have been unjustly arrested in the Soviet Union. It is our duty to manifest support for our brothers and sisters in Ukraine. 1972 is an election year and this fact can only add to our success in letting ourselves be heard. A followup to this manifestation is a demonstration which will take place on the same day, Saturday, May 13, 1972, in front of the Soviet Embassy in Washington.

Buses from all over the country are scheduled to arrive in Washington by 12 o'clock noon at the site of the Tara Shevchenko Monument at 22nd and P Streets. The activities will commence at 1 p.m. at the Monument, where the Ukrainian Bishops will open the proceedings with a prayer. Following a few short speeches, the crowd will march towards the White House. The manifestation will be held in Lafayette Park.

The most important part of the manifestation will be the presentation of a petition to Mr. Nixon asking him to stand up in defense of the Ukrainian intellectuals arrested in the Soviet Union and in defense of the Ukrainian Church in Ukraine, which has suffered much persecution at the hands of the Bolshevik atheists.

The Ukrainian Congress Committee of America has sent out 45 letters to various American senators, congressmen, governors, mayors, and other public officials inviting them to appear in Washington at the Ukrainian manifestation and to speak out against Soviet terror.

Recently, Washington has been the scene of many demonstrations protesting American involvement in the war in Vietnam. In order to insure that we will not be affiliated with these leftist elements, the Coordinating Committee of the UCCA encourages all Ukrainians to wear traditional Ukrainian shirts or blouses. Since not everyone has such a shirt or blouse, UCCA encourages all local committees to provide blue and yellow armbands.

Following the manifestation in front of the White House, all participants will march to the Soviet Embassy where we will demonstrate against the countless arrests of Ukrainian intellectuals, the persecution of the Ukrainian Churches and in general, the overall animalistic terror which has become widespread in Ukraine.

In the words of Valentyl Moroz:

"The trial will come and everything will begin anew, new protests and petitions, new material for newspapers and radios of the whole world. The interest in what Moroz wrote will grow tenfold. In a word, another heap of wood will be thrown on the fire which you want to put out."

Remember Saturday, May 13, 1972. Be there!

Conference of Central Youth and Student Organizations of UCCA.

Hon. JACK F. KEMP,
Member of Congress
Washington, D.C.

DEAR MR. KEMP: The enclosed newspaper clipping entitled "announcement" is in no need of comments and/or explanation. I am enclosing same for your and your staff's information.

As you undoubtedly know, a large group of young adults from western New York is planning to participate in the manifestation referred to in the enclosure. Among them will be two of my four children: My daughter Maria Luba Kobryn (West Seneca East Senior High School student) and Andrew B. Kobryn (West Seneca West Senior High School student).

Knowing your interest in the activities of young adults in our district as well as throughout the nation, and also knowing your readiness to actively support any positive and worthwhile undertaking, especially as it pertains to the causes of freedom and justice for all. I am sure that you would want to join the young people from our congressional district in this manifestation that is in the best tradition of American way of life. If anything, this will be one of very few (unfortunately!) *Positive* demonstrations that will be in a sharp contrast to the displays of negativist and/or pacifist thinking of a relatively small but vocal segment of our society.

Mrs. Kobryn and I will *appreciate very much your support of the thousands of the young Americans of Ukrainian descent*, and especially we will appreciate your efforts that would make our childrens' visit to our nation's capitol a memorable one.

Very truly yours,

ATANAS T. KOBRYN.

NO PROTESTS AGAINST COMMUNIST AGGRESSION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RARICK. Mr. Speaker, if the obvious panic of the TV analyzers and the news demonstrations by the antiwar hawks are any criteria for judgment, the President's action to deter additional military supplies from the invasion forces of South Vietnam was not only correct but it is hurting the aggressors.

To many Americans it appears that the present demonstrations are not against aggression or against war but against U.S. action to curb aggression. Most Americans are questioning where those anti-aggression demonstrators and the TV critics were over the past several weeks when the Communists were blatantly escalating the war by arming the North Vietnamese troops and publicly calling for victory over the South Vietnamese people by a military invasion? Or where are the protests at the overrunning of Quang Tri, or today's unbelievable Communist artillery barrage on the women, children, and citizens at An Lac?

The Communist propagandists, while talking about peace, have again proven to the world they want no peace. They only want to continue escalating tensions until they dominate the world.

Americans question why some of their fellow citizens seem to feel that our country is never right, while the Communists are never wrong. There are no protests, no disagreements from political leaders or citizens in Hanoi, Moscow, or Peking over that side's escalation of the war. In those countries dissenters are put in prison or just shot—liquidated in the interest of national unity.

Sincere individuals who demonstrate to end the war would better serve their announced purpose by demonstrating at the Soviet Embassy in Washington, D.C., or at the Soviet Mission at the U.N.

PHASE II'S FAILURE

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. LEGGETT. Mr. Speaker, there are few concerns of the American people today which are matched by their desire to end the ceaseless onslaught of the price rises. Month after month each citizen turns to the other asking, "When will it end?" Month after month the administration urges time and patience, time and more patience.

I feel that I recognize the need for both time and patience in executing an economic program. I expected few immediate results. But, Mr. Speaker, 6 months have passed. It is time to evaluate where we have been and how far we have yet to go.

Regrettably, the statistics do not tell a pleasant story. The President's program to hold down prices during phase II appears now to have failed. The first 6 months of this program have yielded price rises averaging nationally, virtually the same as the enormous price rises that preceded the 3 months of wage-price freeze. Productivity far from bouncing back is just poking along and unemployment remains at over 5 million unemployed.

In the administration's valiant effort to control price rises, the lessons of World War II, foreign experiences, and much more, were taken into account in drawing up the battle plan.

The flaws, however, remained rather clear to all: uneven enforcement, inability to communicate to the public the sincerity of the effort, widespread violations by corporations. Most visible of all has been the exemption for special sectors.

In Sylvia Porter's article of Wednesday, May 3, 1972, we are treated to a most specific analysis of why the administration is failing. I would like to introduce this article into the RECORD at this point.

CONTROLS OF PHASE II ARE NO GREAT SUCCESS

(By Sylvia Porter)

Within a few days, Phase 2 will reach the six-month milestone. What has been the record of this extraordinary experiment with price controls during a period of undeclared war?

Just fair, at best.

In fact, using President Nixon's own yardstick for success—a slowing in the annual rate of rise in the price level to the 2½ percent range—it has been a dismal flop.

It has not been a dismal flop, though—and now that Phase 2 is turning into a stricter Phase 3, it will become a much more apparent success.

We are watching Phase 3 unfold right now—with its stiffer policing, heavy and widely publicized clampdown on violators, threats of real punishment for flagrant abuses, tighter controls on the giants and in the most troublesome areas.

If you include the freeze of Phase 1 (August–November 1971) with the price-wage controls of Phase 2 (since November), the record comes out much brighter. The August–March rise in consumer prices was at an annual rate of only 2.8 per cent and, if updated through May 14, the annual rate of rise well might be down to Nixon's 2.5 percent target. The cost of automobiles in the Phase 1–2 period through March was actually down 2.3 percent.

But this is not an honest way of judging Phase 2.

The freeze the President announced last Aug. 15 was obviously a temporary thing. You couldn't live under such rigidity and you wouldn't want to.

The only honest way to judge the success of Phase 2 is to compare its inflation rates with those which were battering the U.S. economy in the months leading to the freeze.

Here are the figures for the six months prior to August, and for the Phase 2 months through March, put together for this column by the Bureau of Labor Statistics. The current rates probably will show a perceptible improvement when the May figures become available in late June. These statistics however, will give the essential clues.

[In percent]

Item	Precontrols	Phase 2
All items	+4.1	+3.7
Food	+5.4	+7.4
Nonfood commodities	+3.7	+2.1
Housing	+4.1	+3.6
Rent	+3.9	+2.9
Property taxes	+8.2	+16.9
Services	+4.5	+3.7
Medical care	+7.3	+3.1
Public transportation	+7.6	+2.8
Private transportation	+2.4	−0.5
Clothes and upkeep	+2.4	+1.7

The percentages that leap out are the 7.4 percent upsurge in food prices and the 16.9 percent spiral in property taxes—both much, much worse in Phase 2 than in the pre-control period.

Both of these are among the categories exempt from Phase 2 controls—a point which cannot be overemphasized. Close to 20¢ of every $1 goes for goods and services which are not under controls, a fat loophole indeed.

Among other categories also exempt from controls: damaged and used products, such as used cars; insurance premiums on new life insurance policies other than credit life insurance; tailoring of clothes; custom products and services including leather goods, wigs and toupees, fur apparel, jewelry; rents on farms, offices and industrial property; interest rates; fees and service charges by state and local governments.

In the food category, there are no controls on fresh fruits, vegetables, shell eggs, fresh potatoes, all seafood products, live animals and poultry. Meat prices are controlled only after an animal is slaughtered. Moreover, "pass through" rules permit meat processors and wholesalers to pass along whatever price increases and markups have been passed to them—all along the way to you and me.

Mr. Speaker, in November the people will speak their will. If the administration cannot do better by then, I am certain there will be changes.

RADIO STATION WFAB INAUGURATES NEW STUDIOS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. FASCELL. Mr. Speaker, tomorrow, May 12, WFAB radio station in Miami, Fla., will inaugurate its new building and studios, making it the radio station with the largest studios in Miami.

The fact that makes this unique is that WFAB broadcasts for 24 hours a day entirely in Spanish, and has been doing so for the last 10 years. The station has consistently ranked among the top five in Miami in ratings.

WFAB has served as a liaison between many government agencies and the Spanish-speaking population of Miami. It has performed considerable public service by keeping the Spanish-speaking population advised of government activities and programs such as income tax regulations, social security benefits, crime prevention, traffic education and much other needed information.

WFAB also performs a very personal service which is particularly meaningful to the many Cubans living in the area. In addition to announcing the names of those arriving on the freedom flights from Cuba, it broadcasts messages from individuals who are still living under Castro's rule to members of their families living in the United States.

WFAB is owned and operated by the United Broadcasting Co. of Florida. Its president, a former radio reporter in Washington, is Mr. Richard Eaton. The vice president and general manager is Mr. Tomas Garcia Fuste, a Cuban refugee.

Mr. Speaker, I congratulate WFAB on this important new step in its corporate life, and wish the station continued success in the performance of its programing for Miami's Spanish-speaking community.

PURE AIR TAX ACT OF 1972

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DINGELL. Mr. Speaker, on February 8, 1972, President Nixon sent to Congress the proposed Pure Air Tax Act of 1972 which would impose a tax on sulfur emissions.

Feeling that this legislation should be fully considered by the Congress, Congressman JOHN E. MOSS, Congressman HENRY S. REUSS, and I have introduced the administration's bill (H.R. 14931). In doing so, we wish to make it clear that we are not in full agreement with all of its provisions. We do feel, however, that the problem to which this legislation addresses itself is one which deserves full and expeditious consideration.

We are aware of other bills relating to this same subject, among them H.R. 10480 and H.R. 10890 sponsored by Congressman LES ASPIN and other Members, which are considered my major environmental groups to be much stronger than the administration's proposal. With the administration's proposal in hand, it is our view that the Committee on Ways and Means will be in a good position to move forward with its consideration of the various proposals aimed at controlling and abating air pollution caused by sulfur emissions.

APOLLO 16: SO WHAT ELSE IS NEW?

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. FUQUA. Mr. Speaker, the Washington Post of April 29, 1972, carried an excellent editorial on the purpose of our space program that I wish every American had a chance to read and to understand.

This is not a waste of our natural resources but a basic scientific program that will repay humanity thousands of times over. Those who oppose the space shuttle and continuing space exploration are shortsighted and like an old expression back home "are guilty of eating their seed corn."

I would like to have the editorial reprinted here with the hope that some of our skeptics might read and understand that we are in the infancy of this great program. Thus far our research has uncovered more mysteries than we have solved.

The future will judge us as having been shortsighted if we fail to climb this mountain of opportunity and challenge.

APOLLO 16: SO WHAT ELSE IS NEW?

It is easy these days to brush aside the moon flights as nothing more than multi-million dollar boondoggles. Everything is old-hat—the blast-off from Cape Kennedy, the landing on the moon, the search for rocks, the lift-off and rendezvous, and the splash-down in the Pacific. It's all been done before. So what else is new?

This jaded view is not one that commends itself to a nation which has taken pride in open-mindedness and the search for truth. For what is new about the lunar expeditions is that after each of them mankind seems to "know" even less than it did before about the solar system and the universe in which it dwells. One by one, the things men thought they knew have been exposed as nothing more than non-truths, or, at best, half-truths. Facts have a habit of doing that to theories, and the facts established as a result of the five lunar landings have raised more mysteries than they have answered.

This has been disturbing to most of those scientists and philosophers who had looked forward eagerly to examining the data, rocks and soil procured by the astronauts. The moon has not yet turned out to be the Rosetta Stone of the solar system on which were left the facts man needed to understand how the moon, the earth, the sun, and all the rest came into being. It may be, as some scientists now think, that the facts are there and that what remains is the arrival of a mind that can synthesize them into a provable theory. If so, the theory might do as much to change man's outlook as did the work of those who established that the earth rotates around the sun.

It is this kind of grappling with the unknown that justifies the lunar missions. Not far behind it, of course, is the thought that given what man is doing to the fragile planet on which he lives, the time may come when he must turn to other parts of the universe for the things he needs to survive. Thus, the lunar missions are part of this generation's legacy to the future, not just part of a space spectacular performed to demonstrate technical superiority and to build national ego.

No one is likely to understand for a long time all the data that splashed down in the Pacific with Astronauts Young, Duke and Mattingly. Their haul has been large in

physical size and, if previous flights are any indication, it will be substantial in terms of new information. It is true that they did botch a couple of important experiments and that they did have a problem with their flying machines. But what has struck us about the moon flights is that so little has gone wrong and how much of what has gone wrong has been correctable. It is a sad commentary about the quality of life on earth when it takes days to fix a television set or a refrigerator while it takes only hours to analyze and overcome an electronic flaw in a craft that is circling the moon.

So we welcome back this batch of astronauts, who in both their joys and their errors have been the most human and the least machine-like team yet. Their data, when it is added to all the rest, will increase the odds that someday, someone will understand—and be able to explain—its full meaning.

NASA PROPOSES UPDATING OF TOP-LEVEL STAFFING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DULSKI. Mr. Speaker, at the request of the Administrator of the National Aeronautics and Space Administration addressed to you, I am today introducing legislation to amend the law with regard to the designation of titles for the positions of NASA Associate Administrator.

Present law provides for three Associate Administrators with specific titles.

Actually, Administrator James C. Fletcher says that the present organization of the agency provides for six officers functioning in roles equivalent to Associate Administrators. Further, the titles in the present law no longer are accurate with regard to the duties of the individuals.

The Administrator is proposing that the present titles be simplified in the law and the number of positions be doubled.

Mr. Speaker, as part of my remarks and in amplification of the request I include the text of the letter from the Administrator addressed to your office, also an analysis of the bill:

MAY 8, 1972.

Hon. CARL B. ALBERT,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: There is forwarded herewith a draft of a bill "To amend title 5, United States Code, to provide for a change in the titles of the NASA Associate Administrator positions listed under Level V of the Executive Schedule, and to add three more such positions to such Schedule," together with a sectional analysis thereof. This is addressed to the Speaker of the House pursuant to Rule XL of the standing rules of the House.

Under the draft bill, section 5316, title 5, United States Code, would be amended by deleting paragraphs (15), (16) and (17) and substituting therefor a new paragraph (15) which would redesignate the NASA Associate Administrator positions listed under Level V of the Executive Schedule by that generic title alone, and would increase the number of such positions from three to six.

The present identification of the three Associate Administrators listed under Level V of the Executive Schedule reflects the programs and organization of the National Aeronautics and Space Administration at the time the Executive Salary Act was first enacted. However, since that time, in order to more accurately describe its functions, the Office of Advanced Research and Technology, headed by the Associate Administrator for Advanced Research and Technology, a title listed in 5 U.S.C. 5316, was renamed the Office of Aeronautics and Space Technology on January 14, 1972. Moreover, since the time of the initial enactment of the Executive Salary Act, the positions of Associate Administrator for Tracking and Data Acquisition and Associate Administrator for Organization and Management were established, the former on January 2, 1966, and the latter on March 15, 1967. Also, the former Office of Space Science and Applications, headed by the Associate Administrator for Space Science and Applications, a title also listed in 5 U.S.C. 5316, was reorganized on December 3, 1971, into the Office of Space Science and the Office of Applications, each headed by an Associate Administrator. As a result of all of the foregoing, therefore, there are now six offices headed by these Associate Administrators, all of whom have positions of comparable responsibility and authority, but only three of whom are presently identified in the statute.

The draft bill, if enacted, would permit the Administrator of NASA flexibility to establish the titles of the Associate Administrators presently listed under Level V in a manner consistent with evolving functional responsibilities as they may develop and be altered from time to time; and to add three such positions to provide salary equality among all Associate Administrators having comparable responsibilities and authorities.

It should be noted that providing for a specific number of positions having the same title within the same level of the Executive Schedule is not unique. Language to similar effect is now found in 5 U.S.C. 5316; for example, paragraph (66) reads "Assistant Directors, National Science Foundation (4)," and paragraph (75) reads "Assistant Directors. United States Arms Control and Disarmament Agency (4)."

Under the Executive Schedule salary rate currently provided for by 5 U.S.C. 5316, the enactment of this proposal would not affect NASA's budgetary requirements.

The National Aeronautics and Space Administration recommends that the draft bill be enacted by the Congress. Moreover, the Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the submission of the subject proposal to the Congress.

Sincerely,

JAMES C. FLETCHER,
Administrator.

SECTIONAL ANALYSIS OF A BILL

To amend title 5, United States Code, to provide for a change in the titles of the NASA Associate Administrator positions listed under Level V of the Executive Schedule, and to add three more such positions to such Schedule.

The bill would amend 5 U.S.C. 5316 by deleting therefrom paragraphs (15), (16) and (17), each of which names the position of a NASA Associate Administrator for a particular program area, and substituting therefor a new paragraph (15), which would name six NASA Associate Administrator positions without further identification with specific program activity.

The object of this amendment is twofold: (1) deleting the references to specific program areas of responsibility from the titles of the positions would permit the Administrator of NASA to change the titles of the positions whenever the changing direction of the National program of aeronautical and space activities dictates a change in the responsibilities of the positions; and (2) adding three more such positions to the Schedule would accord equality to three present positions having responsibilities, authority and titles comparable to the three positions presently identified in the statute.

A CALIFORNIA WATER DREAM COMES TRUE

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. HOSMER. Mr. Speaker, last week, water from the Feather River in northern California flowed into Los Angeles after a trip of more than 600 miles through facilities of the California State water project, fulfilling a plan that first was envisioned in the early 1930's.

Congress is to be congratulated for the important role it has played in seeing this dream come true. For one of its key features was authorized here, the San Luis project of the Bureau of Reclamation, which represents a unique partnership between the United States and California.

Further, the State and the Corps of Engineers are cooperating in providing flood protection at California's Oroville Dam on the Feather River, where just over a decade ago 38 persons were killed and thousands made homeless on Christmas Eve when a raging torrent burst from the mountains.

Today 1.5 million residents in the San Francisco Bay area rely on the California water project, together with farmers and towns in the San Joaquin Valley. And now when southern California is facing one of its driest years in history, this great State endeavor is ready to meet this need.

Statewide support for this project is well demonstrated by the following editorial from the Sacramento Bee on April 27:

STATE WATER PROJECT FULFILLS PROMISES, MEETS NEEDS OF PEOPLE IN STATE

The first delivery of Northern California water through the State Water Project to homes, factories, businesses and ranches in cities and communities in Ventura and Los Angeles Counties this week marked a significant milestone.

This immense engineering works, born, bred and built in controversy, now has become truly statewide, fulfilling the promises made to the voters more than 10 years ago when they approved a $1.75 billion bond issue to finance the project.

The goal was to provide multipurpose uses throughout the state to be financed in the main by those getting the most benefit. Because most of the need was in the area south of Sacramento and most of the water supply in the north, the basic idea was to transport surplus water stored in reservoirs, principally behind Oroville Dam on the Feather River, through the California Aqueduct to the southland.

The delivery of this surplus water to the south came just in time. Because of the dry winter, there would have been problems supplying necessary water for agriculture use this summer in Orange, Riverside and San Diego Counties.

Frank Clinton, general manager of the Metropolitan Water District of Southern California, commented:

"These facts defy critics who contend the State Water Project is not needed. Without it we would be running out of water in a very few years, even for domestic uses."

The deliveries across the Tehachapi Mountains are not the first project benefits enjoyed by Californians. Even before Oroville Dam was fully built it prevented millions of dollars in potential flood damage.

The project has been delivering a water supply to the South San Francisco Bay area since 1962.

Fish resources have been upgraded in the Sacramento and Feather Rivers, electric power has been sold and recreational opportunities have been provided up and down the state.

Clearly this is an example of good advanced planning for the wise use of the state's natural resources.

THE DAYTON AREA REGIONAL HOUSING PLAN

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WHALEN. Mr. Speaker, the Wall Street Journal today published an extensive article on its editorial page about the efforts which have been undertaken to initiate scatterization housing in the Dayton, Ohio, area, which includes my congressional district.

The comprehensive piece makes much of the fact that strong leadership was exerted to bring the regional housing plan to the stage of reality. While much remains to be done, it is clear that an unique beginning has been made which offers a guide to the rest of the Nation.

Underlining the story is the strong thread of commitment on the part of key people in our community. Such commitment is no stranger to Ohio's Miami Valley, Mr. Speaker, nor is innovation which our area so frequently has displayed in the technological and urban fields.

It is with a sense of pride that I insert at this point in the RECORD the referenced article from the Wall Street Journal for the information of my colleagues:

[From the Wall Street Journal, May 11, 1972]

HOW DAYTON'S ELITE OPENED ITS SUBURBS

(By Monroe W. Karmin)

DAYTON.—From his office high above this mid-America city, the elderly gentleman gazes out at the metropolitan landscape as he considers whether to answer. After a few moments, he smiles knowingly at the visitor and declares, "Well, sooner or later, yes."

This simple reply from Frank Anger tells quite a lot about Dayton. It says the city, "sooner or later," will become the first in the nation to successfully scatter subsidized rental housing throughout its surrounding suburbs. And it tells why: because the business elite that holds the reins of power here believes in the idea.

Mr. Anger, retired chief executive officer of Winters National Bank & Trust Co., has been a member of that elite for a long time and knows its inner workings intimately. So, when he says "yes," he means he expects current opposition to subsidized housing among the southern suburbs to crumble in time under pressure from the business community.

No one is more aware of the essentiality of that community to the dispersal plan's success than the planning team that developed it—Dale F. Bertsch, director of the Miami Valley Regional Planning Commission, and his sidekick, Ann Shafor. "Without the support of the business community and the newspapers," Mr. Bertsch declares, "we'd have published a technical dissertation that would not have been carried out in action."

CALLING THE TURN

In this city, governed by a city manager and council, there is no strong political force. So, when action is required, it is the newspapers and the business elite that call the turn. The two work in tandem. Jim Fain, editor of The Daily News, one of the two newspapers here, and a leading advocate of dispersal, is this year's chairman of the Area Progress Council, a select group of business leaders created in the early 1960s to give form to its management of community affairs.

The 30-or-so leaders meet on the first Saturday morning of each month at National Cash Register Co.'s guest facility, a farm in suburban Kettering. Though the group cherishes a "low profile," some of its deliberations are known. Late in 1968, after the 1966–67 uprisings in West Dayton's black slums, the APC assigned priority status to low- and moderate-income housing, among other concerns. The riots imparted a sense of "urgency" to the discussions, remembers Mr. Fain. George Sheer, then-president of McCall Corp., was asked to accept housing as a special responsibility.

This was the situation:

(1) Most of the city's black population—about one-third of Dayton's total population of 243,000 is black—was crowded into the west side slum. Those blacks escaping the inner city were moving west and north into suburbia, largely into Jefferson Township, with neighboring Madison Township as the next likely escape route.

(2) Most of the area's subsidized housing was within the city limits, mainly in black neighborhoods. In 1969, all but 158 of the existing 3,137 subsidized rental units were within Dayton's borders. Further subsidized construction within the city would only have compounded the concentration of the poor and the black, and denied them access to jobs in suburbia.

(3) Subsidized-housing sponsors seeking entry to suburbia were being rebuffed, setting up a confrontation situation. If the sponsors won any victories at all, they surely would come, because of the economics of land and housing, in the working-class communities to the north and west of Dayton, threatening inundation and continued racial and economic concentration. The more affluent southern suburbs seemed solid and safe, as did the outlying rural counties.

Enter Dale Bertsch, Ann Shafor and the Miami Valley Regional Planning Commission, or MVRPC, created in 1964 as the agency responsible for coordinating the expenditure of federal dollars in the area, which covers five member counties and 30 member municipalities. The Bertsch-Shafor team took seriously the federal mandate to study housing needs in the region. In 1968–69, at the request of mayors of close-in suburbs threatened by black expansion, MVRPC turned to housing.

Conclusion: The region was short some 14,000 low- and moderate-income units. The only way to convince suburbia to open its doors to such construction was a "fair share" plan of assigned quotas to limit the influx of housing in the north and west while opening up the south and east. "What the numbers do is show a community's quota in relation to others," explains Mr. Bertsch, "and thereby relieve the anxiety of suburbanites that they will be innundated."

The concept of accelerating production of subsidized housing and scattering it throughout the central city and the five-county region was cleared, informally, with the Area Progress Council. ("Everything must be plugged into them," says Mr. Bertsch.) Bertsch & Co., the APC and Mr. Sheer, and Mr. Fain and his newspaper joined in the painstaking task of informing local elected officials, the public at large at the various leaders of metropolitan Dayton society of what was afoot. Assurances of support for the plan from the Department of Housing and Urban Development in Washington were received (last month this pledge was invoked when HUD removed an obstructionist Federal Housing Administration area director from office), and a complex formula to assure fairness in the quota assignments was developed.

UNANIMOUS APPROVAL, BUT . . .

By the fall of 1970, the scatterization plan was approved unanimously by the local representatives who sit as commissioners on the MVRPC; membership is voluntary, but members balking at the plan knew they would receive low priority from HUD in the distribution of a variety of federal aid HUD funnels through the regional agency. Once the quotas for each jurisdiction were made public, the stage was set for the individual battles within each locality.

Now, one year into the four-year program, scatterization can claim victories, but not total triumph. Some 815 additional subsidized units are now either occupied or under construction, but all are located in the northern suburbs. This incursion might have been achieved without the plan, Mr. Bertsch concedes, but he contends the plan has "spread the units over the northern suburbs and has prevented inundation of any one area."

Still, success requires more than dispersal in the direction that subsidized housing was heading anyway. "The real test is in the southern suburbs," explains Editor Fain, "and we're beginning to get some evidence that they're opening up for selected projects."

The pressure on them is great. Of the 3,331 subsidized units currently proposed for the region, sponsors of 2,605 units want to locate in the counties, with the largest share aimed at Montgomery County in which Dayton, itself, is located. Thus, the battle to the south is being joined.

The skirmishing is conducted in full public view, before citizens groups, by votes of local governing councils and, in some cases, in the courts. Behind the trenches, however, hovers the "low profile" of the business elite not always easy to discern but very definitely there.

Oakwood, a southern suburb that is home to a number of the elite, is a case in point. MVRPC chose this affluent community to become the first to join the plan, but angry residents overwhelmingly disapproved of the idea. When it came time for the city council to vote, however, it unanimously pledged participation, and set the course for other suburban jurisdictions.

"We had to make sure the first domino fell right, not wrong," remembers Mr. Bertsch. Does this mean the elite told Oakwood officials how to vote? Some office holders do require "philosophical discussions," Mr. Fain concedes, but arm-twisting is not the elite's preferred style. Nor is it usually necessary, for when the elite reaches a consensus, it knows how to communicate.

Early in the game when APC assigned priority status to housing, George Sheer held a series of breakfasts with area leaders to inquire about the problem. The Chamber of Commerce, an arm of the elite, pledged $50,000 from a golf tournament as seed money for subsidized housing. The Junior League, consisting mostly of wives and daughters of APC members, also put up seed money and supported dispersal; "We decided to get into controversial issues and chose housing," explains past president Jean Mahoney, whose husband is president of the company that publishes both Dayton newspapers and an APC member as well.

Of course, acceptance of the plan and acceptance of subsidized housing itself are two different matters. But the elite's support is unrelenting. When necessary, it holds private meetings to educate local officials to the complexities of subsidized housing—like the one at the Dayton Inn last December for the mayors of Centerville and Kettering, southern suburbs facing decisions on projects.

"The APC members who were residents of Centerville and Kettering conveyed the message that they supported the projects," recalls someone who attended, "and that they supported local officials who supported the projects."

What the elite does in private, Editor Fain, through his newspapers editorials, does in public. When Oakwood's residents opposed subsidized housing. The Dayton Daily News chided them for fearing that "some of 'Them' might move into their compound." When the city council voted participation, The Daily News praised the "forward-looking, decent and politically courageous action."

"Most people now know that the sainted fathers of the community are for integrated housing," says Mr. Fain today. And so the dominoes continue to fall right.

Centerville resisted to the bitter end, but finally capitulated to a court order sought by the developer. Now a 232-unit project will be built, despite a call by the city council for a congressional investigation and protestations by opponents.

"It's against the American way of life," fumes Mrs. Marcy Wylie, whose home backs on the project site and who hints at her own legal action. "I worked for what I wanted, but for someone to sit back and get help from Washington for what they want is against the American way of life."

The Kettering city council has given the go-ahead for one project and paved the way for another. West Carrollton is willing to accept its quota, if MVRPC is willing to restrict the size of each project and let community residents have first crack at the rentals. Though Miamisburg has tabled a proposed project, the city council may relent if it can get federal funds to develop its deteriorating inner core. Moraine has held out, for the time being, by running a highway through one site and rezoning another to stop subsidized housing.

In the end, however, it is a reasonable bet that all the southern suburbs will accept projects, and the Dayton "fair share" plan will become the national model that HUD Secretary George Romney, who has commended the effort, would like it to be.

ELIGIBILITY AND INCOME

But the fact that subsidized housing comes to the suburbs does not necessarily mean that blacks, or even the poor, will come in large members. MVRPC permits 80% of the units in each rental project to be occupied by moderate-income families, which in Montgomery County means an annual income of up to $8,100 for a family of four. Thus, many people who work, are white, and already live is suburbia—teachers, nurses and policemen, for example—would be eligible to rent the subsidized units.

Suburbia, therefore, is quite capable of turning the threatened invasion to its own advantage. Leonard Stubbs, a teacher and member of the Centerville city council, voted to permit subsidized housing because of the need in his community. "There's definitely a shortage of housing, both rental and ownership, for people in (the moderate income) bracket," he declares. If local residents fill up most of the assigned units, there will be little room for newcomers from the city.

Moreover, there is no huge herd of inner city blacks waiting to rush into unfriendly suburbia. "I don't think that a lot of black people will live in subsidized suburbia," says C. J. McLin, a black state representative from Dayton. "But it will give black people, at the least, the right to refuse to live there, instead of the community refusing to let them live there. And that's significant for black people."

Dayton's blacks want a choice, even if they don't exercise it right way. The business elite that meets once a month as the Area Progress Council has decided to give it to them.

THE INCONSISTENT CHARGE OF IMMORALITY

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WIGGINS. Mr. Speaker, it is difficult to discuss the war in Vietnam without being confronted with the charge that the war is "immoral" and America's involvement therein "stupid," or worse. The charges are usually made with great force and evident conviction but, frankly, such inflammatory rhetoric is lacking in consistency and common sense.

Of course, it might be maintained that all war is immoral and stupid, but since the Vietnam critics seldom characterize other armed conflicts, such as the several Mideast clashes or the recent Pakistan-Indian war, in such terms, it is obvious that they deem the Vietnam war to be uniquely evil.

Although the bombing is harshly criticized, it is surely not the nature of the weaponry employed in Vietnam which renders that war "immoral" and others not. Aerial bombardment has become a usual and customary weapon employed both offensively and defensively in all armed conflicts. In Vietnam the Air Force has gone to great lengths to avoid civilian targets, unlike the practice in World War II when we deliberately destroyed entire cities with "area" bombing attacks. "Immorality" was seldom if ever used to characterize our tactics in World War II.

Also, one frequently hears the charge of "immorality" when the President's program of Vietnamization is discussed. According to the critics, the gradual withdrawal of our forces under Vietnamization will lead to Asians killing Asians, an "immoral" state of affairs.

Oddly, those who make such charges urge immediate withdrawal of our forces which would surely produce the same "immoral" result of Asians fighting Asians.

Perhaps the shrill cries of "stupidity" and "immorality" reached their peak during the incursions into Laos and Cambodia 2 years ago. It is clear that the forces of South Vietnam penetrated these neighboring countries with our assistance for the purpose of clearing out enemy troops which threatened South Vietnam. If this self-defensive action by South Vietnam was wrong, it was surely immoral for the Israelis to do likewise against terrorists on Lebanese soil several months ago. The justification is even stronger on the side of South Vietnam, since they acted with the consent of the neighboring governments. The Israelis did not.

Those few who rest their claim of immorality on the basis of Vietnam being a civil war in which we should play no part, conveniently overlook the presence of North Vietnamese troops in Cambodia and Laos. As to these beleaguered countries, the actions of North Vietnam amount to nothing less than an armed invasion. Also, the same critics of American "meddling" are, nearly without exception, the same group which applauded Indian armed intervention on the side of Bangladesh in its "civil war of independence" against West Pakistan.

Immorality, like beauty, is in the eyes of the beholder, it seems.

I have come to the conclusion that many Vietnam war critics only regard military action as being immoral when it is directed against Communist efforts to subvert or conquer a nation which wants nothing more than to be left alone. In my book, true immorality would be to abandon friendly governments under attack by such aggressor forces.

We all want peace. Peace in the world can never be secure, however, unless freedom-loving nations resist those countries which seek to impose their will upon their neighbors by force of arms.

If a word such as "immoral" must be employed in the public debate over the Vietnam war, let it be directed against the aggressor policies of North Vietnam. And if the word "stupid" must enter the conversation, I suggest that it best characterizes those who are unable to detect the blatant immorality of the Communists when it stares them in the face.

EXCELLENCE IN EDUCATION

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BELL. Mr. Speaker, I would like to take this opportunity to commend the many fine teachers in the city of Haverhill who are being recognized at this year's honors banquet.

There is one lady, however, to whom I would like to pay special tribute—Mrs. Stephen Degason. In her 38 years of working with the retarded, she has not only been completely dedicated, but has contributed greatly to the high level of special education in the Commonwealth of Massachusetts.

As a member of the House Committee on Education and Labor, I am involved daily in trying to ameliorate, if not eliminate, the many barriers to quality education for all our young people. It is especially important, however, that the physically and mentally handicapped receive proper training to enable them to become, whenever possible, self-sustaining, productive members of society.

Teaching on any level is a hard job which is becoming increasingly harder, and being in a position to influence young people is an awesome responsibility. We all know that children are very impressionable and the less-gifted even more so. It is therefore imperative that this particular group have teachers with great expertise, patience, and warm, reassuring personalities. Mrs. Degason exemplifies these qualities to the finest degree.

Her city, State, and the children she has helped all owe her a great debt of gratitude.

THE KLEINDIENST HEARINGS

HON. JOHN. V. TUNNEY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Thursday, May 11, 1972

Mr. TUNNEY. Mr. President, over the past 10 weeks the Los Angeles Times has provided particularly thorough but balanced coverage of the Judiciary Committee's hearings on the confirmation of Richard Kleindienst as Attorney General. In addition, through its west coast staff it has revealed additional details about arrangements for the Republican Convention in San Diego and the various ways in which ITT dealt with local officials.

In order to make this information available to the Senate, I ask unanimous consent that the series of articles published in the Los Angeles Times be printed in the RECORD.

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

GOP CONVENTION'S "BLANK CHECK" TOLD—SAN DIEGO UNDERWRITING BY COMPANY COULD SOAR

(By Bill Boyarsky)

A San Diego Republican National Convention official conceded Wednesday that a giant corporation's arrangement with convention planners could be interpreted as "saying, 'What San Diego doesn't raise, we'll help you with.' "

But Leon Parma, chairman of San Diego's convention host committee, added that he was completely confident that San Diego's business community and civic organizations would be able to pay their share of convention expenses without such help.

The comments came as a Senate committee investigated charges that the corporation, International Telephone & Telegraph Co., got a favorable settlement of major antitrust suits in return for assisting in convention financing.

Parma raised the possibility that the ITT's stake in convention financing might be much greater than reported previously.

An ITT subsidiary, Sheraton Corp. of America, has disclosed that it is underwriting $200,000 of the $400,000 to be raised by the convention from San Diego business sources.

The question of Sheraton's underwriting of the August convention took on even more importance when the Republican National Committee was told this week that San Diego had failed to pay on schedule $300,000 of the money due the committee for convention expenses.

Initially, Sheraton had said that it had put up $100,000 in cash to help underwrite costs—money that would be mostly repaid through local donations. On Monday, Sheraton said it stood ready to offer another $100,000. All this would help underwrite the city business community's $400,000 share of the $600,000 pledged locally to the national GOP.

Then on Wednesday, Parma, in a telephone interview, agreed that the Sheraton commitment could be interpreted as being even bigger.

"The $400,000 that has been talked about has been variously described as underwriting by Sheraton, and San Diego's commitment and Sheraton saying, 'What San Diego doesn't raise, we'll help you with,' " he said in response to a question.

"You can interpret that any way you want," Parma said. "San Diego has a commitment of $600,000, and the city said, 'We could meet that commitment.' "

NOT $400,000

But Parma denied that his statement meant that Sheraton was prepared to underwrite San Diego's entire $400,000 if the local fund raising from businesses fell short.

"In no way, not at the present time," Parma said. "We have pledges that far exceed the dollars we have been talking about."

Parma said the $100,000 in Sheraton's cash had been deposited in an account by the San Diego Visitors and Convention Bureau and was still there.

"We have not used the Sheraton monies," he said. "It is still there intact."

Parma said San Diego intended to return the bulk of the money as soon as local funds are raised. And he said San Diego had no intention of calling on the other $100,000 that Sheraton has said is available.

He said that once the bulk of the $100,000 in cash is returned to Sheraton, Sheraton will have invested no more in the convention than any other San Diego business.

HOTELS' STAKE

"You know they have three hotels in this community that have quite a stake in this community," he said.

But as Parma spoke, questions were raised in Washington about the fund-raising effort by San Diego convention officials—an effort that must bring in the money to repay Sheraton.

The Republican National Committee was told Tuesday that San Diego was $300,000 behind in payments.

Party officials said only about $100,000 in cash had been paid by the Visitors and Convention Bureau. A $200,000 payment was missed last Aug. 1 and another $200,000 payment was missed Jan. 1. A final payment of $200,000 is due April 1.

"There's a lag on the money from San Diego, all right," said a spokesman for the Republican National Committee.

But the spokesman and Parma expressed confidence that San Diego will come up with the money before the August convention.

Parma said San Diego County had contributed $50,000 in cash and would put up another $50,000 on July 1.

The Visitors and Convention Bureau has put in $50,000 from doubling its dues, and will put in another $50,000 from the same source.

Parma said "cash and pledges" would provide the remaining $400,000.

"I think in pledges we have our $400,000 but we don't have the cash in hand," he said.

What about the $200,000 due last August?

"That is in the form of cash and pledges we have," he said. "We expect to send it on when we have it all in hand."

He said the same was true for the $200,000 due Jan. 1.

NO NAMES

As he has done in the past. Parma refused to disclose the names of any of the San Diego donors or of those who have made pledges toward the $400,000.

"We have made a determination that we are not going to get into the numbers game (disclosing the size of donations and pledges), and we have also made a determination that we are not going to give the names of donors," he said.

To do this, he said, would appear to be pressuring one company to match the contribution of another.

Asked if the pledges were firm, ironclad agreements, he said they were "gentlemen's pledges and some written pledges."

Parma said he expected to the pledges to be kept when "a substantial member of this community makes this commitment to me."

Parma also said some local donors were being given a chance to buy advertisements in the convention program as a way of donating money.

"The one point I want to leave with you is that we have talked to . . . the (national) committee on arrangements and I am confident they understand what we're doing and share our confidence we will meet our commitments . . . This community has never fallen down on an obligation. We're going to meet our obligations. We are pleased that the national committee selected San Diego and we don't intend in any way to meet these commitments."

TOP SAN DIEGO HOTELMAN TELLS OF $24,000 AID

(By Bill Boyarsky)

SAN DIEGO.—San Diego's largest hotel operator said Wednesday that his firm's contribution for the Republican National Convention will be about $24,000—much less than the controversial amount pledged by an International Telephone & Telegraph Corp. hotel subsidiary.

C. Terry Brown, president of Atlas Hotels, Inc., said, "I think it (the convention) is the greatest thing that ever happened to San Diego" but "24,000 bucks is enough."

Brown's statement came in response to a question by a reporter seeking to find what other hotels contributed to the convention. Brown spoke as ITT continued to say that it had advanced $100,000 in cash, and promised much more, to help promote its hotel business—not to help settle a huge antitrust suit.

FINANCIAL ANGEL

An ITT subsidiary, Sheraton Corp., is a financial angel for the San Diego civic effort to raise money for the convention. The firm says it has offered to underwrite $200,000 of the local convention costs.

A Senate committee is investigating a memo suggesting a link between the convention money and the Justice Department's settlement of a huge antitrust suit against ITT.

Defending ITT, San Diego Convention officials said the firm offered to underwrite the convention because Sheraton has two hotels here and is building a third. Rep. Bob Wilson, San Diego Republican, quoted ITT President Harold S. Geneen as saying the contribution would help put the new hotel "on the map."

OTHER EVENTS

There were these other developments in San Diego Wednesday:

—A massive local fund-raising drive that started a few days ago to raise the money guaranteed by ITT was disclosed. One of those in charge was Frank Thornton, chief political fund-raiser for C. Arnholt Smith, wealthy businessman and Republican Party power.

—Local convention committee officials again refused to disclose donors' names. "We would not give the names out," said Phil Phillips, committee spokesman.

—Leon Parma, executive director of the local civic committee, refused for the third straight day to answer reporters' questions about the controversy.

Apparently Sheraton was the only local hotel operator that felt such a large financial stake was needed for promotional purposes.

CALLED BIGGER

Brown, in the interview, said his hotel operation here was bigger than Sheraton's. His Atlas Hotels operates the Town and Country Hotel, the Hanalei Hotel, the Mission Valley Inn and the Kings Inn, all in the hotel circle area of Mission Valley.

All told, Atlas has 1,325 rooms in San Diego, compared with about 1,150 he said Sheraton will have when it completes its new hotel by convention time next August. No hotel operator has more rooms in San Diego.

But Brown said he believed that the $24,000 his firm was giving for its assessment to the Convention and Visitors Bureau, which has pledged $100,000 is enough.

Brown said he had been told that the reason "Sheraton was going to come up with

the $400,000 (sic) was that they were going to move their corporate headquarters to San Diego."

Brown made it clear that he was convinced that San Diego would be able to raise enough money from local sources without having to rely on the great majority of the Sheraton money.

DONORS ASSURED ON TAX DEDUCTIONS—JUSTICE DEPARTMENT AIDS GOP CONVENTION DRIVE

(By Bill Boyarsky)

SAN DIEGO.—A Justice Department letter, written to a law partner of one of President Nixon's biggest fund-raisers, is being used to assure corporations their contributions for the Republican National Convention are legal and tax deductible.

The Times learned Tuesday that businessmen who are worried about legal aspects of possible contributions are being shown a letter from the Justice Department to Frank DeMarco Jr., a Los Angeles attorney and law partner of Herbert Kalmbach of Newport Beach, a Nixon friend and political moneyraiser.

It also was disclosed Tuesday that another Nixon political fund-raiser, C. Arnholt Smith of San Diego, a wealthy businessman, is sending letters to local businessmen asking them to purchase $10,000 convention program advertisements. Smith is sending along Internal Revenue Service regulations saying these contributions are tax deductible under certain circumstances. And he is pleading for gifts "as a way of eliminating embarrassment to the city"—an apparent reference to the controversy over convention financing.

Elliott Cushman, finance chairman of San Diego business community's convention committee, said the Justice Department letter, from John C. Keeney, chief of the department's fraud section, is being used to clear up legal questions that could slow fund-raising.

The legal questions are prompted by federal laws that forbid deductions of political donations from income taxes, that limit contributions to parties and candidates in federal campaigns, and that forbid banks and corporations from contributing to federal campaigns. Some of San Diego's biggest industries are banks and corporations.

While leaving some of the questions unanswered, the Justice Department letter assures businessmen that contributions such as those to the local convention committee are not considered political contributions if the convention helps increase the contributor's business.

Cushman said, "We make these copies of the letter available" when questions about taxes come up.

The legal ammunition from the Justice Department and the Smith letter are part of a stepped up local fund-raising campaign to bring in $400,000 from the local business community to help pay for the expenses of the convention in August.

Originally, local officials had counted on the International Telephone and Telegraph Co.'s Sheraton Corp. subsidiary to underwrite what local officials said was $400,000 until local funds were raised. Sheraton said it put up $100,000 and offered another $100,000 if needed.

But that plan was abandoned when a Senate committee opened an investigation of whether ITT had offered to underwrite convention expenses in return for help in settling a huge antitrust case. The probe, according to some civic leaders, was an embarrassment to the community.

Big names are involved in the current fund-raising drive.

The Kalmbach firm is a big one in politics.

Kalmbach has frequently represented President Nixon in legal matters, such as the acquisition of his San Clemente property. He was top staff man for the Nixon campaign finance operation in 1968, working under chief fundraiser Maurice Stans. He is secretary of the Nixon Foundation which is raising money to build a Nixon library.

He and DeMarco are in the firm of Kalmbach, DeMarco, Knapp and Chillingworth, with offices in Los Angeles and Newport Beach.

Asked about the firm's relation to San Diego's convention host committee, Finance Chairman Cushman said, "They are the tax people. They have been used for deductibility."

Smith also raised large sums for Nixon in 1968. And both he and Kalmbach are members of the Lincoln Club of Orange County, an exclusive Republican group led by many of the President's closest friends. Kalmbach is president of the club.

Cushman said local contributors are being asked to buy the $10,000 full-page ads and are being told that the local committee believes these advertisements are tax deductible.

That point has worried some potential donors. They note that federal law forbids corporations to contribute to parties and candidates in federal campaigns and that federal law forbids donors from deducting political contributions from their income tax.

IRS EXPLANATION

An Internal Revenue Service rule says purchase of such advertisements constitutes a "necessary business expense" only if "they are reasonable and bear a direct relationship to the advertiser's business."

But the rule also says that if the "amounts paid for such advertisements are not reasonable, do not bear a direct relationship to the advertiser's business or exceed the advertising value of the space acquired, they will be considered as contributions to a political organization and are not allowable as deductions."

An example of business concern about the donations came when retired Marine Corps Gen. Victor Krulak, an executive of the Copley newspaper organization here, asked Richard Silverman of the Southern California First National Bank to buy a one-page advertisement for $10,000. Silverman, concerned about federal law, turned the request over to firm lawyers.

JUSTICE DEPARTMENT

Cushman said the letter from the Justice Department was designed to answer such questions.

In the letter, Keeney wrote attorney DeMarco:

"The fact that the convention is political in nature as opposed to some other conventions, i.e., fraternal, legal, medical, etc., would not preclude the contribution being made for the primary purpose of bringing the political convention to the community with the reasonable expectation of financial return to the contributor."

While apparently giving the green light for some contributions to the convention, the letter left unanswered questions about tax deductibility and whether defense contractors—banned from giving to political parties and candidates in federal campaigns—are permitted to give to committees trying to bring a national political convention to their home communities.

A spokesman for Smith said he is "one of a number of people" engaged in fundraising activities, "so he is not outstanding in that respect."

The spokesman said Smith was operating as part of the Cushman committee and had agreed to "contact five or six people to encourage them, if they saw fit, to take full-page ads in the convention program."

The spokesman said other San Diego businesses are "taking a look at it."

Copies of the letter from Smith were received by at least two top San Diego business executives this week—Robert H. Walter, chairman of the board and chief executive officer of U.S. Financial, and Donald R. Rochambeau, vice president and area manager of Title Insurance and Trust.

Walter said his letter asked him to buy a $10,000 full-page ad—something he had already decided to do. He said the letter contained the reference to "eliminating any embarrassment to the city."

BROWN SUES TO FORCE GOP TO RETURN "GIFT"—U.S. COURT SUIT CONTENDS INTERNATIONAL TELEPHONE AND TELEGRAPH SUBSIDIARY'S $100,000 FOR CONVENTION VIOLATES LAW

(By Bill Boyarsky)

Secretary of State Edmund G. Brown, Jr., Monday asked a federal court to force Republicans to return the $100,000 a big corporation advanced for GOP National Convention expenses. Brown, California's only Democratic statewide elected official, declared that the transaction violated federal law which forbids political contributions by corporations.

His suit, filed in federal District Court in Los Angeles, was aimed at the arrangement by which money was advanced for convention expenses by the Sheraton Corp., a subsidiary of International Telephone and Telegraph Corp.

Brown also asked the court to forbid the Republicans from accepting more money from the firm.

"A democracy simply cannot function if government officials and political parties which run the government are allowed to accept huge payments from massive corporations," Brown told an Ambassador news conference.

A Senate committee is investigating charges that Sheraton offered the money in return for settlement of a big Justice Department antitrust suit against ITT.

At issue in the Brown suit is a section of federal law forbidding banks or corporations to give political contributions to candidates or parties.

TO HELP COMMUNITY

Convention officials said the $100,000 was not given to the Republican Party, but to a nonpartisan civic host committee of businessmen which is attempting to raise the San Diego business community's $400,000 share of convention expenses.

The fundraisers contend their aim is to boost local business by attracting the big convention to their city. Thus, they said, the law was not violated.

The firm said it advanced $100,000 with another $100,000 available. Local convention officials said the firm had pledged to advance $400,000 if needed.

The $100,000, in the form of a check from the Sheraton Harbor Island Co., was deposited in the San Diego Trust and Savings Bank last Aug. 6, in an account of the San Diego Convention and Visitors Bureau.

Robert Gadbois, who is in charge of the bureau, said the money was being held for the convention civic committee. In an interview Monday, he said the money was still in the bank.

In his suit, Brown said "the convention bureau accepted and received this check as an agent of the Republican National Committee, in connection with and to finance the Republican National Convention."

COMMITTEE'S UNDERSTANDING

"The check was deposited by the convention bureau in a special account and the books of the convention bureau state that this trust account is earmarked for the Republican National Convention. The trust account is, and at all times since its creation, has been controlled by the Republican National Committee, which has the power to return the funds to ITT and its subsidiaries . . ."

Phil Phillips, spokesman for the convention civic committee, said the account is the

convention bureau's, and the money is spent at the direction of the civic committee.

"The Republican Party has no control over it whatsoever," he said. "It is strictly a civic committee fund, to fulfill the commitment of the community."

But, even last January, Republicans asked the Justice Department about the legality of the contributions.

Frank DeMarco, a Los Angeles law partner of one of President Nixon's close friends and political fund raisers, asked for an opinion from Henry Petersen, acting assistant attorney general in charge of the criminal division.

DeMarco noted that federal law forbids corporations to make contributions to political parties—but an Internal Revenue Service bulletin allows contributions "in connection with the selection of (a) home city as the site of a national political convention."

Because of this conflict, DeMarco said, "legal problems" have developed in the San Diego fund-raising drive.

Replying for Peterson, John C. Keeney, chief of the fraud section, said donations to a convention civic committee are allowed, if the donor can prove his business would benefit from the convention. Convention fund raiser began using the Keeney letter to answer legal questions.

JOB'S DUTIES

But Brown said he disagrees with Keeny's logic. "There is not a court case on it," he said. "I would prefer to hear it from a judge."

Brown who is a potential candidate for governor in 1974, said he was entering the case in his capacity as chief election officer of California—and not as a political gesture.

He told the court his job requires him to enforce all election laws, even federal ones in California. And he said he was also filing the suit as a private citizen "who votes in presidential elections."

Brown was asked if he would act against other corporations who might give to the convention fund.

He replied he was singling out ITT-Sheraton because the case was "so notorious, the facts so apparent." But he said if he heard of similar cases, he would act.

Brown said he was filing the suit because he believes big business has too great an influence over government through campaign contributions.

"I don't think it takes any insight to see that big business is getting big write-offs and benefits and at the time, they are making massive contributions," said Brown.

"For many years, many of us have suspected that giant companies can virtually buy and sell politicians," said Brown. "The Sheraton-ITT contribution is the latest example of big business dominating our government."

Brown said he did not know about the truth of charges that the money was advanced to help with the antitrust suit, but "the situation is suspicious."

INTERNATIONAL TELEPHONE AND TELEGRAPH WOES COST SAN DIEGO'S PORT $450,000 RENT—FIRM WON CONCESSIONS DUE TO CABLE PLANT, HOTEL CONSTRUCTION DIFFICULTIES

(By Bill Boyarsky)

SAN DIEGO.—Long before being bombarded with bad publicity in connection with the Republican National Convention's financing, the International Telephone and Telegraph Corp.'s San Diego ventures were beset by troubles of another kind.

Construction delays hit the big new hotel that ITT's Sheraton Corp. subsidiary is readying for the convention.

And deep pilings had to be sunk in the earth to keep an ITT communications cable manufacturing plant from settling.

ITT and Sheraton asked the landlord for the two facilities—the San Diego Unified Port District—for help, and got it:

District commissioners excused the business giants from paying rents totalling $450,000.

WORK "NIGHT AND DAY"

Once cable plant construction problems were solved, Mrs. Dita Beard, the ITT lobbyist, said she had to work "night and day" on defense contracts—talking to the Defense Department, congressmen and Republican Gov. Reagan and his staff.

In a memorandum to her boss that ITT says is authentic, she spoke with candor about how companies get defense contracts.

"Our new (cable) division requires constant touch with the Department of Defense on contracting for cable in a top secret program, plus constant contact with the congressmen of that area, plus the governor of California and his staff," she said.

A spokesman for Reagan said Tuesday he knew nothing of such contacts.

The cable plant construction program had begun pleasantly enough, on a fishing trip with Rep. Bob Wilson (R-Calif.), a San Diego political power, and his friend, Harold Geneen, president of ITT. Their trip took place a year before Wilson persuaded Geneen to advance money for Republican convention expenses.

FISHING OFF SAN DIEGO

"I had Mr. Geneen fishing for albacore off San Diego," Wilson recalled in a telephone interview.

He said he told Geneen San Diego could use a plant related to the growing oceanographic business. Geneen replied that ITT was thinking of locating an undersea cable plant on the West Coast.

Later, said Wilson, "I remember getting a long distance call from Geneen saying did I think there would be a place for San Diego for the cable plant? I said 'yes' and put him in touch with the port authorities.

Wilson said he had no part in subsequent discussions over the lease, but he telephoned "one or two" port commissioners, telling them "I hope you can find a spot. We have a chance to get a cable plant."

There were difficulties with the site, on land fill over San Diego Bay, ITT asked for a break on the rent, saying other places were offering them up to 15 years' free rent to build the plant. ITT pointed out difficulties in building the big plant on filled land.

The port district said it offered a concession—it would gave ITT credit on its rent for extra money required to build the plant. ITT had to drive extra deep pilings to keep the plant from settling, and asked for a rent credit of $730,000, according to port officials.

The port agreed to compromise at $400,000. The deal was made. ITT agreed to pay $6,150 a month rent, but because of the rent credit, it will not have to pay any rent at all until Oct. 1, 1978.

ITT-Sheraton's hotel was also built on land leased from the port district—and it had troubles, too.

Sheraton told Don Nay, director of the port, that it was having construction problems with the hotel, which many people in San Diego believed would be used by President Nixon or his staff as convention headquarters.

The hotel, situated on a filled area called Harbor Island, is down the road from another Sheraton hotel. Sheraton plans to build a yacht harbor between them.

Nay was notified the hotel construction was a year behind schedule. The port had agreed to charge a low rent of $4,000 a month during the building period, before jumping the rent to the minimum of $20,833 rent to be paid after the hotel was built.

Sheraton asked for nine months more of low rent, saying that the delays—prolonged city study of building plans among them—were not Sheraton's fault. The port commission voted three more months of low rent, saving Sheraton $50,505 in rent. This, combined with the rent break given ITT for the cable plant, adds up to a rent credit of $450,000.

Wilson was also involved in a portion of Sheraton's hotel dealings. After the chain was awarded the lease for the new Harbor Island hotel, he said, the firm became convinced San Diego was a potentially good hotel city.

"When they were interested in another location, I suggested the Half Moon Inn (also on Harbor Island) which was for sale," Wilson said. Sheraton bought the hotel.

By this year, ITT's San Diego troubles appeared to be ended.

But then columnist Jack Anderson charged that ITT got a favorable settlement of an antitrust suit in return for advancing money for the convention.

Publicity—most of it bad—focused on Sheraton and ITT's San Diego holdings.

REPRESENTATIVE BOB WILSON LINKED TO AD AGENCY FOR INTERNATIONAL TELEPHONE & TELEGRAPH CORP.—INFLUENTIAL SAN DIEGO CONGRESSMAN DENIES HE IS ACTIVE IN ITS AFFAIRS

(By Bill Boyarsky and Harold Keen)

SAN DIEGO.—Rep. Bob Wilson who helped bring an International Telephone & Telegraph Corp. cable manufacturing plant to San Diego, is the nonsalaried vice president of the agency handling the facility's advertising.

Wilson, one of the most influential figures in San Diego Republican politics, is vice president of the Tolle Co., an ad agency employed by ITT's Cable Hydrospace Division, operator of a $40 million undersea cable making plant located on San Diego port land.

But both Wilson and Norman Tolle, president of the ad agency, said Wilson had nothing to do with getting Tolle the ITT account, drew no money from the agency and was not active in its affairs.

"I don't participate in the activities of the agency," Wilson said Wednesday in a telephone interview from Washington.

OWNS "PERHAPS FIVE SHARES"

Tolle said that while Wilson is a vice president of the firm, it is "just a name thing." He said the congressman draws no salary and receives no dividend from the "perhaps five" shares he owns.

Wilson, he said, had gone to work for the agency as an ad writer after World War II and then became a partner. When Wilson was elected to Congress, said Tolle, "we purchased his shares back."

"A few years ago, he said he was identified as an ad man in Congress, but he had no (agency) connection and so he thought it would be a good idea to have a connection. So we set it up," said Tolle.

"We made him a vice president to give him a title, that's all. We actually call him vice president and consultant, but the only time we get some consulting is when we call him about information about whom to see in Washington."

Wilson has said he helped bring the ITT plant to San Diego. He said in an interview he had told ITT President Harold Geneen that San Diego could use a plant related to the growing oceanographic industry.

Wilson said Geneen later called him and said "did I think there would be a place in San Diego for the cable plant. I said 'yes' and put him in touch with the port authorities."

Wilson also has said he talked to Geneen about ITT's Sheraton Corp. subsidiary advancing money for Republican National Convention expenses. A Senate committee is now investigating whether the money was advanced in return for settlement of a major antitrust suit against ITT.

COMPETITION TOLD

Tolle said his agency competed with six other agencies for the ITT account and won it "on the basis of merit."

He said he first met Sheraton representatives through Wilson. Sheraton had purchased the Half Moon Inn in San Diego and Wilson had asked Tolle to handle the public relations work for a reception celebrating the purchase.

"They (Sheraton) were very complimentary of the job we did," said Tolle. Later, when the company was going to break ground for a new hotel designed to be open in time for the Republican convention, "We helped out on that."

Tolle said his firm also did other "one-time" jobs for Sheraton and one for ITT. When ITT was looking for an agency to handle the new cable facility, Tolle said, "They called us unexpectedly and we made a presentation" in competition with the other firms.

CALLED ABOVE BOARD

"There is no meat in this," he said, speaking of Wilson's connection with the company. "It is straight and above board. Bob has been a friend. His name may give us some prestige, I don't know." But Tolle also said Wilson's name "might scare some people off."

Wilson said he had not heard about ITT's connection with the Tolle agency until asked about it by a reporter.

"I don't see anything wrong if I had (heard about it), but I didn't," said Wilson.

Wilson was previously associated in another advertising agency with Gerald Champ of San Diego.

Here, too, Wilson was an unpaid associate, according to Champ. Although the agency was called the Champ-Wilson Agency, Champ said Wilson was not part of the agency and "we did not get a single account through Bob Wilson's connection in Congress."

Later, Wilson terminated his association with the agency. It became the Barnes-Champ Agency.

Life magazine said this agency was controlled by San Diego multimillionaire Republican power C. Arnholt Smith through his political aide, Frank Thornton, and that Smith funnelled illegal political campaign contributions through it—a charge Smith denied.

After subsequent name changes, the agency is known as the Barnes-Chase agency, and is headed by Thornton.

TUNNEY ASKS PROBE EXTENSION INTO LIFE'S SAN DIEGO CHARGES

(By Ronald J. Ostrow)

WASHINGTON.—Sen. John V. Tunney (D-Calif.) urged the Senate Judiciary Committee Wednesday to probe charges that acting Atty. Gen. Richard G. Kleindienst played a role in squelching federal investigations in San Diego.

Tunney said the allegations by Life magazine of political interference, backed by two former federal investigators, "raise serious new clouds over Mr. Kleindienst's nomination."

He said "additional information" had come to his attention which coupled with the statements by the former investigators raise "substantial questions" about Kleindienst's decision to clear Harry Steward, U.S. attorney in San Diego, of any improper conduct.

Tunney would not discuss the new information other than to say it was "documentary evidence" which he said confirmed information in the Life article.

He said Sen. James O. Eastland (D-Miss.) indicated the full Judiciary Committee would consider whether to expand its inquiry next week after a subcommittee returns from questioning Dita Davis Beard, International Telephone & Telegraph Corp. lobbyist, in Denver.

Mrs. Beard is the author of a memorandum—which she later disavowed—that appeared to link settlement of ITT's three antitrust cases and a pledge by ITT Sheraton Corp. to help finance the Republican National convention. In other developments Wednesday;

—It was learned that ITT has hired Intertel, a Washington-based firm that handles security operations for the Howard Hughes empire. The company, staffed with veteran investigators formerly with such agencies as the Justice Department, the Internal Revenue Service and the Securities and Exchange Commission, was hired about two weeks ago to evaluate ITT's security measures, purportedly leaked to columnist Jack Anderson.

Robert Peloquin, a former Justice Department attorney who heads Intertel, would not say whether his firm had been employed by ITT. "We can't comment one way or another on whether a client hires us, unless the client acknowledges it," he said. ITT declined comment, but a source close to the company confirmed the arrangement.

—David W. Fleming, the Van Nuys attorney representing Mrs. Beard, confirmed that he was being paid $15,000 by ITT with the understanding that he is her "independent counsel without any direction from ITT whatsoever."

Letters on file with the Judiciary Committee disclosed that ITT has reservations about Fleming conducting "investigation services" as part of his representation of Mrs. Beard. Howard J. Aibel, ITT senior vice president and general counsel, asked Fleming for "further amplification" on the investigation work in a March 17 letter.

NOT RESOLVED

"We have not resolved the matter," Fleming said Wednesday, "But we're not worried about it at this stage of the game. We don't want to duplicate efforts."

—For the third day, Justice Department officials worked on a statement promised in response to the Life article. "We're trying to bring it all together," a spokesman said, noting that the Life charges involve several officials at different agencies.

Meanwhile, it was learned that the Life allegations are supported in part by an affidavit that David Stutz, a former Internal Revenue Service special agent, gave to two FBI agents Dec. 10, 1970.

In the affidavit, Stutz swore that U.S. Atty. Steward ordered him to stop investigating the involvement of Frank A. Thornton in an allegedly illegal campaign contribution channeled through the Barnes-Champ advertising agency. He said that Jerry Champ, president of the agency, stated before a federal grand jury Feb. 5, 1970, that Barnes-Champ was owned by C. Arnholt Smith, a friend and financial ally of President Nixon.

Stutz said that in the presence of three persons Steward said Thornton was a long time personal friend of his, who was instrumental in getting him appointed U.S. attorney and that he expected Thornton to help him win appointment as a federal judge.

Stutz also said that Charles Pratt, president of San Diego Yellow Cab, told him in September, 1970, that Thornton had said that Steward was interceding in the investigation on behalf of Thornton and Smith.

Stutz also quoted Pratt as stating that Thornton said Steward had revealed the progress and subject matter of the federal investigation to Thornton, that Steward had told Thornton he would not indict Pratt unless forced to and that Thornton would be forewarned of any impending action by the grand jury.

DATES SHOW PARALLELS IN INTERNATIONAL TELEPHONE AND TELEGRAPH CORP. AND GOP EVENTS

WASHINGTON.—A chronology of events in 1971 shows how negotiations for settlement of an International Telephone & Telegraph Corp. antitrust case paralleled the selection of San Diego as the Republican National Convention site with the support of ITT's Sheraton Corp.

Senate testimony and interviews with officials showed that the sequence of events began last spring when Richard G. Kleindienst, then deputy attorney general, was approached at a neighborhood party in suburban McLean, Va., by John Ryan, deputy director of ITT's Washington office.

Ryan, concerned about the government's antitrust attack on ITT, asked if Kleindienst would meet with a company representative to hear about financial repercussions that could result from a breakup of the giant conglomerate.

KEY EVENTS

April 16, 1971—Lawrence E. Walsh, outside counsel for ITT and a former deputy attorney general in the Eisenhower administration, wrote Kleindienst asking that the government delay an appeal to the Supreme Court of one of three antitrust suits against ITT to hear an argument on the economic consequences from the company. At the same time, Walsh conceded that there was a "high probability" of the government's winning its case.

April 19—Kleindienst asked solicitor General Erwin N. Griswold to postpone the appealing of this antitrust suit.

April 20—Kleindienst held the first of five meetings with Felix G. Rohatyn, a Wall Street banker and ITT director. According to Kleindienst, Rohatyn told him about "rather drastic economic consequences that would accrue" to stockholders of ITT and Hartford Fire Insurance Co. if the firms were split apart.

STUDY CONSULTANT

April 29—After a meeting including Kleindienst, Rohatyn and Richard W. McLaren, then head of the Justice Department's antitrust division, McLaren arranged through White House aide Peter M. Flanigan for an outside consultant to study the ITT case.

May 2—Dita Davis Beard, an ITT Washington lobbyist, approached then Atty. Gen. John N. Mitchell about the antitrust case at a Kentucky Derby cocktail party given by then Gov. Louie B. Nunn of Kentucky. Mitchell said he advised Mrs. Beard to "stop lobbying" the case.

May 12—Rep. Bob Wilson (R-Calif.) dined with Harold S. Geneen, ITT's chief executive officer, after an ITT board meeting in San Diego. Wilson proposed that the Sheraton Corp., an ITT subsidiary, pledge financial support to enable the 1972 Republican National convention to be held in San Diego, where Sheraton has a new hotel opening. According to Wilson, Geneen agreed, and set $400,000 as the company's top commitment.

May 17—Richard J. Ramsden, the outside consultant obtained through the White House, submitted a report generally favorable to the ITT position.

BID SUBMITTED

June 2—San Diego submitted a late bid for the convention amid reports that President Nixon favored that city.

June 25—Mrs. Beard wrote a memorandum to her boss linking the hoped-for settlement of the government antitrust case against ITT to Sheraton Corp.'s pledge of convention support.

July 23—The Republican Party officially selected San Diego as the convention site, based on its bid of $1,521,800 in subsidies. Sheraton's support was not disclosed.

July 31—The Justice Department announced an out-of-court settlement permitting ITT to retain control of its highly prized Hartford Fire Insurance Co. and part of a second firm, Grinnell, Inc. But ITT agreed to surrender control of six other firms, which amounted to a $1 billion divestiture.

Aug. 5—The Sheraton hotel chain was revealed as a major underwriter of GOP Convention costs. Leon Parma, chairman of the San Diego Republican convention committee, told a news conference about Sheraton's backing in response to questions.

Sept. 17—According to California Lt. Gov. Ed Reinecke, he told Mitchell about Sheraton's offer to help underwrite the convention. Mitchell, however, has said he was never informed of any dealings between the GOP and ITT.

Dec. 13—Kleindienst, in an irate reply to Democratic National Chairman Lawrence F. O'Brien, contended the settlement "was handled and negotiated exclusively" by McLaren. O'Brien had questioned whether the settlement was linked to ITT's convention pledge.

Feb. 29, 1972—Syndicated columnist Jack Anderson published the Beard memo, and subsequently named Kleindienst as a participant in ITT antitrust discussions. Kliendienst, who had been nominated to succeed Mitchell as attorney general, asked for Senate hearings in which to reply.

INTERNATIONAL TELEPHONE AND TELEGRAPH CONVENTION PLEDGE TO GOP CUT TO $25,000—$75,000 OF $100,000 DEPOSIT BEING REFUNDED, SAN DIEGO AGENCY SAYS

SAN DIEGO.—A controversial $400,000 underwriting guarantee by Sheraton Hotels toward financing the Republican National Convention here has been reduced to an actual cash contribution of $25,000, convention sponsors disclosed Monday.

Elliott Cushman, finance chairman of the San Diego Civic Committee, told a news conference that $75,000 of a $100,000 cash deposit made by Sheraton is being refunded.

Cushman said business interests in San Diego and elsewhere have made "positive and firm commitments" totaling $340,000 of the committee's original $400,000 promised to the GOP National Committee.

Last May 12, the committee announced that Sheraton Hotels—a subsidiary of International Telephone and Telegraph Corp.—would guarantee the business community's commitment to help meet convention expenses up to $400,000.

ITT officials later said the corporation put $100,000 in escrow and pledged another $100,000 if matched by other local businesses.

ITT's financial involvement in the convention is still being investigated by the Senate Judiciary Committee to determine whether it was linked to a government antitrust settlement with the corporation.

Cushman said the decision to limit Sheraton's cash outlay to $25,000 was made by the Republic Arrangements Committee.

Cushman said a large part of the host committee's receipts have been obtained through selling advertisements in the convention program for $10,000 per page—an expenditure which Cushman said is tax deductible.

At past conventions, revenue raised from program ads has gone directly to the party for its own uses.

Cushman repeated an earlier promise that he "will fully disclose (names of) those contributing as soon as all cash is received and the commitment to the committee on arrangements is complete."

PANEL WILL RESUME KLEINDIENST INQUIRY, SIFT SAN DIEGO CHARGES

(By Ronald J. Ostrow)

WASHINGTON.—The Senate Judiciary Committee voted 8 to 7 Friday to resume hearings on Richard G. Kleindienst's nomination as attorney general and to close the investigation by April 20.

Rep. Bob Wilson (R-Calif.) of San Diego is scheduled to testify Monday. He will be questioned about a published tape-recorded interview in which he contradicted key testimony of witnesses on a pledge by an International Telephone & Telegraph Corp. subsidiary to help finance the Republican National Convention.

Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, said that after Wilson's testimony he wanted to "start on the California angle."

This referred to Kleindienst's role in clearing the U.S. Atty. Harry Steward of charges that he improperly interfered with federal investigations in San Diego of allegedly illegal contributions to the GOP presidential campaign in 1968.

Witnesses expected to be called include Steward; C. Arnholt Smith, a San Diego financier and long-time friend and financial supporter of President Nixon's campaigns; Frank Thornton, a San Diego advertising executive and associate of Smith; Denny Walsh, author of a Life magazine article accusing the Administration of squelching the investigations, and three investigators who complained of Steward's alleged interference.

Sen. John V. Tunney (D-Calif.), who led the drive in the committee to take testimony on the Steward-Kleindienst matter, challenged the Justice Department's explanation, submitted to the committee Thursday in an affidavit by a Asst. Atty. Gen. Henry E. Petersen.

In the affidavit, Petersen said he had concluded on the basis of an FBI investigation of Steward which was reviewed by a criminal division staff attorney, that the U.S. attorney "had exhibited poor judgment in connection with an official matter."

Petersen, Chief of the Criminal Division, said this was not sufficient to warrant dismissing Steward. The unidentified staff attorney recommended admonishing Steward for his conduct, Petersen said.

A Justice Department spokesman declined to disclose whether Steward had been admonished, saying it was an "internal personnel matter."

The staff attorney concluded that only one allegation—the spokesman said there were a total of five—had any validity, "and that related solely to improper judgment."

The one allegation was Steward's quashing of a subpoena for Thornton to testify in the grand jury investigation, the department spokesman said. Instead, Steward, over the objection of three federal investigators, questioned Thornton, who he reportedly said had helped him be appointed U.S. attorney.

TUNNEY QUESTION

Tunney, noting that Petersen said Kleindienst concurred in the criminal division's recommendations Feb. 17, 1971, the same day they were sent to him, questioned how thoroughly Kleindienst evaluated the matter. Kleindienst issued a press release the same day, stating in part that he had "evaluated the matter and determined there has been no wrongdoing."

The department spokesman said the review "was as thorough as was necessary."

Tunney also disputed Petersen's statement that "there was no indication of any criminal wrongdoing" by Steward. He said there were three affidavits claiming that Steward leaked information from the grand jury, which Tunney said was a federal crime.

The committee's 8–7 vote, which stipulated that the hearings end by April 20, came on a surprise division. All but one of the committee's seven Republicans, who had favored not resuming the inquiry, supported the compromise proposal.

They were joined by Eastland and Sen. Robert Byrd (D-W. Va.), who proposed the compromise.

Sen. Edward J. Gurney (R-Fla.) explained that the Republicans voted as they did because the proposal included a cutoff date. He said he thought it would prevent Democrats from claiming that Republicans were trying to cut off the inquiry.

The Democrats, who made up all but one of the opposition votes, hoped to defeat the compromise in favor of a motion by Sen. Sam J. Ervin Jr. (D-N.C.).

Ervin's motion, which may be presented again before the hearings begin Monday, would tie termination of probe to an appearance by White House aide Peter M. Flanigan, who figures in the ITT aspects of the hearing.

If Flanigan invokes executive privilege and refuses to be questioned, as the White House has indicated, the hearings would continue indefinitely under Ervin's proposal. According to previous testimony, Flanigan arranged for the Justice (Department) to retain an "independent" financial consultant who supported ITT's claims that the government's antitrust suit against ITT would have severe economic repercussions. The report figured out-of-court settlement of the suit.

In another development Friday, ITT Chairman Harold S. Geneen said Tunney's suggestion that Wilson's tape-recorded interview indicated Geneen might have perjured himself in committee testimony was "an unfair interpretation of the record."

Wilson's statement appeared to contradict Geneen's testimony that ITT's Sheraton Corp. had pledged only a maximum of $200,000 support for the GOP convention.

DONATIONS, LOANS—C. ARNHOLT SMITH—MONEY MAN OF STATE POLITICS

(By Bill Boyarsky)

C. Arnholt Smith, the San Diego financier whose political affairs have attracted the attention of Senate investigators, is a generous donor who has helped some of California's most powerful politicians with contributions and loans.

Republicans Gov. Reagan and Atty. Gen. Evelle J. Younger were among the recipients of Smith's assistance in the 1970 election. Democrat Richard J. Nevins of the tax-regulating state Board of Equalization, also received help, although to a considerably lesser extent.

According to reports filed in the secretary of state's office, Smith donated $5,000 to the campaign of Younger, the state's chief law enforcement officer, Smith's daughter, Carol S. Shannon, gave $3,500 more.

And Smith, along with Frank Thornton, an associate, loaned the Younger campaign $30,426. Norman Foster, a spokesman for Smith, said the debt had been "partially" repaid.

ADMIT $1,000 DONATION

Nevins, in an interview, said Smith gave about $1,000 to his 1970 campaign for the board, which sets guide lines for property taxation and helps administer such taxes as the sales and use tax, the alcoholic beverage tax, the cigaret tax and the insurance tax. Nevins represents the 4th District, which includes eight Southern California counties, including San Diego.

State records show Smith donated $5,000 to a Reagan radio committee in 1970 and also contributed to the campaign of U.S. Sen. George Murphy, a Republican, that year. The report does not list the amount of Smith's contribution to Murphy.

Smith's name did not turn up in an examination of the records of those who donated $500 or more to the 1970 campaigns of Democratic Sen. John V. Tunney, who beat Murphy, or of Jess Unruh, the Democratic gubernatorial nominee who lost to Reagan.

Smith, who rose from bank teller to head of a banking and industrial empire, is a political giver who numbers President Nixon among his friends and was reported to have raised more than $1 million—including $250,000 of his own—for the President's 1968 campaign.

CALLS FIGURES HIGH

Smith has said these figures are high, but said he contributed a substantial amount to the President.

Smith may testify this week in Washington at the Senate Judiciary Committee's hearing into the controversy over San Diego political fund-raising. Life magazine charged the Nixon Adminstration failed to probe evidence that illegal political contributions were being funneled through an advertising agency that Smith reportedly controlled.

Smith heads a multimillion dollar group of businesses, including the $746 million U.S. National Bank and the Westgate California Corp., a $215 million-a-year conglomerate that controls a tuna fleet. Air California, Yellow Cab Co. of California and canneries that market such tuna brands as Breast-O-Chicken and Carnation.

An examination of the records showed Smith's donations have a unique pattern. There is a combination of gifts and loans.

The money is often spent through the advertising agency that Smith is reported to control.

In the 1970 general election campaign, a San Diego Younger committee reported receiving $40,051.12—the bulk of it from Smith, his daughter and from the Smith-Thornton loan.

The same committee reported spending the same amount—$40,051.12—through the Barnes-Champ advertising agency.

(Smith was not the largest contributor to the Younger campaign. Sam Shulman, vice president of the National General Corp., a large conglomerate with theater and other interests, donated $20,250. The firm was listed as a $5,000 contributor. And the Community Bank of Los Angeles was listed as the lender of $185,000.)

PATTERN SIMILAR

The same pattern of Smith donations and loans—and expenditures through the Barnes-Champ Agency—was seen in the San Diego County campaign of Robert Thomas, an unsuccessful candidate for district attorney in 1970.

In his November campaign against a Smith foe, Edwin L. Miller, Thomas reported receiving a $5,000 campaign contribution from Smith and a loan from Smith and Thornton of $54,773.

AGENCY USED

Campaign records show that Thomas spent $47,436 through the Barnes-Champ agency.

One law enforcement officer has told federal agents of testimony that Smith owned the agency.

David Stutz, a former Internal Revenue Service agent now working for the San Diego County district attorney's office, has said that Jerry Champ, then president of the Barnes-Champ agency, stated before a special federal grand jury on Feb. 5, 1970, that "this agency was owned by C. Arnholt Smith and that Frank Thornton was responsible for the handling of political contributions by this agency."

Champ and Thornton were unavailable for comment.

Smith spokesman Norman Foster said "as far as I know he (Smith) does not own this agency and I think he has said that . . . But again I would not challenge what Jerry said under a special set of circumstances."

Stutz made his statement to two FBI agents investigating the charges that illegal campaign contributions were being funneled by Smith and Thornton through the agency. Smith has denied the charges.

The Smith-Thornton relationship was evident in another major San Diego campaign, when Mayor Frank Curran was engaged in his unsuccessful fight for reelection in 1970.

Smith contributed to the campaign and Thornton was a member of the strategy board that directed Curran's campaign.

NO DONATION TAKEN

Curran was defeated. Sources close to the new mayor, Pete Wilson, said he accepted no money from Smith that year, even though he was offered a "substantial" contribution. Wilson is a Republican and Curran a Democrat, but the mayor's office is nonpartisan.

Another illustration of how widespread are contributions from the Smith organization came last year when San Diego Democratic leaders held a small lunch for potential givers with two purposes—to honor Board of Equalization member Nevins and to raise money for the party treasury.

At the lunch was Lou Lipton, the Smith associate who deals with Democrats and with segments of labor, and he purchased a $1,000 table for a fund-raising dinner.

The Smith-Thornton political activities have become the subject of controversy in San Diego where Lawrence Kapiloff, a Democratic Assembly candidate, has held press conferences demanding an investigation.

In a letter to Dist. Atty. Miller, he said that "the public has an immediate right to know whether such practices are continuing into the 1972 election year and the extent of such practices."

LETTER QUOTED

Referring to Younger's receipt of campaign help from Smith, Kapiloff said, "I ask that Mr. Younger disqualify himself from any direct or indirect participation in any such investigation . . ."

Younger, in a letter to Miller, replied any investigation should be conducted by the local district attorney because he has seen no evidence of a violation of state law.

Of Kapiloff's reference to the Smith-Thornton campaign assistance, Younger said, "I don't know whether or not this information is correct."

He suggested that Henry Pitts Mack, his San Diego chairman and an attorney, could provide the information. Mack, contacted by The Times, said he had little to do with campaign financing, and suggested that Norman Lien, the finance chairman, be contacted. Lien was not available for comment.

SAN DIEGO INTERVENTION BY U.S. ATTORNEY HELD HIGHLY IMPROPER—BUT JUSTICE DEPARTMENT OFFICIAL SAYS STEWARD'S CONDUCT FELL SHORT OF CRIMINAL WRONGDOING IN CAMPAIGN DONATION QUIZ

(By Ronald J. Ostrow)

WASHINGTON.—U.S. Atty. Harry Steward's intervention in a San Diego campaign contribution investigation was "highly improper," but the Justice Department decided to back him publicly instead of dismissing him, a top department official testified Tuesday.

Henry E. Petersen, assistant attorney general for the criminal division, characterized Steward's conduct as "woefully indiscreet," but short of criminal wrongdoing.

He noted that Steward was preparing to handle a major trial in San Diego at the time the department investigated him and said: "There was no way we could say he was half-right or 99% pure."

Petersen gave the first detailed department comment on the politically sensitive matter as the Senate Judiciary Committee focused its attention to then Dep. Atty. Gen. Richard G. Kleindienst's Feb. 17, 1971, decision to clear Steward of any wrongdoing and express "full confidence" in him.

Until now, the committee's inquiry on Kleindienst's nomination to be attorney general has dealt with allegations that the settlement of antitrust suits against International Telephone & Telegraph Corp. was linked to a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

While shouldering major responsibility for recommending to Kleindienst that Steward be cleared, Petersen, a 21-year career department attorney, revealed in his testimony that Kleindienst played more of a role in the case than the department had indicated earlier by stating his involvement was "minimal."

He told, for example, of a fall, 1970, meeting, at which he was not present, between Kleindienst and Steward, after the department began considering allegations against the U.S. attorney. Petersen said Kleindienst told him Steward had been "open and candid" and that Kleindienst said he did not think anything was wrong.

Nevertheless, Kleindienst decided to initiate an FBI administrative inquiry of Steward's conduct, a move the criminal division recommended, Petersen said.

The investigation covered five allegations against Steward, some dealing with his conduct before being named U.S. attorney by President Nixon in October, 1969.

Only one allegation stood up, Petersen testified, and that concerned Steward's blocking a subpoena for testimony from Frank Thornton, a San Diego advertising executive and associate of C. Arnholt Smith, a San Diego financial supporter of Mr. Nixon.

Under questioning by Sen. John V. Tunney (D–Calif.), who led the drive in the committee to look into the Steward matter, Petersen said federal investigators wanted Thornton subpoenaed in connection with an allegedly illegal contribution to Mr. Nixon's 1968 campaign by San Diego Yellow Cab.

The investigators contended the contribution was channeled through Barnes-Champ advertising agency, which Thornton served as vice president and which Petersen said was owned by Smith.

Steward objected to the subpoena and told the three investigators that Thornton helped him gain appointment as U.S. attorney and that he hoped Thornton would assist him in being named to the bench, Petersen said.

In his meeting with the three investigators—A. David Stutz, Richard Huffman and Michael de Feo—Steward "spoke very candidly," Petersen said. He assumed they "were understanding." They were not understanding at all.

Steward alone interviewed Thornton and received two conflicting explanations about a $2,068 bill to Yellow Cab from Barnes-Champ. One described the bill as for a wage-and-hour survey still to be conducted and the other depicted it as a personal contribution that would be returned.

Tunney pressed Petersen on whether Steward intervened on behalf of Thornton a second time, ordering Stutz to drop an Internal Revenue Service probe of Barnes-Champ and informing him that he had told the advertising agency not to turn over records to the investigator.

Petersen contended this was merely a continuation of Steward's first interference, although Stutz was acting in his IRS agent's capacity rather than as a member of the inter-agency federal strike force, which initially investigated the agency.

Asked whether Smith's alleged involvement was investigated further, Petersen said: "I understand that Mr. Smith and his whole combine are under investigation by IRS."

Petersen bristled at mention of the Life magazine article on the Steward matter, saying the magazine's central charge that the Nixon Administration had obstructed justice was false.

"Dick Kleindienst or (former Atty. Gens.) John Mitchell or Ramsey Clark or Nick Katzenbach or Bob Kennedy or Bill Rogers never brought political pressure to bear on me," said the Justice Department veteran.

"I'm convinced that nothing in this record—absolutely nothing—will reflect adversely on Dick Kleindienst," Petersen said.

STEWARD DEFENDS INTERVENTION IN SAN DIEGO PROBE

WASHINGTON.—U.S. Atty. Harry D. Steward disputed Tuesday a Justice Department finding that his intervention in a campaign contribution investigation in San Diego involving an old friend was "highly improper."

Testifying before the Senate Judiciary Committee, Steward initially said he felt his decision to block a subpoena for Frank Thornton, a San Diego advertising executive and Republican fund-raiser, "was correct then . . . and I still do."

But after questioning by Sens. John V. Tunney (D–Calif.) and Edward M. Kennedy (D-Mass.). Steward said: "It was poor judgment possibly—that's as much as it was."

Steward's testimony conflicted on several points with that of Asst. Atty. Gen. Henry E. Petersen and a sworn affidavit from A. David Stutz, a former Internal Revenue Service investigator in San Diego, which was turned over to the committee by Tunney.

Steward denied, for example, that he had told federal investigators he wanted to question Thornton personally because Thornton had helped him win appointment as U.S. attorney and he expected similar assistance in winning a federal judgeship. Petersen testified that a Justice Department inquiry had found this to be the case.

"Are you aware that there are sworn affidavits that you did tell Mr. (Michael) DeFeo that?" Tunney asked. (DeFeo, formerly a federal strike force attorney in San Diego, now heads the strike force in Kansas City.)

"I've never seen any," Steward said. "You have the records. You're one up on me."

DENIES STATEMENT

Tunney pressed the issue, and Steward said: "There was no reason for me to say that."

"But you didn't say that?" Tunney asked.

"I didn't," Steward said.

At another point, Steward added: "Apparently, Mr. Thornton doesn't have the power to designate federal judges because I'm not a federal judge."

Tunney said later that Steward had been "less than candid."

In connection with its consideration of the nomination of Richard G. Kleindienst as attorney general, the committee is investigating charges that Steward improperly intervened in a 1970 federal investigation of allegedly illegal contributions to President Nixon's 1968 campaign.

Kleindienst issued a statement Feb. 17, 1971, disclosing that unspecified allegations against Steward had been investigated by the FBI, that the U.S. attorney had been cleared of wrongdoing and that he enjoyed the full confidence of the attorney general.

Steward testified that it would have been "inappropriate and improper" to subpoena Thornton before a federal grand jury "in the circus atmosphere that existed publicity-wise in San Diego."

He said there had been "a tremendous amount of publicity" shortly before about subpoenas for "70 to 80% of the top elected officials of San Diego."

Steward added that a political corruption indictment had been returned in Newark, N.J., during the same period and that he opposed "opening up another publicity campaign." He said he was against trying such cases in the press.

Steward said Thornton had been "campaign manager (in San Diego) for every major Republican candidate for the last 20 or 30 years, including Nixon, Eisenhower and Goldwater when he ran." As such, he said Thornton was prominently identified as a political figure.

Steward said he told the investigators who wanted to issue the subpoena that instead he would question Thornton at Barnes-Champ Advertising Agency, where Thornton served as vice-president.

"I went over to Thornton's office so I could look at his books and documents," Steward said. "It's a big advertising agency and had lots of books and records."

"You learned about the subpoena and killed it?" Sen. Quentin N. Burdick (D-N.D.) asked.

Steward: "In sum and substance, yes."

Burdick: "You went over to his office. Is that customary?"

Steward: "No."

Burdick: "Wouldn't it be customary for you to call him over to your office?"

Steward: "Yes."

Burdick: "But you had a great friendship for him."

Steward: "Yes, but he had a lot of records, too."

The U.S. attorney also differed with previous testimony that Thornton had explained a $2,068 bill which Barnes-Champ had submitted to San Diego Yellow Cab Co. as arising from a wage and hour study. (The investigators had said they suspected the sum was actually a campaign contribution, barred by federal law.)

"I cannot remember what I told the strike force people," Steward said. "They were interested. I wasn't particularly interested."

Steward said he had "no independent recollection" that Thornton later gave him another explanation for the amount billed Yellow Cab.

"NO BIG DEAL"

Repeatedly dismissing the incident as "no big deal," Steward said his conversation with Thornton was "extremely vague in my mind. I can't remember if it was different because I don't remember what he told me the first time."

Steward testified he was "quite sure" Kleindienst had privately criticized him for intervening in the Thornton matter. "Dick doesn't mince words," Steward said, quoting Kleindienst as stating: "Steward, when there are friends involved, get the hell out."

But he said he could not recall when this dressing-down took place, whether it was when he first met with Kleindienst about the incident in November, 1970, or in February, 1971, after the criminal division recommended he be admonished.

MITCHELL DISPUTED IN ITT CONTROVERSY

(By Ronald J. Ostrow)

WASHINGTON.—Lt. Gov. Ed Reinecke said Friday that he discussed with former Atty. Gen. John N. Mitchell last Sept. 17 the offer by Sheraton Hotel Corp. to help underwrite the GOP convention in San Diego.

Mitchell, now directing President's Nixon's reelection drive, said Monday that he had no knowledge that Republicans were conducting convention dealings with International Telephone & Telegraph Corp., Shearton's parent corporation.

A spokesman for Mitchell Friday reaffirmed that the former attorney general denied even now any personal knowledge of the dealings between the GOP and ITT.

Mitchell's denial figures prominently in the mounting controversy over the Justice Department's $1 bilion antitrust settlement with ITT last July, which columnist Jack Anderson has charged was linked with the convention pledge.

The Anderson charges have held up Senate confirmation of acting Atty. Gen. Richard G. Kleindienst to succeed Mitchell, as the Senate Judiciary Committee holds hearings on the matter at Kleindienst's request.

Reinecke, issuing his second statement of the day from Sacramento, emphasized that the discussion of convention financing was in terms of Sheraton and not ITT.

MITCHELL AVOIDED CASE

It was unclear, however, whether Mitchell recognized the relationship between the firms. As attorney general, he removed himself from the antitrust case because the law firm in which he and Mr. Nixon were once partners had represented another ITT subsidiary, Continental Baking Co.

In his first statement, Reinecke told newsmen he and Edgar M. Gillenwaters, director of the state Department of Commerce, met with Mitchell in his Washington office in mid-May last year, about two months before the antitrust settlement. Reinecke said the Sheraton convention pledge "was mentioned, but was not discussed."

After a spokesman for Mitchell said the former attorney general's records showed he had not met with Reinecke in mid-May, Reinecke issued the second statement. He said that because he did not have access to his files when he made the initial statement he was mistaken about the meeting.

FIRST DISCUSSED SEPTEMBER 17

Reinecke did not explain, however, why he did not check his files before commenting Friday to newsmen on the meeting or before discussing it with Sen. John V. Tunney (D-Calif.). He gave his initial version to Tunney only about two hours before issuing the second statement.

It was learned that Reinecke changed his statement after a telephone conversation with Mitchell's campaign office in Washington.

In the second statement, Reinecke said the meeting which he thought was in May actually took place on April 26, 1971, but the Republican convention was not discussed "because the idea had not developed at that date." The Sheraton convention offer was first discussed at the Sept. 17 meeting, Reinecke said.

He urged the GOP to reject what he called Sheraton's $400,000 pledge—a sum that ITT contends is twice the amount pledged by the hotel chain.

"You have to play it super clean and super safe and just say 'Thanks, but no thanks,'" Reinecke said. The GOP "would be ill advised to accept this money now, not that there is anything wrong with it, but because of the propensity of the public to believe any accusatory story like this."

"The only reason I was involved was that I was doing work on behalf of California to try to get the convention to San Diego," said Reinecke.

"Mitchell was, you might say, the political arm of the Administration. It was widely known then it was he who was making the political decisions."

Tunney Friday asked Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, to call Reinecke as a witness when the Kleindienst hearings resume Tuesday. Reinecke said he would appear if asked, but said he hoped the committee would not summon him because of the press of business in California.

LETTER MENTIONED

At the hearing, Sen. Edward M. Kennedy (D-Mass.) questioned Kleindienst and U.S. District Judge Richard W. McLaren, former antitrust chief at the Justice Department, about a letter directed to them last Sept. 21, which questioned whether the antitrust settlement and convention pledge were linked. This would have been at least two months before the period that Kleindienst and McLaren have testified they first learned of the financial pledge from newspaper reports.

The letter, written to Kleindienst by Reuben B. Robertson III, an associate of consumer advocate Ralph Nader, also asked Kleindienst to specify what contacts he had with Rep. Bob Wilson (R-San Diego) during settlement of the suit.

McLaren, who replied for Kleindienst on Sept. 2, said he had been advised that Kleindienst had no contacts with Wilson during the antitrust negotiation and that there was no link between the settlement and any ITT offer of financial support for the convention.

NO RECOLLECTION

"I have no recollection of the letter," Kleindienst told Kennedy. Saying he receives correspondence "by the pound, by the foot," Kleindienst added that such letters as Robertson's "are routinely sent by my staff to various divisions" for handling.

"The letter indicates Mr. McLaren would have called me up," Kleindienst said. "I don't recall any conversation."

McLaren said: "I must have asked him about the Wilson part of the thing. I wouldn't have written that if I had not asked Mr. Kleindienst." But he said he could not recall the letter either.

As the hearings recessed, ITT made its first comment on Dita D. Beard, the company's Washington lobbyist and author of a purported internal memorandum which sparked Anderson's charges. Both the company and the FBI are searching for Mrs. Beard, who has been subpoenaed by Eastland to testify.

CALLED A VIOLATION

ITT said Mrs. Beard's absence "is in direct violation of a commitment she made to the company." The statement said ITT is ready to present evidence that will "put to rest the unfortunate and unfounded allegations and innuendoes" resulting from publication of the purported memorandum.

The FBI was said to be concentrating its search for Mrs. Beard in the Denver area. A committee source said he understood she had been in touch by telephone from Denver with her Washington physician.

Eastland, who said he did not think "anything has been turned up" in two days of hearings, disclosed that three mystery witnesses would be called next week. He said their names had been supplied by ITT, but refused to identify them.

OTHER WITNESSES

Eastland said Anderson and Mitchell would be called Tuesday, and that W. R. Merriam, head of ITT's Washington office, and Mrs. Beard, if she is located, also would be called.

The ITT merger settlement brought to a close two cases the government had lost in lower courts and was appealing and one yet to come to trial. Under the agreement, ITT retained control of Hartford Fire Insurance Co., which it considered vital of its operations, and part of a second firm, Grinnell, Inc.

ITT gave up control of Canteen Corp., a large food-vending concern; Avis Rent-a-Car System; Levitt & Sons, Inc., homebuilders, two small insurance concerns and the fire protection division of Grinnell.

KLEINDIENST WILL REPLY TODAY TO CHARGES IN ANTITRUST CASE

(By Ronald J. Ostrow)

WASHINGTON.—Dep. Atty. Gen. Richard G. Kleindienst will reply today at a Senate hearing to charges that he helped settle a huge antitrust suit with a corporation that pledged financial support for the GOP convention in San Diego.

Kleindienst requested the hearing by the Senate Judiciary Committee, which approved his nomination as attorney general last week, in the wake of accusations by columnist Jack Anderson that he had "told an outright lie" about settling the case with International Telephone & Telegraph Co.

In a series of meetings with committee members Wednesday, Kleindienst offered to produce his former boss, John N. Mitchell, who stepped down as attorney general Wednesday, Federal Judge Richard W. McLaren, former antitrust chief, and ex-Gov. Louie B. Nunn of Kentucky to back his version of the dispute.

The committee also is expected to call Harold S. Geneen, chairman and president of ITT; W. R. Merriam, a Washington vice president of the firm, Mrs. Dita D. Beard, registered lobbyist for ITT, and Felix G. Rohatyn, a Wall Street financier and ITT director who has played a central role in the firm's active merger program.

ANDERSON TO TESTIFY

Rohatyn and Mrs. Beard were central figures in columns by Anderson charging that Mitchell and Kleindienst took part in closing the suit last July by consent judgment, allegations that they and the company deny. Anderson also will testify.

The dispute took on an added political coloration Wednesday when it was learned that Rohatyn has been active in raising finances for the presidential campaign for Sen. Edmund S. Muskie (D-Me.).

In his column Wednesday, Anderson charged that Kleindienst discussed the "economic side" of the merger with Rohatyn about six times, while McLaren carried on negotiations with the firm's lawyers. Anderson contrasted this activity with Kleindienst's assertion in a letter last Dec. 13 to Democratic National Committee Chairman Lawrence F. O'Brien that the suit settlement "was handled and negotiated exclusively" by McLaren.

Kleindienst declined to comment Wednesday, but sources familiar with his account said he would testify that he repeatedly referred Rohatyn to McLaren, including one instance when Rohatyn was understood to have complained about McLaren's hard-line position.

Such testimony would be similar to Mitchell's response to an earlier Anderson column alleging that Mitchell and Mrs. Beard "privately arranged" the antitrust settlement.

Mitchell, noting that he had removed himself from the ITT case at the outset because he had represented subsidiaries of the company when he was in private law practice, said Mrs. Beard had talked to him once about the suit.

He said she approached him at a reception last May held by ex-Gov. Nunn following the Kentucky Derby.

"I told the lady that I knew nothing about it," Mitchell told reporters Wednesday, "that if I were her I would stop lobbying in connection with the matter and I would have the appropriate people—lawyers from ITT—go back to the Justice Department where the matter was going to be settled."

VERACITY ISSUE

ITT also denied Anderson's allegations, but declined to comment on the veracity of a purported internal company memorandum obtained by Anderson that seemed to link the settlement with a pledge of support to the San Diego GOP convention by Sheraton Corp. of America. The hotel chain is an ITT subsidiary.

Contending that Sheraton had pledged $100,000 to help underwrite the convention to be followed by another $100,000 if it was matched by other contributions, the ITT statement said "such community support is not unusual in the hotel field." The company noted that it has two hotels in San Diego, with a third under construction.

ITT said there "was no deal of any kind" to settle the cases and that "neither Mrs. Beard nor any one else except legal counsel" was authorized to carry on the negotiations.

KLEINDIENST PARLEYS

Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, and two ranking Republicans, Sens. Roman L. Hruska of Nebraska and Hugh Scott of Pennsylvania, said after meeting with Kleindienst that they were satisfied by his explanation.

But Sens. Birch Bayh (D-Ind.), Edward M. Kennedy (D-Mass.) and John V. Tunney (D-Calif.), who also met with Kleindienst at his request Wednesday, declined comment on his explanation or their reaction.

ITT LOBBYIST PUTS KNIFE TO WORK—WITHOUT THE BUTTER

(By Robert L. Jackson)

WASHINGTON.—Dita Davis Beard, veteran lobbyist for International Telephone & Telegraph Corp., is a salty, party-loving mother of five with a wide acquaintanceship on Capitol Hill.

The 53-year-old divorcee has a reputation for bluntness and political savvy. Her friends say she can curse a congressman to his face in a way that is charming and inoffensive.

"She's a hard-drinking, hard-cussing, free-swinging woman—tough as nails," an admirer said.

Mrs. Beard is a central figure in an ITT case under scrutiny by a Senate committee. A memo she reportedly wrote her boss last June links settlement of a government antitrust case against ITT with a subsidiary company's pledge of financial support for the Republican National Convention in San Diego.

FBI TRYING TO FIND HER

The FBI is trying to locate Mrs. Beard to serve her a subpoena to testify before the Senate Judiciary Committee.

"Primarily she knows Republicans in Congress," a former associate said, "but she gets along well with members of both parties."

In a city where grace and obeisance are hallmarks of many lobbyists, Mrs. Beard has capitalized on aggressiveness—often to the point of coarseness, friends say—and treats members of Congress as her equals.

A large, gregarious woman, her presence is noted almost daily at the Capitol Hill Republican Club in the Congressional Hotel, a block from the Capitol.

She worked in President Nixon's 1968 preconvention campaign. A daughter, Lane, now works for the Republican National Committee in finances.

A frequent traveler, Mrs. Beard enjoys attending national and regional meetings of governors and other politicians. Se usually presides at an ITT "hospitality suite."

A Republican Party worker recalls Mrs. Beard's large suite at San Francisco's Mark Hopkins Hotel during the 1964 Republican National Convention.

"It must have cost $125 a day," he said.

She has also arranged for congressional staff members to fly to political meetings in an ITT company aircraft.

A lover of the outdoors, Mrs. Beard drives snowmobiles and is an inveterate camper. A friend recalls that during a winter meeting in Wyoming she strolled barefoot down the winter street at midnight.

She is not fussy about her appearance.

"She'll string cigaret ashes all over a $200 dress," a friend said.

Associates say Mrs. Beard, divorced for several years, has devotedly raised five children, now grown.

"She's been a tremendously good mother to these youngsters, and they are very close to her," a friend said.

The family home is in nearby Arlington, Va.

Mrs. Beard, who has been ITT's registered lobbyist for 11 years, is regarded as one of Washington's most highly paid women. She reportedly earns over $50,000, although the company will not disclose her salary.

CAIN REMEMBERS

In the early 1950s she worked for former Sen. Harry Cain (R-Wash.), who remembers her as "a very gregarious, forceful and attractive girl who enjoyed rifle shooting as a hobby."

The memo ascribed to Mrs. Beard, which ITT will neither confirm nor deny, refers to the company's chief executive, Harold S. Geneen, as having "a big mouth."

ITT said Friday it was cooperating in the search for Mrs. Beard.

"Her absence," the company said, "is in

direct violation of a commitment she made to the company to keep it informed of her whereabouts so she would be available in the event her presence would be required."

DOCTOR DESCRIBES ITT LOBBYIST AS BEING "DISTURBED, IRRATIONAL"

(By Ronald J. Ostrow)

WASHINGTON.—The heart doctor for a lobbyist who suggested a link between a huge antitrust settlement and financial support for the GOP convention said Monday that the lobbyist had been periodically disturbed and irrational. Dr. Victor L. Liszka, testifying at Senate hearings on the allegations in an internal memorandum by Dita Davis Beard, lobbyist for International Telephone & Telegraph Corp., said a combination of "excessive drinking," tranquilizers and poor blood circulation accounted for her behavior.

Mrs. Beard must remain for one to two weeks in a Denver hospital where she is being treated to head off a heart attack, said Liszka, an Arlington, Va., heart surgeon. He said she might be able to testify from bed sooner.

However, Dr. David Garland, who is treating Mrs. Beard in Denver, said Monday that Senate investigators would not be allowed to question her if there was a chance it would "cause her more stress."

After the hospital issued a medical bulletin that she was responding to treatment, Garland said: "We cannot, in good faith or practice, except to subject her to interviews during her stay. If she were in good enough health to undergo this kind of stress, she probably would be ready for dismissal from the hospital."

Liszka, Mrs. Beard's doctor for nine years, testified that she had told him she was "mad and disturbed" when she wrote the memo and that "she did not mean to say what the memo appeared to say."

The doctor, under questioning by Sen. Edward M. Kennedy (D-Mass.), said he had met twice with top aides to acting Atty. Gen. Richard G. Kleindienst, whose nomination to head the Justice Department has been held up by investigation of the allegations.

There were these other developments Monday as the case of ITT and its $1 billion antitrust settlement and the pledge by ITT's Sheraton Corp. of America to help underwrite the GOP convention took on added controversy:

Solicitor General Erwin N. Griswold said Kleindienst called him to his office last April 19 and asked him to delay appealing one of the three anitrust suits eventually settled in the ITT case. This appeared to conflict with Kleindienst's testimony last week that Richard W. McLaren, former antitrust chief, was the only department official with whom he discussed the case.

Rep. Bob Wilson (R-San Diego), who was mentioned in Mrs. Beard's memo, said the lobbyist was part of an ITT contingent in San Diego last May 12 when Wilson broached the idea of convention support by ITT's Sheraton Corp.

California's secretary of state, Edmund G. Brown, Jr., called for a federal grand jury investigation of the Sheraton Corp. pledge—variously reported to be $200,000 or $400,000—in financial support for the Republican convention. A Justice Department spokesman declined comment on Brown's request, contained in a letter to U.S. Atty. Harry D. Steward in San Diego.

Columnist, Jack Anderson, who published Mrs. Beard's memorandum touching off the controversy, charged in a speech in Boston that ITT planned to throw her "to the wolves." He said the firm would make her a "healthy pension" offer if she would "just hold (her) tongue."

Liszka met Friday and Sunday with Associate Dep. Atty. Gen. Harlington Wood Jr. and John T. Duffner, executive assistant to Kleindienst, a Justice Department spokesman said. The spokesman said Mrs. Beard's doctor called to arrange the meeting, saying he felt that information being reported about his patient was not accurate.

Asked why Liszka was not interviewed by FBI agents rather than aides to Kleindienst, who is at the center of the allegations, the spokesman said: "Because there's not an investigation by the department."

DISCUSSED PROBLEMS

Liszka said he discussed with the officials Mrs. Beard's "problems with tranquilizers and alcohol" as well as the question of whether "she was always at full capacity mentally."

Liszka said Mrs. Beard traveled to New York against his medical advice last week to talk with officials at ITT's headquarters after columnist Jack Anderson published a copy of her memo. "She indicated it would be a strenuous trip," he said.

When Mrs. Beard dropped from sight last week until she was located in the Denver hospital over the weekend, ITT officials said she had violated a commitment she made to keep the firm informed of her whereabouts.

Liszka said he heard Mrs. Beard was in Denver when a close family friend called from there to tell him she was "in bad condition . . . unconscious." The doctor said he directed that she be placed in the hospital, and he flew to Denver to examine her Saturday.

"NOTHING IMPROPER"

Liszka's testimony and statements by Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, who says the hearing has revealed nothing improper on Kleindienst's part, indicated that Kleindienst's supporters would concentrate on Mrs. Beard's "disturbed" state and details about the memorandum in claiming that it was overdrawn.

For example, Liszka noted that the memorandum was typewritten and said he did not believe Mrs. Beard could type. A committee source said this indicated that one of the three "surprise" witnesses promised by ITT would be the stenographer who typed the memo.

Under questioning by Sen. Edward J. Gurney (R-Fla.), Liszka agreed that he would not be surprised if the memo presented untrue facts because of what Gurney called Mrs. Beard's "disturbance or irrationality."

At another point, Liszka said the memorandum "didn't strike me as very well thought out."

(The Washington Post reported that Liszka's testimony about Mrs. Beard's mental state drew a sharp rebuff Monday night from another physician caring for her at the Rocky Mountain Osteopathic Hospital in Denver.

("I'm her doctor now, and I do not question her mental health," said Dr. Lewis Radetsky, an osteopath specializing in cardiac diseases. "I do not think his comments are well founded," he said of Liszka's testimony to the committee.)

In discussing the origins of the Sheraton offer to help underwrite the convention, Rep. Wilson said in an interview that he made the suggestion over dinner on May 12 to Harold S. Geneen, ITT's chief executive officer, and to Howard P. James, president of Sheraton.

"INTRIGUING IDEA"

Mrs. Beard was not at their table, Wilson said. The dinner followed a company board meeting in San Diego that the lobbyist and other officers attended.

"The idea was rather intriguing to him (Geneen)," Wilson said. He quoted Geneen as saying, "I'll help you. We'll do our share. We'll stand behind you up to $300,000—even $400,000."

The San Diego congressman said he sought to line up Sheraton's support after White House counselor Robert H. Finch urged city officials that same day to "put in a bid" for the convention.

(A month later—in June, 1971—some White House officials were saying that San Diego was President Nixon's personal preference.)

As to Mrs. Beard's memo dated last June, which said Wilson and a few others knew about Sheraton's pledge, the congressman said he could not understand how the document linked Sheraton's commitment with settlement of a government antitrust suit against ITT.

"It sounds like a story somebody made up," said Wilson, who is chairman of the Republican Congressional Campaign Committee.

He said no one mentioned the antitrust action at the May dinner. Neither has he discussed these matters with Mitchell or Kleindienst, Wilson said.

Wilson said he doubted that Mrs. Beard had worked on the convention project since January, 1971, although her physician so indicated in his Senate testimony. The congressman said that as far as he knew, the idea of Sheraton Corp, support for the convention was his own proposal.

He rejected a recently expressed view of California Lt. Gov. Ed Reinecke that the Sheraton pledge should be turned back because of the current controversy.

"That's ridiculous," said Wilson. "This is a contribution to a San Diego civic committee, not a contribution to the Republican Party."

Finch said he was also in San Diego last May 12—the date Wilson said he dined with Geneen. Finch said he urged reluctant city officials "to at least indicate an interest" in the convention.

But after presiding at an "Old Town" dedication that morning, Finch said he left town early in the afternoon. He said he did not learn of the Sheraton pledge "until weeks or days later," and never discussed it with Mitchell.

REAGAN SAYS GOP SHOULD SPURN OFFER

SACRAMENTO.—Gov. Reagan said Monday that perhaps Lt. Gov. Ed Reinecke was right: Republicans should reject a controversial $400,000 offer from an ITT subsidiary to help underwrite the GOP National Convention in San Diego.

But the Republican governor contended "an awful lot of fuss is being made over something that, really, I don't see how it involves Washington or anything else."

Reinecke last Friday said the Republican Party should "sanitize" itself and reject a $400,000 offer from Sheraton Corp. to defray GOP convention costs.

WIFE OF ITT LOBBYIST'S DOCTOR SUBJECT OF U.S. FRAUD INQUIRY

(By Ronald J. Ostrow)

WASHINGTON.—The wife of a heart doctor who testified critically about an International Telephone & Telegraph Corp. lobbyist is under federal criminal investigation on charges of Medicare fraud, the Justice Department disclosed Tuesday.

In addition, Dr. Victor L. Liszka, who testified Monday that lobbyist Dita Davis Beard was an excessive drinker and was at times disturbed and irrational, was cut off from the federal Medicare program two years ago for alleged discrepancies in billing, it was learned.

Mrs. Beard is the author of an internal ITT memorandum that suggested a link between the Justice Department's settlement of a massive antitrust suit against ITT and a pledge by ITT's Sheraton Corp. to help underwrite the GOP convention in San Diego.

Publication of the memorandum by columnist Jack Anderson has held up con-

firmation of acting Atty. Gen. Richard G. Kleindienst as the Senate Judiciary Committee investigates the charges.

The case of Liszka's wife, Dr. Catherine V. Green, who practices out of an Arlington, Va., office with her husband, will be considered by a federal grand jury in Alexandria, Va., next Monday, the Justice Department advised Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman.

Liszka, whose testimony supported Administration denials of a link between the antitrust settlement and the convention support, said in an interview that he did not "see how that (his testimony) could possibly be an attempt to support my wife."

Two of Kleindienst's aides who talked with Liszka twice before he voluntarily testified, Harlington Wood Jr. and John T. Duffner, said there was no reference in their discussions to "any such personal problem which Dr. Liszka or his wife might have."

FAILED TO ADVISE PANEL

Kleindienst and other high Justice Department officials said they knew of the pending case against the doctor's wife before Liszka testified Monday, but failed to advise the Judiciary Committee. Kleindienst told a reporter that he received a telephone call from an angry Eastland Monday afternoon questioning him about the matter. He said he told the senator that he assumed Eastland already knew about the matter.

In other developments at the committee hearing Tuesday:

Ex-Gov. Louis B. Nunn of Kentucky denied a report in Anderson's column that former Atty. Gen. John N. Mitchell discussed the antitrust cases with Mrs. Beard at a reception after the Kentucky Derby last May 2. Nunn, who said he was with Mitchell throughout the reception, testified that Mitchell grew "very disturbed" when Mrs. Beard persisted in trying to discuss the matter. Finally, Nunn said, he was advised that Mrs. Beard had collapsed and had been driven back to her hotel. He attributed her condition to a possible heart attack, or exhaustion combined with drinking.

Lawrence E. Walsh, an ITT attorney, wrote Kleindienst last April 16 that there was "a high probability" the Justice Department would succeed in its suits against ITT and asked for a delay in appealing one of the cases that the government had lost in a lower court. Walsh said he was writing Kleindienst instead of Richard W. McLaren, antitrust chief, because he understood that Kliendienst had already been consulted on the "ITT problem." Walsh was a deputy attorney general in the Eisenhower Administration.

Walsh's statements appeared to conflict with Kleindienst's statement last December that the ITT settlement was handled and negotiated exclusively by McLaren. But Kleindienst said he did not read Walsh's letter and could not explain why Walsh thought he had been consulted.

Sen. Edward M. Kennedy (D-Mass.), challenging Kleindienst's refusal to turn over all documents in the ITT case to the committee, questioned whether Kleindienst, who is the subject of the Senate hearing, should be making such decisions. Kleindienst said he was not basing his refusal to turn over investigative files on executive privilege, which would require President Nixon's approval, but on what he said was longstanding Justice Department policy.

SHOW OF EMOTION

In a rare show of emotion, McLaren, now a federal judge, defended the Administration's antitrust policies and accused Kennedy's staff of having "poisoned" a former aide, Kenneth Elzinga, against him. Over the weekend, Elzinga criticized the ITT settlement, criticism that McLaren said amounted to calling him "a crook."

At the same time, McLaren corrected earlier testimony and said it now appeared that he did contact Peter M. Flanigan, assistant to President Nixon, to arrange for Richard J. Ramsden to conduct a financial analysis of the antitrust question, McLaren earlier testified that he had not discussed the cases with Flanigan or anyone else in the White House.

The testimony by former Gov. Nunn, who said Mrs. Beard appeared to be obsessed with losing her job at ITT and frequently spoke of that when she was drinking, was the latest in a series of actions by Kleindienst's supporters to challenge Mrs. Beard and her memorandum. Democrats on the committee maintain that conflicts in testimony and other questions posed by the hearing will remain even if the Beard memorandum is discredited.

That investigation of Dr. Liszka's wife resulted from allegations that Liszka had defrauded the Social Security Administration on certain Medicare payments. Asst. Atty. Gen. Henry E. Petersen told Eastland.

It was determined on Feb. 22 that Liszka was innocent of any wrongdoing, Petersen said, but the evidence against his wife has been referred to the grand jury.

The Social Security Administration said that in July, 1970, it suspended payment on any bills for Medicare patients submitted by Liszka "pending resolution of discrepancies we had found."

The discrepancies have not been resolved, however, and Liszka continues suspended.

MET INTERNATIONAL TELEPHONE & TELEGRAPH OFFICIAL BUT DIDN'T HANDLE SUIT, KLEINDIENST SAYS

(By Ronald J. Ostrow)

WASHINGTON.—Acting Atty. Gen. Richard G. Kleindienst told a Senate hearing Thursday that he met five times with a director of International Telephone & Telegraph Co. but said he did not handle the controversial settlement of the company's antitrust suit.

"I did not inject myself into the negotiations at all," leading to the settlement last July of the Justice Department's three antitrust suits against ITT, Kleindienst testified before the Senate Judiciary Committee.

Kleindienst whose nomination as attorney general earlier had been expected to be voted on by the Senate this week, requested the hearing in the aftermath of charges by columnist Jack Anderson that Kleindienst lied last December in saying that the ITT settlement "was handled and negotiated exclusively" by former Asst. Atty. Gen. Richard W. McLaren.

Kleindienst said he did not want to assume the top Justice Department post "with a cloud over my head."

At the luncheon recess, committee chairman James O. Eastland (D-Miss.) said when asked for comment on Kleindienst's testimony: "He's guilty of nothing."

Anderson also published a purported internal ITT memorandum in which the company's Washington lobbyist, Dita D. Beard, appeared to link the settlement of the case with a pledge by ITT's Sheraton Corp. of American to help underwrite the Republican National Convention in San Diego.

Kleindienst denied that allegation, too, saying he did not know of the $200,000 pledge until it was reported in the press last December, five months after the suits were settled.

The hearing, which will continue today, provided a rare public glimpse of negotiations behind the scenes of major antitrust disputes.

Kleindienst said his meetings with Felix G. Rohatyn, ITT director, did not amount to negotiating settlement of the case. He was backed by testimony of McLaren, now a federal judge in Chicago, and Rohatyn.

At first Kleindienst said Rohatyn called him last April, introduced himself as an ITT director and requested a meeting with the deputy attorney general to discuss financial repercussions of the government's suit, contrasted with legal aspects.

But after a whispered conversation with Rohatyn during McLaren's testimony, Kleindienst said he recalled being approached last spring at a neighborhood party by John Ryan, deputy director of ITT's Washington office. Ryan complained about the harsh effects of the antitrust suits and asked if Kleindienst would talk with an ITT representative about the case.

Rohatyn's call followed, Kleindienst said, and he agreed to meet him last April 20. Kleindienst said Rohatyn told him of "the rather drastic economic consequences that would accrue" to stockholders of ITT and Hartford Fire Insurance Co. if a merger of the two firms was blocked.

POTENTIAL LOSSES

Kleindienst said the stockholders would lose "in excess of $1 billion in the value of their stock," ITT would have to pay out $4 million to $5 million, causing lack of liquidity and interfering with the nation's already beleaguered balance of payments, and there might be additional repercussions on the stock market.

Kleindienst testified that nine days after his first meeting with Rohatyn, McLaren, at Kleindienst's suggestion, held "a rather large meeting" between ITT and government experts, where the corporation laid out its financial objections to the antitrust attack.

Kleindienst said he attended that session, too, but "sat there and said nothing myself."

Under the final settlement reached between the government and ITT, the company was permitted to retain control of Hartford Fire Insurance Co. and part of a second Firm, Grinnell, Inc.

However, ITT agreed to give up control over Canteen Corp., a large food-vending firm; Avis Rent-a-Car System; Levitt & Sons, Inc., a home-building firm; two small insurance companies, and the fire-protection firm; two small insurance companies, and the fire-protection division of Grinnell:

In separate suits, the government had sought, beginning in mid-1969, to block ITT's acquisition of Hartford, Canteen and Grinnell on grounds that they violated antitrust laws by restraining trade.

THE KLEINDIENST HEARINGS

The central issue in the dispute over the confirmation of Richard Kleindienst to be attorney general is whether Kleindienst acted improperly in the Justice Department's settlement of a major antitrust suit. The frequently contradictory testimony heard by the Senate Judiciary Committee on this question has so far been inconclusive. What has emerged up to now is that Kleindienst's memory and, more importantly, his judgment leave something to be desired. The suspicion that more than this may be involved has been neither proven nor really rebutted.

This much we do know: Kleindienst initially denied that he had taken any part in the Justice Department's negotiations with the International Telephone & Telegraph Corp. in a suit challenging a huge corporate merger. Kleindienst subsequently said that he had met five times with an International Telephone & Telegraph Corp. director. It also has come out that he had spoken with the U.S. solicitor general about the case, that he had heard from an ITT lawyer about the case, that he had communicated with the head of the antitrust division about the case.

Kleindienst clearly has played some role in the ITT settlement. As deputy attorney general he was, to be sure, free to involve himself in any of the department's activities. Where he plainly erred, however, was in the nature and extent of his intervention, his private talks with participants, his bypassing of channels.

These activities inevitably raise a question of motive, of whether political favoritism was involved in the ITT case. The question might be largely academic, in itself no more than a politically inspired suspicion, except for one thing, the allegation that in return for favorable action on its case ITT agreed to contribute through a subsidiary somewhere between $100,000 and $400,000 to underwrite the Republican National Convention.

It is this charge of a political payoff, of a direct connection between settlement of the ITT case and an undenied convention pledge by ITT, that has raised the central issue of Kleindienst's propriety. There has been no substantive evidence to prove the charge but neither, we think, has anything been heard yet that effectively explodes it, and this is clearly troubling, for serious matters of government probity and candor may be involved. The Kleindienst nomination should be withheld until until these matters are satisfactorily resolved.

JUDGE RENOUNCES ITT HEARINGS AS "RIDICULOUS" AND AN "OUTRAGE"

(By Ronald J. Ostrow)

WASHINGTON.—U.S. Dist. Judge Richard W. McLaren Wednesday denounced as "ridiculous" and "an absolute outrage" Senate hearings probing whether a massive antitrust settlement was linked to a pledge to help finance the Republican convention.

In a heated exchange with Sen. John V. Tunney (D-Calif.), McLaren, antitrust chief at the Justice Department when the International Telephone & Telegraph Corp. cases were settled last July 31, said: "You know how the (settlement) decision was made, and there was no hanky-panky either."

McLaren lost his temper after Tunney and Sen. Edward M. Kennedy (D-Mass.) pressed him during his fourth day of testimony for more details about why he changed his mind and decided to negotiate a settlement in the three ITT merger cases instead of fighting them in court.

The Senate Judiciary Committee hearings were called at the request of acting Atty. Gen. Richard G. Kleindienst, whose nomination is pending before the Senate, after columnist Jack Anderson accused Kleindienst of lying in claiming the settlement was handled exclusively by McLaren.

Anderson also published a purported internal ITT memorandum suggesting the settlement was tied to a pledge by ITT's Sheraton Corp. to underwrite the GOP convention for up to $200,000.

"This isn't an inquiry into Kleindienst's qualifications." McLaren said, his voice trembling. "You are attacking my judgment, and I think it's pretty ridiculous . . . It's an absolute outrage the way the committee is inquiring into this."

McLaren drew strong backing from Solicitor General Erwin N. Griswold, who told the committee:

"I share Mr. McLaren's emotions about this. He's a fine public servant and ought to be recognized" for his antitrust accomplishments.

Griswold appeared to testify about Kleindienst's asking him to delay appealing one of the ITT antitrust cases about the time Kleindienst began meeting with Felix G. Rohatyn, an ITT director. Rohatyn maintained to Kleindienst that the antitrust attack would have serious financial repercussions beyond the company.

Griswold testified his "best judgment" was that the government would have lost all three of the ITT antitrust cases if they had remained in the courts. "In my view, the settlement was extremely favorable (to the government) . . . It was a very large divestiture and the first case of a conglomerate that did divest itself."

Sen. Philip A. Hart (D–Mich.), chairman of the Senate antitrust and monopoly subcommittee, took issue with Griswold's characterization of the settlement as a substantial government victory. Hart noted that because it was settled outside the court, antitrust defense lawyers could look up the case as a measure of how far their clients could go.

TENSION NOTED

There was an air of tension again when Kennedy questioned Kleindienst about Peter M. Flanigan, a presidential assistant. Flanigan hired an outside consultant to evaluate the financial effects of the case for the Justice Department's antitrust division. The consultant was Richard J. Ramsden.

"Did you know the White House was involved?" Kennedy asked Kleindienst.

"Yes, I knew that Flanigan delivered the Ramsden report to McLaren, and I knew that McLaren had gone through Flanigan to get it," Kleindienst said.

Kennedy: "How did you know?"

Kleindienst: "I don't know how I knew."

Kennedy: "How did you know—you don't remember?"

Kleindienst: "Senator Kennedy, I'm a presidential appointee. I'm not in a prophylactic sack with respect to the White House. I consider myself part of the Nixon Administration . . . I'm talking with someone at the White House constantly. I even attend meetings at the White House."

Kennedy: "On antitrust matters?"

Kleindienst: "No."

Kennedy: "Did it surprise you that Flanigan was being used to get an opinion for the antitrust division? White House intervention in such a sensitive case as this doesn't concern you?"

Kleindienst: "I object. No, I withdraw the word 'object.' I don't object to anything you do, Sen. Kennedy. I disagree that there was any White House intervention in this matter. There was no intervention by anybody. The record is abundantly clear on this point."

Kleindienst altered his statement on when he first learned that a heart doctor gave critical testimony about an ITT lobbyist whose memorandum touched off the furor had legal problems of his own with the government.

Under questioning by Kennedy, Kleindienst said he first learned that the wife of Dr. Victor L. Liszka was under federal criminal investigation for Medicare fraud on Monday afternoon after Liszka testified. Kleindienst had told newsmen Tuesday he learned of the matter before Liszka's testimony, but failed to notify the committee because he "assumed" it was already known.

AIDES' ADVICE

Kleindienst said he had been advised by aides that he was wrong about the timing, which clarified his recollection. Neither he nor Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, mentioned an angry phone call that Eastland placed to Kleindienst after the doctor's testimony, inquiring about reports he had received of the matter.

Tunney released a letter he wrote Kleindienst Monday, proposing a requirement that antitrust settlements must be explained in a reasoned opinion and that all ex-parte contact between antitrust defendants and Justice Department and White House officials be reported to the court where the case is pending.

Kleindienst termed the proposals "very thoughtful" and promised to study them.

By the time McLaren and Kleindienst were excused—subject to recall—tempers had cooled, and Tunney told McLaren he hoped he would not think of him as a prosecutor trying to prove dishonesty.

"As a senator, I do have the responsibility of getting as much information as possible," Tunney said.

"I'm sorry my voice went up the scale a bit in the last exchange," McLaren said.

The hearings resume today with columnist Anderson and former Atty. Gen. John N. Mitchell scheduled to testify.

NIXON ORDERED SETTLEMENT WITH INTERNATIONAL TELEPHONE & TELEGRAPH CORP., MITCHELL QUOTED AS SAYING

(By Ronald J. Ostrow)

WASHINGTON.—The name of President Nixon was injected—Thursday via a third-hand account—into Senate hearings on whether settlement of a huge antitrust suit was tied to financial help for the Republican National Convention.

Brit Hume, an associate of columnist Jack Anderson, quoted ailing Washington lobbyist Dita Davis Beard as saying that former Atty. Gen. John N. Mitchell told her he had been instructed by Mr. Nixon to make a reasonable antitrust settlement with International Telephone & Telegraph Corp.

The surprise testimony startled some members of the Senate Juidiary Committee and brought a swift denial from Mitchell, who is expected to testify today.

WITHOUT FOUNDATION

"The testimony attributing statements to me involving the President is totally false and without foundation," Mitchell said in a statement from his office, where he is directing the campaign to reelect the President. "I categorically deny that I ever had any such conversation or that I ever made any such statement anywhere or at any time.

"The President has never—repeat never—made any request to me directly or indirectly concerning the settlement of the ITT case and I took no part in that settlement," Mitchell said.

Hume's reference to Mr. Nixon came when the reporter was recounting a near-midnight interview on Feb. 24 with Mrs. Beard in the kitchen of her home. He said she frequently broke down sobbing as she explained the background of an internal ITT memorandum she wrote that appeared to link the antitrust case negotiations with the convention financial pledge.

Referring to a conversation she said she had with Mitchell at a buffet supper at the Kentucky governor's mansion after the Kentucky Derby last May 2, Mrs. Beard allegedly said Mitchell told her that the President had called him and said, "Lay off ITT."

Hume, indicating he was astonished by Mrs. Beard's statement, testified that he asked her: "The President said that?"

He then quoted her as stating: "That's badly put," and as going on to soften the words she attributed to Mr. Nixon. This time, he said, she quoted Mitchell as saying that the President told him to make a "reasonable settlement" with ITT.

Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, who rarely questions witnesses, leaned forward in his chair and asked: "Was that the President of the United States?"

Hume replied, "Yes."

Mitchell earlier acknowledged a conversation with Mrs. Beard at the postderby party but he indicated that it was a brief one. He told reporters March 1 that Mrs. Beard had introduced herself and had started to talk about ITT's problems with the Justice Department.

"I told the lady that I knew nothing about it, that if I were her I would stop lobbying in connection with the matter and I would have the appropriate people—lawyers from ITT—go back to the Justice Department where the matter was going to be settled," Mitchell said.

Former Kentucky Gov. Louie B. Nunn, testifying before the committee Tuesday, agreed in general with Mitchell's version of the incident.

KEY WITNESS

Mrs. Beard, hospitalized in Denver, reportedly to head off an imminent heart attack,

was described by Eastland as a key witness who must be heard before the hearings wind up. But doctors at the Rocky Mountain Osteopathic Hospital said she suffered chest pains Wednesday that might further delay her testimony.

Anderson testifying alongside Hume at the hearing, denounced acting Atty. Gen. Richard G. Kleindienst as "unfit to be attorney general," the position for which he has been nominated by Mr. Nixon.

The hearings were called at Kleindienst's request, after Anderson accused him of telling an "outright lie" in asserting that the ITT settlement was handled and negotiated exclusively by Richard W. McLaren, former head of the Justice Department's antitrust division.

Anderson's testimony was attacked by committee Republicans. Sen. Hiram L. Fong (R.-Hawaii) said Kleindienst was talking only about settlement of the ITT antitrust suits and not the prosecution of the case when he said it was handled and negotiated by McLaren. Fong said the columnist "was trying to play with words."

"CRIME" CLASH

Anderson also clashed with Sen. Roman L. Hruska (R-Neb.) when he characterized as a "crime" the pledge by ITT's Sheraton Corp. subsidiary to underwrite the GOP convention for up to $400,000.

"Are you a lawyer, Mr. Anderson?" Hruska asked.

"No, but I understand the English language. Here is the federal Corrupt Practices Act," Anderson said, reading the law. "I don't think you need to be a lawyer to understand that."

Hruska: "Well, that is your opinion."

Anderson: "What is your opinion?"

Hruska then cited a Justice Department memorandum holding that a corporation can legally donate to political conventions through civic committees.

Anderson said he realized that contributions were sensitive subjects with politicians.

Hruska: "Conventions all over the country are bought by the business community all the time, and everyone in this room knows it."

Without waiting for the laughter that rocked the hearing room to subside, Hruska added: "They do it to get publicity for their city and for the business they will draw."

MRS. MITCHELL THERE

Although it became clear midway through Anderson's testimony that Mitchell would not be called Thursday, his wife, Martha, wearing a bright pink dress and white sunglasses, captured attention with her appearance in the spectators' section.

"I came up because things were getting dull," she said. "I wanted to see if I could put some pepper into it." Her broad smile disappeared when she termed the hearings "a three-ring circus. It's worse than a three-ring circus," she said. "I wanted to know why they're wasting taxpayers' money."

At the White House, Press Secretary Ronald Ziegler implied that presidential aide Peter M. Flanigan would not agree to testify if the committee invites him. Sen. John V. Tunney (D-Calif.) has urged Eastland to call Flanigan for questions on his role in securing an outside consultant to evaluate claims of financial hardship presented by ITT.

"Mr. Flanigan would be willing to make information available to the panel in a way that executive privilege does not come into play," Ziegler said, by submitting information and documents.

Asked whether Mr. Nixon still believes that Kleindienst is fit to serve and whether he has complete confidence in him, Ziegler replied affirmatively to both questions.

ITT AIDE DENIES SETTLEMENT REPORT—MRS. BEARD SAYS MITCHELL DID NOT TELL HER NIXON ORDERED ACTION

(By Ronald J. Ostrow)

WASHINGTON.—Dita Davis Beard, ailing lobbyist for International Telephone & Telegraph Corp., denied through her attorney Friday that she had been told President Nixon instructed former Atty. Gen. John N. Mitchell to settle the company's antitrust suits.

Mrs. Beard made the denial in a statement issued by her attorney, David W. Fleming, at Rocky Mountain Osteopathic Hospital in Denver where she is in the intensive care unit because of a heart condition.

Appearing before the Senate Judiciary Committee Thursday, Brit Hume, an associate of columnist Jack Anderson, quoted Mrs. Beard as saying that former Atty. Gen. John N. Mitchell told her he had been instructed by Mr. Nixon to make a reasonable settlement with ITT. Mitchell issued an immediate denial.

Fleming, of the firm of White, Oberhansley & Fleming of Van Nuys, Calif., said in Denver Mrs. Beard "is extremely anxious to give testimony" to the Senate Judiciary Committee. The committee is probing charges of a link between the $1 billion ITT antitrust settlement and a pledge by ITT's subsidiary, Sheraton Corp., to help underwrite costs of the Republican National Convention.

"AN ABSURD CIRCUS"

Fleming, whose office said he has known Mrs. Beard socially for about six years, said Mrs. Beard regarded the hearing as "an absurd circus engendered by personal ambitions and extreme opportunism by a few persons."

The hearing, which will resume Tuesday with Mitchell as the day's first witness, was called at the request of acting Atty Gen. Richard G. Kleindienst. Anderson accused Kleindienst of lying when he said the ITT settlement was handled and negotiated exclusively by Richard W. McLaren, former head of the Justice Department's antitrust division.

In the statement at Denver, Fleming said "Mrs. Beard categorically denies the allegation that there was ever any arrangement between ITT and the Administration involving favorable treatment of the antitrust action."

Mrs. Beard's Denver physician, Dr. David Garland, said her heart condition still was serious but that she should be able to supply written answers to written questions from the Senate committee early next week.

However, Sen. James O. Eastland (D.-Miss.), Judiciary Committee chairman, indicated at the hearing Friday that written questioning under oath would not satisfy the committee's needs. "Mrs. Beard will be called when she is physically able to be examined," he said.

The committee Friday asked the president of the Denver Medical Society, Dr. Robert G. Bosworth Jr., to appoint two heart specialists to examine Mrs. Beard and inform the committee when she could testify. Bosworth said it would be next week before the specialists could conduct the examination.

New questions arose at the hearing over a financial consultant's report on ITT, which McLaren said aided him in deciding to settle the three antitrust cases rather than to pursue them in the courts.

Sen. John V. Tunney (D-Calif.) questioned whether the consultant, Richard J. Ramsden of New York, was paid for the study by the Commerce Department so he could avoid filing a conflict-of-interest report.

The investment management firm in which Ramsden is a partner, Brokaw, Schaenen, Clancy & Co., had control of a pension fund that owned 3,240 shares of ITT stock last May when Ramsden did the study. That amount of stock had a market value then of more than $200,000.

The Commerce Department told the committee Friday that it, not the Justice Department, paid Ramsden $242 for the two-day study. He asked to be paid through the Commerce Department "because he already was a paid consultant for it and thus could avoid refiling the rather lengthy forms already completed," the department said in a statement.

Tunney, who has asked Eastland to call Ramsden as a witness at the hearings which are expected to continue through next week, also urged the committee to ask to see the conflict of interest filing that he said such consultants are required to make.

NIXON AIDES DEEPLY UPSET OVER "TACTICAL ERRORS" IN ITT AFFAIR

(By Ronald J. Ostrow and Robert L. Jackson)

WASHINGTON.—The International Telephone & Telegraph affair, characterized by memory lapses and seeming contradictions in statements of public officials, has left presidential advisers deeply upset over "tactical errors" by the Justice Department's new management.

These advisers say acting Atty. Gen. Richard G. Kleindienst failed to consult the White House before requesting the stormy Senate hearing probing the department's $1 billion antitrust settlement with International Telephone & Telegraph Corp.

Even some officials close to Kleindienst at the Justice Department were not consulted on the advisability of asking for the hearings and were shaken to learn of the move from the newspapers.

"There have been some rather incredible tactical errors," a member of the President's inner circle said.

He said he was referring in part to Kleindienst's "reversals of position" at Judiciary Committee hearings into an alleged link between the antitrust settlement and the pledge by ITT's Sheraton Corp. subsidiary to help finance the coming Republican National Convention in San Diego.

No matter what the eventual outcome, the hearings, which already have run seven days and are likely to last at least another week, are leaving a cloud over Kleindienst's head that will be difficult to dispel, these advisers believe.

An Administration official who has kept close watch on the case says there are two reasons for this assessment: "The public thinks that where there is smoke there is fire, and they believe almost automatically that people in high places can be venal."

It is known that Kleindienst last week privately raised the question of whether his nomination as attorney general should be withdrawn for the good of the Nixon Administration in this campaign year. But, backed by the advice of others, he ruled out this alternative as a self-defeating move that would be viewed as an admission of guilt.

The President, through Press Secretary Ronald Ziegler, made clear last week that he was sticking firmly behind the nominee and continued to have full confidence in him.

Mr. Nixon "is somewhat fatalistic about this," an aide said. "He's been through too many of these political battles. He knows they come and go and that in time the impact can wear off."

INFLUENCE ERODED

Although White House and Justice Department officials are counting on Kleindienst's eventual confirmation to the Cabinet, they concede that the hearings have eroded the influence he will be able to exercise as the nation's top law enforcement officer.

The same aide who was highly critical of Kleindienst's "tactical errors" predicted that he "will take office under a cloud, but he can overcome this by performance—and Kleindienst will perform."

Referring to Mr. Nixon's recent trip to China, another official said: "There is a feeling of coming back from high-road statesmanship and walking into some low-road politics."

The ITT case has reached into the White House itself by involving Peter M. Flanigan, President Nixon's chief liaison with the business community. Flanigan obtained Richard J. Ramsden, an outside consultant and former business associate, to analyze key points in ITT's arguments for settling the antitrust dispute.

Flanigan's former investment banking company, The Times learned Saturday, helped plan the merger of ITT and Grinnell Corp., one of the companies that figured in the settlement, earning a fee of $600,000.

This work was accomplished in late 1968 and early 1969 at a time when Flanigan served as a vice president of a New York banking concern, Dillon, Read & Co. Flanigan said through a spokesman that he was not connected with this merger work, which was performed for Grinnell and for which Dillon, Read & Co. was paid in November, 1969, seven months after Flanigan assumed his White House post.

AGREED WITH ITT

Ramsden's report agreed with ITT that divestiture of Hartford Fire Insurance Co. would have adverse economic consequences for the giant conglomerate and would raise balance-of-payments problems. He added that divestiture of Grinnell and another firm, Canteen Corp., would make ITT's stock less attractive.

Flanigan, who has declined to talk to newsmen directly, said through Jon Rose, an assistant, that he was under "inhibitions" because he may have to refuse to answer committee questions if called as a witness. This would occur if the White House invoked "executive privilege."

What sparked the controversy were charges by Jack Anderson, the nationally syndicated columnist. Anderson first revealed, on Feb. 29, an internal memorandum written last June by Dita Davis Beard, an ITT Washington lobbyist, which strongly suggested that ITT's hoped-for settlement of its antitrust woes was linked to Sheraton's pledge of up to $400,000 support for the GOP convention.

In another column on March 1, Anderson charged that Kleindienst told "an outright lie" in saying that the July 31 ITT settlement was "handled and negotiated exclusively" by Richard W. McLaren, formerly head of the Justice Department's antitrust division and now a federal judge in Chicago.

One of the first apparent contradictions to emerge from Kleindienst's testimony was that he had held five meetings with Felix G. Rohatyn, an ITT director and prominent Wall Street banker. Rohatyn testified that he wanted to tell Kleindienst about dire financial consequences that would result if the government's antitrust attack were upheld.

Under questioning—and after a whispered conference with Rohatyn at the witness table—Kleindienst disclosed that his first contact on the case came earlier when he was approached at a neighborhood party by another ITT official, John Ryan, deputy director of the company's Washington office.

ROHATYN CALLED

Ryan apparently passed along word of Kleindienst's willingness to meet on this problem, and Rohatyn subsequently telephoned for an appointment.

At about the same time—April 16, 1971—a third ITT representative, Lawrence E. Walsh, outside counsel for the conglomerate and a man who had frequent contact with Kleindienst in connection with American Bar Assn. work, telephoned and wrote him about the case.

Walsh, a former deputy attorney general in the Eisenhower administration, said he ordinarily would have first gone to McLaren "but I understand that you, as acting AG, have already been consulted with respect to the ITT problem . . ."

Kleindienst testified that he couldn't explain what Walsh—who is expected to be called by the committee—was referring to. Kleindienst also told senators that his meetings with Rohatyn did not amount to negotiating settlement of the case.

Because some of Kleindienst's meetings with Rohatyn involved just the two men, Sen. John V. Tunney (D-Calif.) a committee member, suggested that a careful record be required of all such "ex parte" contacts on pending antitrust matters in the future.

Another seeming contradiction was Kleindienst's assertion that McLaren was the only Justice Department official with whom he discussed the case. Subsequent testimony revealed that Solicitor General Erwin N. Griswold was called to Kleindienst's office last April 19 and was asked to delay appealing one of the three antitrust suits that comprised the ITT litigation.

Other conflicts in official statements that have arisen include:

John N. Mitchell, who recently resigned as attorney general to run Mr. Nixon's 1972 reelection campaign, said he never knew of any arrangements between ITT and the Republican National Committee.

Lt. Gov. Ed Reinecke of California said he mentioned Sheraton's pledge to Mitchell at a meeting in Washington last May. But after Mitchell denied any such discussion. Reinecke corrected himself and said the meeting took place in September.

Mitchell's former law firm once served as counsel to another ITT subsidiary, but it was unclear whether Mitchell recognized the relationship between Sheraton and ITT.

Mitchell, in denying Anderson's report that he discussed the cases at length with Mrs. Beard, raised new questions about his May 2 confrontation with the aggressive lobbyist at a buffet supper after the Kentucky Derby.

Mitchell recalls the incident this way: "I told the lady that I knew nothing about it, that if I were her I would stop lobbying in connection with the matter and I would have the appropriate people—lawyers from ITT—go back to the Justice Department where the matter was going to be settled."

Mitchell, who is usually precise with his words, did not explain how he knew at that time the cases were going to be settled rather than fought out in the courts.

—McLaren revealed the Flanigan involvement only in response to committee questions and not in his 11-page prepared statement. He also testified that he knew nothing of the charges of a link between the settlement and convention support until he read of them in the press, despite the fact that he earlier denied the existence of such a link in a letter last September to an associate of consumer advocate Ralph Nader.

Kleindienst's backers appear to have two major strategies. One is to discredit the controversial Beard memorandum as the work of a woman they describe as sometimes intoxicated and emotionally unstable.

Their second strategy is to argue that memory lapses and inconsistencies are understandable for officials who work in a high-pressure environment, taking hundreds of phone calls a week and handling reams of correspondence.

MITCHELL DENIES TIE BETWEEN ITT, PARTY

NEW YORK.—Former U.S. Atty. Gen. John N. Mitchell said Saturday there was no connection between the Republican Party's choice of San Diego for its 1972 nominating convention and the Justice Department's settlement of an antitrust suit against International Telephone & Telegraph Corp.

"There is about as much connection with the ITT antitrust suit and the Republican convention going to San Diego as there is between the Lord and the devil," Mitchell told the Women's National Republican Club.

Referring to the newspaper columnist who first alleged a connection, the chairman of President Nixon's re-election campaign added: "And I draw no inferences with respect to Jack Anderson."

At the club's 51st annual luncheon at the Waldorf-Astoria Hotel, Mitchell jokingly mentioned his wife's name in the case. He said, "I find it hard to believe the Justice Department would ever have trouble with a telephone company in view of all that Martha has done for them."

AIDE TO NIXON CALLED INTERNATIONAL TELEPHONE AND TELEGRAPH CASE "MASTERMIND"

(By Paul Steiger)

WASHINGTON.—Sen. Thomas F. Eagleton (D-Mo.) said Tuesday there was reason to believe presidential aide Peter M. Flanigan was the "mastermind" behind what Eagleton called a series of special White House favors to International Telephone & Telegraph Corp. and other big companies.

In a Senate speech, he demanded that Flanigan come before Congress and explain his role in the ITT case and in four other instances where there was a "Flanigan factor" in what Eagleton said was government capitulations to business interests.

Eagleton's charges were branded "partisan" and "full of suggestion and innuendo" by White House Press Secretary Ronald Ziegler. Ziegler added that "The President had the utmost confidence" in Flanigan, and he said Mr. Nixon was convinced Flanigan had "conducted himself properly" in every respect.

Eagleton's contentions seemed certain to add new fuel to the controversy that has enveloped the 48-year-old former Wall Street banker almost from the day he joined the Nixon Administration.

To his enemies, Flanigan is known as "Mr. Fixit," the one who sees to it that government doesn't step too hard on the toes of big business. He is the man, Eagleton charged, "who works in the shadows—but only at the highest levels, only with the fastest cats."

To his supporters, however, Flanigan is a bright (1945 summa cum laude Princeton graduate) intensely loyal member of the Nixon team who has the job of listening to the pleas of bankers, brokers and industrialists.

Every Administration in modern times has had one or more people doing that job, his friends say. And because of his loyalty and tough constitution, they add, he often takes the responsibility for decisions made by those above him.

Flanigan's Democratic critics are not likely to let the matter rest there. They are expected to try to probe further Flanigan's involvement in the Justice Department's decision to settle, rather than prosecute, its antitrust suit against ITT last year.

Meanwhile, Eagleton's speech hinted they may also try to initiate congressional probes into other controversial decisions in which Flanigan has been said to have had a role.

Besides the ITT case, Eagleton listed four such decisions, two of them involving the Environmental Protection Agency.

Flanigan's intercession, Eagleton said, helped soften EPA pollution control efforts against Armco Steel Corp. and Anaconda Co., a big copper producer. Eagleton also repeated previous charges that Flanigan participated in negotiations under which the new private postal corporation arranged to sell $250 million worth of bonds, with Dillon, Read & Co.

his old investment banking firm, as one of the underwriters.

Flanigan's answer to all this, friends say, is that he has never made any decision he did not think was in the national interest.

"INEPTNESS" IN INTERNATIONAL TELEPHONE AND TELEGRAPH CASE, FINCH ASSERTS

(By Carl Greenberg)

Robert H. Finch, counselor to President Nixon, said here Friday there was "ineptness on the part of people in and out of the Administration" in connection with the ITT case.

He told a Century Plaza press conference that the ITT hearings in Washington have "tended to take the glow off" Mr. Nixon's trip to mainland China.

Asked whom he felt had been guilty of "ineptness" in the ITT matter, Finch replied: "I'll just let that stand. I'm not in the business of criticizing my contemporaries."

Finch's comments were made in connection with Senate Judiciary Committee hearings involving a commitment of International Telephone & Telegraph Corp. to help underwrite the Republican National Convention and what connection the commitment might have with an antitrust settlement involving ITT.

The inquiry stemmed from nomination of Dep. Atty. Gen. Richard G. Kleindienst to the attorney general replacing John N. Mitchell, who resigned to run Mr. Nixon's reelection campaign.

Finch said he expected Kleindienst to be confirmed and he did not feel there was any wrongdoing.

MITCHELL DENIES DISCUSSING INTERNATIONAL TELEPHONE & TELEGRAPH ANTITRUST CASES—MET CORPORATION OFFICIALS ONLY FOR TALKS ON OVERALL POLICY, HE TELLS SENATORS

(By Ronald J. Ostrow)

WASHINGTON.—Former Atty. Gen. John N. Mitchell testified Tuesday that he discussed "overall antitrust policy" with International Telephone & Telegraph Corp.'s chief executive, but only on condition that antitrust suits against ITT not be brought up.

Mitchell also told the Senate Judiciary Committee of an earlier "purely social" contact he had with Harold S. Geneen, ITT's president and chairman, and of four other meetings he had with Felix G. Rohatyn, an ITT director.

None of the meetings with Rohatyn, who earlier testified that he first made a financial hardship plea on behalf of the company to Dept. Atty. Gen. Richard G. Kleindienst, had anything to do with ITT, Mitchell said.

Two of Mitchell's sessions with Rohatyn took place on April 29, 1971, the same day that Rohatyn and other ITT representatives presented financial arguments against the antitrust action to other Justice Department officials. The arguments played a part in convincing former Asst. Atty. Gen. Richard W. McLaren to change his mind and settle the ITT case out of court.

ANTITRUST POLICY PROTESTS

Mitchell's disclosure of his contacts with Geneen and Rohatyn came after a statement Monday night in which Geneen told of protesting general antitrust policies of the Administration during meetings with at least 23 government officials, including Mitchell.

The Judiciary Committee hearing was called at the request of Kleindienst, whose nomination to succeed Mitchell is pending. Kleindienst sought the hearing after columnist Jack Anderson raised a question as to whether there was a link between the antitrust settlement and a pledge by ITT Sheraton to help finance the Republican convention in San Diego.

Just before the eighth day of hearings began, the committee took under consideration a plan to send a delegation of members to question ITT lobbyist Dita Davis Beard, hospitalized with a heart ailment in Denver. Anderson's publication of an internal memorandum purportedly written by Mrs. Beard touched off the controversy.

The plan to question the lobbyist outside the hearing room was formed on the basis of a March 13 letter from a Denver cardiologist, Dr. Joseph Snyder, who said he did not believe it would be possible for her to appear at the Washington hearing for the "next few weeks."

In Denver, Dr. L. M. Radetsky of the Rocky Mountain Osteopathic Hospital, who has been treating Mrs. Beard, said she "is now in the convalescent stages. That means she is out of danger."

Mitchell was questioned Tuesday about how he could meet with Geneen on Aug. 4, 1970, concerning the Justice Department's policy on conglomerate mergers without discussing cases involving ITT, acknowledged by other officials to be a leader of the conglomerate movement.

"You regarded Mr. Geneen to be speaking for whom—the business community and not ITT?" asked Sen. Philip Hart (D-Mich.).

Mitchell said he considered Geneen to be speaking for "both ITT and the business community."

Mitchell said he agreed to meet with Geneen only after the condition was set that the ITT cases would not be discussed. He said the stipulation was repeated before the beginning of the meeting, which lasted no more than 35 minutes.

Sen. Edward M. Kennedy (D-Mass.) asked Mitchell whether he understood that at least half of the department's suits against conglomerate mergers involved ITT when he agreed to meet with Geneen.

"Did I understand what?" the obviously irritated Mitchell shot back. "I understood that if we hadn't adopted this policy, there sure would have been a helluva lot more (conglomerate mergers)."

Mitchell attacked the hearings for what he called "the scurrilous fact that three outstanding people—Mr. Kleindienst, Judge McLaren and Solicitor General Erwin N. Griswold—have been put in a position where their integrity, honesty and ability have been impugned."

In an exchange with Sen. Marlow W. Cook (R-Ky.), Mitchell agreed that if Kleindienst's nomination were rejected, an appropriate Senate committee should consider whether to impeach Griswold and McLaren, now a U.S. district judge.

Mitchell said his four meetings with Rohatyn dealt with problems that brokerage houses were experiencing. Mitchell was a member of an ad hoc government committee formed in 1970 to deal with the matter, and Rohatyn, a partner in a Wall Street investment banking firm, attended as chairman of the New York Stock Exchange's surveillance committee.

Mitchell, under questioning by Sen. John V. Tunney (D-Calif.), said Lt. Gov. Ed Reinecke "must have had me mixed up with somebody else" when he told of discussing ITT Sheraton's pledge of up to $400,000 for the GOP convention with Mitchell in the spring of 1971.

Noting that Reinecke later retracted that statement, Mitchell said the California official might have mentioned convention arrangements when he met with him last September, but "it would have made no impression on me at all."

Tunney, remarking that Reinecke seems to have "a very bad memory," said he hoped Reinecke would testify at the hearing.

Mitchell said Reinecke called on him in connection with an assignment from Gov. Reagan to assist in California's economic development. He said Reinecke was seeking "advanced projects like the space shuttle" and aircraft production.

Tunney asked why he would come to Mitchell, and the former attorney general replied: "I don't really know, except possibly (the feeling) that I might have influence around government."

"Did you get any contracts for him?" Tunney asked.

"I'm not sure," Mitchell said. "I hope we did."

Tunney abandoned that line of questioning, saying he did not want to prejudice California's chances of landing contracts.

Cook, reacting to a report Monday that a Justice Department lawyer who had jurisdiction over two of the ITT antitrust suits had refused to sign the settlement because he disapproved, said that the settlement was signed by nine department lawyers. Six of them "constitute 117 years of antitrust experience," he said. But Cook did not challenge the accuracy of the report.

ITT REVEALS TALKS WITH HIGH OFFICIALS—SAYS ITS CHIEF MET WITH MITCHELL, NIXON AIDES AND CONGRESSMEN

(By Ronald J. Ostrow)

WASHINGTON.—The International Telephone & Telegraph Corp. disclosed Monday night that its chief executive officer, Harold S. Geneen, had protested Administration antitrust policies at separate meetings with 23 congressmen, presidential aides and Cabinet officers, including former Atty. Gen. John N. Mitchell.

However, ITT sidestepped the question of whether Geneen discussed his company's three antitrust cases with any of the officials.

The company's statement came on the eve of Mitchell's appearance before the Senate Judiciary Committee, which is investigating charges of a link between ITT's $1 billion antitrust settlement last July 31 and a pledge by ITT-Sheraton Corp. to help finance the Republican National Convention.

Word of Geneen's extensive contacts with high government officials was certain to intensify the questioning of Mitchell, who recently resigned his Justice Department post to run President Nixon's reelection campaign.

CONNALLY, STANS MENTIONED

ITT issued the statement in response to reports that Geneen sought the assistance of Treasury Secretary John B. Connally, former Commerce Secretary Maurice H. Stans and Paul W. McCracken, former chairman of President Nixon's Council of Economic Advisers, in solving his company's antitrust problems.

Mitchell, whose former law firm represented an ITT subsidiary, last month said he removed himself from any consideration of ITT's antitrust cases. He said the one exception was a brief discussion after last year's Kentucky Derby with ITT lobbyist Dita Davis Beard.

In Denver, United Press International reported, a lawyer for Mrs. Beard said that despite new chest pains she would testify from her hospital bed to Senate investigators later this week.

(The attorney, David W. Fleming, said Mrs. Beard's testimony would be given to members of the Senate Judiciary Committee in the presence of a physician.)

ITT said Geneen's round of talks in Washington with Administration officials and congressmen of both parties began when the Nixon administration took office and launched an attack on the conglomerate merger movement led by the corporation.

A corporation spokesman said Geneen's "right to place his views before any and all members of the government involved in national policy is a constitutional right of all American citizens."

"It is the duty of any businessman or citizen to express his views when he feels he has a wrong that needs redress," the spokesman said.

When asked whether Geneen specifically discussed the ITT cases with Mitchell, the spokesman said: "We stand on our statement."

Among those with whom Geneen met were John D. Ehrlichman, Mr. Nixon's top assistant for domestic affairs, and White House aides Peter M. Flanigan and Charles Colson. No dates for any of the meetings were given.

It was Flanigan who lined up an outside financial consultant and former business associate, Richard J. Ramsden, to evaluate ITT's arguments that the antitrust attack would have a severe financial impact on the company and the nation's balance of payments problem.

"EXECUTIVE PRIVILEGE"

The White House has indicated that Flanigan might supply a written statement to the Judiciary Committee, but would probably invoke "executive privilege" rather than testify.

McCracken, the former Council of Economic Advisers chairman, who was among those Geneen met with, said in an interview Monday that he did not recall details of his discussion.

McCracken, now a professor at the University of Michigan, said he did not remember taking any action as a result of Geneen's visit. He said his files were not currently available to him, and that the meeting was "some time ago."

Others that ITT said Geneen met with were: Stans, Connally, former Treasury Secretary David Kennedy, Chairman Arthur Burns of the Federal Reserve Board and former White House adviser Peter G. Peterson, who succeeded Stans as commerce secretary.

In Congress, ITT said Geneen met with Sens. Philip A. Hart (D–Mich.), chairman of the Senate antitrust and monopoly subcommittee; Vance Hartke (D–Ind.), Daniel Inouye (D–Hawaii), John L. McClellan (D–Ark.), Robert C. Byrd (D–W.Va.), Charles Percy (R–Ill.) and Reps. Emanuel Celler (D–N.Y.), House Judiciary Committee chairman; Gerald R. Ford (R–Mich.), House minority leader; Hale Boggs (D–La.); Bob Wilson (R–Calif.), and former Rep. Clark MacGregor (R–Minn.), now a White House aide.

Wilson has said he met with Geneen in San Diego last May and secured a Sheraton pledge of up to $400,000 for the GOP convention. Wilson said ITT's antitrust troubles were not discussed.

The ITT statement said that since the new antitrust policy attacking conglomerate mergers was adopted by the Nixon Administration, Geneen "has talked to many members of Congress, the government, the public, the bar, shareholders and others on what he felt was a serious impact of this policy on the national interest as well as on all American industry."

An ITT spokesman said Geneen felt that changes in antitrust law "should be made in Congress where hearings on all aspects of the national interest could be held before new legislation was enacted."

SOME PAPERS IN CAPITAL OFFICE DESTROYED, INTERNATIONAL TELEPHONE & TELEGRAPH CHAIRMAN SAYS—SENATOR SURPRISED AS HE TELLS OF DOCUMENT SHREDDING AFTER PUBLICATION OF MEMO LINKING TRUST SUIT, GOP AID

(By Ronald J. Ostrow)

WASHINGTON.—The chairman of International Telephone & Telegraph Corp. testified Wednesday that some documents in ITT's Washington office were shredded after publication of Dita Davis Beard's memorandum linking the company's antitrust settlement with a pledge to help finance the Republican National Convention.

The testimony by Harold S. Geneen, brought out under questioning by Sen. John V. Tunney (D-Calif.), surprised members of the Senate Judiciary Committe.

His remark provided partial support for a statement attributed to Mrs. Beard that company security men put her files through a shredder after columnist Jack Anderson obtained the controversial memo.

"SUDDENLY OPEN TO PUBLIC"

Geneen said he was satisfied that the documents were destroyed "more in reaction to the feeling that our files were suddenly open to the public" rather than an attempt to cover up information.

ITT lawyers are conducting an investigation of the document shredding, Geneen said, and the results will be turned over to the committee.

Geneen said that at this point he did not know who was responsible.

"I don't know who came down . . . who they were," he said. "Some kind of documents have been shredded."

Howard J. Aibel, ITT senior vice president and general counsel, said he would tell the committee today, as Geneen returns for more testimony, when the company's investigation would be completed.

Meanwhile, the committee arranged to question Mrs. Beard, possibly Monday, in a Denver hospital where she is recovering from a heart ailment.

Sen. James O. Eastland (D-Miss.) named three Republicans and three Democrats to a subcommittee to make the trip after Sens. Edward M. Kennedy (D-Mass.) and Marlow W. Cook (R-Ky.) conferred by phone with two Denver cardiologists who had examined Mrs. Beard.

Kennedy reported the doctors said they could give no assurance that Mrs. Beard could be questioned in Washington at any time in the next several weeks. He said doctors would be present during the hospital questioning, which he said could extend for an hour in the morning and another in the afternoon. Eastland said one newsman also would be allowed in the room.

The subcommittee, with Sen. Philip A. Hart (D-Mich.) as chairman, includes Cook, Kennedy, Tunney and Sens. Edward J. Gurney (R-Fla.) and Charles M. Mathias (R-Md.).

Tunney, before being named to the subcommittee, said it would be "terribly awkward to question her in the hospital. It makes you feel like some sort of ghoul."

Geneen, who during his brief appearance dominated at the hearing with rapid-fire, lengthy answers to nearly every question, defended the out-of-court settlement of three ITT antitrust suits last July 31 and denied it was linked in any way to the convention financing pledge of the Sheraton Corp., an ITT subsidiary.

$200,000 MAXIMUM

The ITT chief executive stressed that the committee was to the San Diego Convention and Visitors Bureau. He also said the offer was for a maximum of $200,000 rather than the $400,000 pledge that had been attributed to him by Rep. Bob Wilson (R-Calif.) of San Diego.

Geneen gave the committee a copy of a July 21, 1971, telegram from Howard James, Sheraton president, to the Convention and Visitors Bureau. It said the $200,000 commitment was conditioned on the designation of the new Sheraton Harbor Island hotel as the presidential headquarters hotel for the convention.

Citing the publicity that would be received by the hotel, which is scheduled to open for the convention, Geneen termed the pledge "a solid business expenditure" and said it "might be worth $1 million."

The document-shredding incident was first mentioned at the hearing last week by Brit Hume, an associate of Anderson who interviewed Mrs. Beard before the columnist published parts of the memorandum.

FINDS SHREDDING

Hume said that the day after he confronted Mrs. Beard with the memorandum, she told him that she found ITT security men from New York putting her files through a document shredder. Hume quoted her as saying the security men feared that the documents might be subpoenaed after the Anderson column ran.

Under questioning by Kennedy, Geneen said he was withholding judgment on Mrs. Beard until he learns the circumstances behind the memo.

Citing testimony that the lobbyist had a severe drinking problem and was disturbed, Kennedy asked whether ITT would have kept her on its Washington payroll for 10 years if she was unable to function.

"Obviously we would not have," Geneen said. "I do think this is a pretty stressful occupation, and it may be particularly so for a woman. She has five children."

MITCHELL FINISHES

Geneen testified after former Atty. Gen. John N. Mitchell wound up nearly two days at the witness table. Mitchell clashed often with Tunney and Kennedy, who characterized Mitchell's answers as "carefully constructed."

Tunney, commenting on a conflict between Mitchell and California Lt. Gov. Ed Reinecke over when they discussed Sheraton's convention commitment, said during a recess in the hearing: "One or the other has not told the truth. Their statements are in conflict."

The conflict figures in Mitchell's denial that he knew anything about the convention financing pledge.

GOP SENATORS AT INTERNATIONAL TELEPHONE AND TELEGRAPH HEARING ASSAIL PRESS

WASHINGTON.—A mislabeled photo in the New York Times touched off a round of criticism of the press Wednesday by Republican senators at the International Telephone & Telegraph Corp. hearing.

"Maybe we'd better get with it and investigate what's going on," said an angry Sen. Marlow W. Cook (R-Ky.), referring to a United Press International photo which identified a Justice Department official as an ITT executive.

The photo caption, carried on the New York Times' front page, said erroneously that William R. Merriam, who heads ITT's Washington Office, was conferring with former Atty. Gen. John N. Mitchell before Mitchell testified before the Senate Judiciary committee.

Actually, the man Mitchell was conferring with was Robert Mardian, assistant attorney general for internal security.

CORRECTION SENT

Several hours after transmitting the photo Tuesday, UPI sent out a midafternoon correction. A spokesman for the New York Times said the correction was not immediately noted by the newspaper and the mislabeled picture was published in about 200,000 editions.

The New York Times planned to carry a front page correction in its editions today. UPI President Mims Thomason publicly apologized to Mitchell for the incident.

Following Cook's comments, Sen. Hiram L. Fong (R-Hawaii) complained about "nonobjective" headlines on stories about the current hearings.

Sen. Roman L. Hruska (R-Neb.) said newspapers had been quick to suggest officials have been lying but should look to their own errors.

ALLEGES SLANDER

Asked about the criticism, Mitchell said: "A number of good people involved in

these hearings have been slandered by the reporting in the American press."

Mitchell said he was referring to acting Atty. Gen. Richard G. Kleindienst, Richard W. McLaren, former head of the Justice Department's antitrust division, and Solicitor General Erwin N. Griswold.

Sen. Edward M. Kennedy (D-Mass.) defended the press for "fair and accurate coverage of a very complicated story."

Kennedy said if anyone had been slandered it was Dita Davis Beard, the memo-writing lobbyist who was pictured by her doctor in Senate testimony as being periodically disturbed and unstable.

INTERNATIONAL TELEPHONE & TELEGRAPH CORP. LOBBYIST CALLS MEMO A "FORGERY"; EVIDENCE PROMISED

(By Ronald J. Ostrow)

WASHINGTON.—Lobbyist Dita Davis Beard Friday denounced as a "forgery" and a "hoax" a memorandum purportedly written by her that touched off the International Telephone & Telegraph Corp. controversy.

Mrs. Beard's sworn statement was issued by her lawyer, David W. Fleming, in Denver where she is hospitalized, and in Washington by Senate Minority Leader Hugh Scott (R-Pa.).

The lobbyist gave no explanation of why she waited until now to challenge the authenticity of the memorandum, which was published by columnist Jack Anderson on Feb. 29.

But Fleming said she had not raised the forgery point before because "our first job was to find out" who wrote the memo.

"It's often easier to find out who did it if that person feels somewhat safe because he feels everyone believes the document is real," the Van Nuys attorney said in a telephone interview.

"We have evidence" of forgery, Fleming said. "I won't comment what that evidence is. We have evidence outside of her statement."

The memorandum appeared to link settlement of ITT's three antitrust cases with a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

Mrs. Beard's heart doctor, Victor L. Liszka, testified before the Senate Judiciary Committee on March 6 that she had authorized him to state she was "mad and disturbed" when she wrote the memo and that "she did not mean to say what the memo appeared to say."

Liszka did not, however, challenge the authenticity of the document.

In a statement through Fleming on March 10, Mrs. Beard denied "the allegation that there was ever any arrangement between ITT and the Administration involving favorable treatment of the antitrust action." But, other than referring to the central document as an "alleged" memorandum, she gave no hint that she was not the author.

In her sworn statement Friday, Mrs. Beard said:

"Mr. Anderson's memo is a forgery, and not mine. I did not prepare it and could not have since to my knowledge the assertions in it regarding the antitrust cases and former Atty. Gen. (John N.) Mitchell are untrue. I do not know who did prepare it, who forged my initial to it, how it got into Jack Anderson's hands or why. But, I repeat, I do know it is not my memo and is a hoax."

"I did prepare a memo at about the time indicated, at the request of (W. R.) Bill Merriam, to him, concerning plans for the Republican convention in San Diego," Mrs. Beard said. (Merriam is head of ITT's Washington office, and the memorandum published by Anderson was addressed to him.) "However, it was not the memo Jack Anderson has put in evidence before the Senate."

ITT WON'T COMMENT

An ITT spokesman declined comment when asked if the company had a copy of what Mrs. Beard maintained was her original memorandum.

Fleming said that the "original memo had the same beginning—it started out like the Anderson memo. But then there are changes." Fleming would not cite the differences.

Mrs. Beard said she decided to issue the statement after a Senate Judiciary subcommittee scrapped plans to take sworn testimony from her in the Denver hospital Monday and Tuesday.

"Since I am now told that for some reason the committee is not coming until later, I feel it is necessary that I make certain facts very clear at this time," Mrs. Beard said.

"These facts cannot remain unknown and unspoken any longer, while myself, my family, my friends, my company, Mr. (acting Atty. Gen. Richard G. Kleindienst) and the Republican Administration are subjected to continued ridicule and embarrassment as a result of the lies that have been stated in the hearings."

The subcommittee canceled the hearing scheduled for Mrs. Beard's hospital room because, it was said, members wanted to be on hand for Senate votes expected early next week on the equal rights for women constitutional amendment.

Fleming charged that "certain people on that committee would like to postpone a statement from Mrs. Beard until they have done a lot more fishing."

Sen. Edward M. Kennedy (D-Mass.) who has been one of the leaders in the Judiciary Committee inquiry, said Mrs. Beard's statement "makes it all the more important that the Judiciary Committee have a full opportunity to discuss the facts with Mrs. Beard as soon as her health permits."

If the statement proves to be true, Kennedy said, "then the ITT officials and the attorneys who have been in constant touch with Mrs. Beard all during the past 3½ weeks have done a disservice to the Congress, to the American people and especially to Mr. Kleindienst by withholding this material flatly contradicting sworn testimony before the committee."

Anderson said Friday that Mrs. Beard had acknowledged the memo "was genuine," and attributed her statement to the lobbyist being "at the economic mercy of ITT."

Fleming, who said he got a go-ahead from Sen. Scott before releasing the statement, emphasized that he was not charging that Anderson knew the memo was phony. "A columnist of his reputation would never use what he believed to be a fake," Fleming said.

INTERNATIONAL TELEPHONE & TELEGRAPH CORP. OFFERS AFFIDAVITS CLAIMING PUBLISHED MEMO IS FRAUDULENT

(By Ronald J. Ostrow)

WASHINGTON.—International Telephone & Telegraph Corp. turned over to the Senate Judiciary Committee Monday affidavits that the company said indicated the Dita Davis Beard memorandum that plunged ITT into Senate controversy is a fraud.

ITT also submitted to the committee what it described as "the genuine Beard memorandum" which the company said was inconsistent with the one published by columnist Jack Anderson.

Mrs. Beard issued a statement from her Denver hospital room last Friday denouncing the document published by Anderson, as a "forgery" and a "hoax."

In one affidavit, Mrs. Susan Lichtman, who served as Mrs. Beard's secretary last June 25, the date of the purported memorandum, recalled typing some of the passages but said the communication did not include key sentences linking a pledge to help underwrite the Republican convention with settlement of ITT antitrust cases.

In a second affidavit, William R. Merriam, ITT vice president in charge of the firm's Washington office, said the genuine memorandum from Mrs. Beard, dated June 25, 1971, had been discovered within the past two days. The communication "made absolutely no reference to the antitrust cases," Merriam said.

Merriam also swore in his statement that he had never received the Anderson version but that he had received the one discovered by the company.

Meanwhile, Anderson said the Judiciary Committee had given his original copy of the memorandum to the Justice Department, which he said "can hardly be considered a neutral party in this matter."

The Judiciary Committee called the hearings at the request of acting Atty. Gen. Richard G. Kleindienst, accused of lying to Anderson when he said that the ITT antitrust settlement was handled and negotiated by Richard W. McLaren, former chief of the Justice Department's antitrust division.

In a letter to Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, Anderson said he had learned the memorandum which he gave to the committee had been turned over to Kleindienst's assistant, John T. Duffner.

"I should not need to point out to you the extreme impropriety of allowing a party (at) interest in a congressional investigation to take possession of a vital piece of evidence," Anderson said.

ANDERSON PROTEST

The Justice Department referred all questions to the committee, and Eastland's office declined comment on Anderson's protest.

No date has been set for resumption of Senate hearings pending a decision by a seven-member subcommittee on whether to question Mrs. Beard in her hospital room.

In other developments Monday:

Sen. John V. Tunney (D-Calif.) urged the committee to fully examine charges in the current issue of Life magazine that Kleindienst had been directly involved in blocking investigation of alleged violations of federal law in San Diego.

It was learned that David W. Fleming, Mrs. Beard's lawyer, has offices on the same floor of a Van Nuys building as ITT's West Coast public relations office and shares offices in Washington with the controversial Republican national committeeman for the District of Columbia, Carl L. Shipley.

"PURE COINCIDENCE"

Fleming, who has said he came to Mrs. Beard's aid because he has been her friend for six years, said the fact that ITT and his law offices are on the seventh floor of the Valley Federal Building was "pure coincidence."

He said he and a law partner, Charles E. (Hack) White, have "never met Carl Shipley." Their use of the same offices in Washington stems from the fact that an associate of Shipley attended law with White, Fleming said.

Shipley, attacked as a GOP "hatchet man" by Democratic critics, headed an election campaign committee two years ago that placed newspaper ads associating Democratic senatorial candidates with "radicals" and "extremists."

SCOTT IS DUBIOUS

Senate Minority Leader Hugh Scott (R-Pa.) said he was not vouching for the accuracy of Mrs. Beard's claim that the memorandum published by Anderson is a forgery. Scott distributed Mrs. Beard's statement in Washington.

Scott said Fleming called him from Denver Friday to report that Mrs. Beard had been "very restive" because the attorney ordered

her to withhold comment until she testifies before the committee.

Scott said Fleming told him Mrs. Beard wanted to go on the Mike Wallace television show to present her side of the story.

He said he agreed with Fleming that such an appearance would be "grossly improper" before she testified.

More questions arose over the work of Richard J. Ramsden, the financial consultant who wrote a report that helped convince Justice Department officials to change their minds and settle out of court with ITT. The department said Ramsden, a former business associate of White House aide Peter Flanigan, was picked for the job because he had performed a similar task in the Ling-Temco-Vought antitrust case.

But in a letter to the committee over the weekend, the department said it could find no material on the Ling-Temco-Vought report in its files.

The affidavit of the ITT secretary, Mrs. Lichtman, an American citizen living in Toronto, was the heart of the ITT material presented Monday to challenge the authenticity of the memorandum published by Anderson. She recalled typing a memorandum for Mrs. Beard during the two months she worked for ITT in Washington and said it dealt with the San Diego convention.

She placed brackets around sentences in the memorandum published by Anderson that she said were not in the memo she typed. The bracketed material included references to Mrs. Beard discussing the antitrust cases with former Atty. Gen. John N. Mitchell, discussions he has denied; a description of ITT Chairman Harold S. Geneen as a "big mouth," and a plea to an ITT official to avoid publicity on the ITT financial commitment for the GOP convention.

Mrs. Lichtman's affidavit was dated March 18, but in a separate affidavit, Russell J. Tagliareni, ITT security administrator, said her statement was substantially the same as she made to him March 2. He said this was before she became aware of news stories about the memorandum.

Mrs. Lichtman said in a telephone interview she did not believe any other secretary could have typed the memorandum for Mrs. Beard.

International Telephone & Telegraph Hearing To Move to Lobbyist's Sickroom

(By Ronald J. Ostrow)

WASHINGTON.—A Senate judiciary subcommittee arranged Tuesday to question Dita Davis Beard, the central figure in the International Telephone & Telegraph Corp. controversy, for three days beginning Sunday.

The hearing in the ITT lobbyist's Denver hospital room was scheduled as questions mounted over the company's claim that it had located the "genuine" memorandum written by Mrs. Beard and that the one published by columnist Jack Anderson was a fraud.

Meanwhile, Senate Majority Leader Mike Mansfield of Montana said he would not ask the Senate to consider the nomination of Richard G. Kleindienst to be attorney general until the full Judiciary Committee rendered a judgment on the entire ITT affair.

The committee opened the inquiry at the request of Kleindienst, who said he wanted to remove any cloud resulting from Anderson's publication of the memorandum which seemed to link the out-of-court settlement of three ITT antitrust cases with a pledge by ITT Sheraton Corp. to help underwrite the Republican National Convention.

SAN DIEGO ISSUE

With some committee members, such as Sen. John V. Tunney (D-Calif.), pushing to broaden the inquiry into allegations by Life magazine that Kleindienst had a role in squelching federal investigations in San Diego, Mansfield's statement indicates a Senate vote on the nomination could be weeks away.

The hearings will not resume until the questioning of Mrs. Beard is completed, an aide to Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, said.

Sen. Philip A. Hart (D-Mich.), chairman of the seven-member subcommittee that will go to Denver, said Mrs. Beard's doctors agreed she could be questioned for nine hours over the three-day period, broken up into six one and a half-hour sessions.

"GENUINE" MEMO

New questions about ITT's statement Monday that it had turned over to the committee the "genuine" Beard memorandum arose because the document bore no resemblance to the material published by Anderson.

Yet an affidavit submitted to the committee by Mrs. Susan Lichtman, Mrs. Beard's former secretary, stated that Mrs. Lichtman recalled typing some of the passages in the memorandum published by Anderson.

The "genuine" memorandum released by ITT "has nothing to do with me," Mrs. Lichtman said in a telephone interview Tuesday from Toronto where she is now living. "The memorandum has absolutely nothing to do with my affidavit, and nothing to do so far as I know with what's going on."

In her affidavit, Mrs. Lichtman said she did not recall typing passages that seemed to link the convention pledge and negotiations on settling the antitrust cases. She added that she was certain she would have recalled those sentences "because of the implications contained in them."

The "genuine" memorandum submitted by ITT carried the same June 25, 1971, date as the document published by Anderson, but it was part of an analysis of the workload in ITT's Washington office and contained no passages similar to the Anderson document.

An ITT spokesman Tuesday night quoted Mrs. Lichtman as saying she also had typed the "genuine" memorandum, but Mrs. Lichtman declined to verify the statement.

"I haven't seen it," she said. "I haven't gotten the newspapers (carrying stories on the "genuine" memorandum). But I would really rather not say anything about it because it doesn't concern me."

A spokesman for Eastland said Anderson's original copy of the memorandum and the "genuine" memorandum submitted by ITT had been turned over to the FBI for "technical analysis."

The FBI declined comment, but a source familiar with the bureau's analysis said it would include matching the documents with samples of typing from ITT's Washington office.

Kleindienst Question Still Unanswered

We confess to having reached a state of bewilderment in the matter of the nomination of Richard G. Kleindienst to be attorney general and his connections, if any, with an out-of-court settlement of an antitrust suit against the International Telephone & Telegraph Corp.

Not that things were crystal clear earlier. Witnesses before the Senate Judiciary Committee, which is holding hearings on the Kleindienst nomination, had an annoying habit of contradicting each other's testimony and sometimes contradicting themselves on points both large and small. A certain fog of confusion hovered around the whole affair. But at least it was possible to keep a key element of the case in sight. That was the memo allegedly written by International Telephone & Telegraph Corp. lobbyist Mrs. Dita Beard, which columnist Jack Anderson produced and which an associate of Anderson's swore was authenticated to him personally by Mrs. Beard.

It was an implication in this memo that the ITT settlement was linked to a big contribution by the conglomerate to the Republican National Convention that set off the flap over Kleindienst.

For weeks Mrs. Beard, isolated in a Denver hospital, said nothing to dispute authorship of the memo. Then, fast, furiously and not necessarily coherently, came these developments: ITT announced that Mrs. Beard's confidential office files had been shredded into confetti, lest they fall into the wrong hands. Mrs. Beard issued a sworn statement from her sick bed saying the Anderson memo was a "forgery," a "false" and, for good measure, a "salacious document." (That last sent us back for another look at the memo. Whatever else it may be, it is not, alas, salacious.) And then, ITT turned over to the Judiciary Committee what it described as "the genuine Beard memorandum," only recently discovered and lacking any implication of wrongdoing on the part of ITT or anyone in the Justice Department.

That about brings things up to date as far as the committee hearings are concerned. But there is more. Life magazine alleged this week that the Nixon Administration "tampered with justice" by interfering in federal investigations in San Diego that involved a friend of the President, and that Kleindienst played a role in the action. Sen. John V. Tunney (D-Calif.), a committee member, says he has "additional information" to support the Life charges. He wants the Judiciary Committee to look into the matter. We think it should, too.

The Kleindienst confirmation hearings have been frustrating, confusing, at times bizarre. The essential question of Kleindienst's fitness to be attorney general still hasn't been answered. The obligation of the Judiciary Committee is to keep searching for the answer, to separate truth from deception, to identify who has not been honest and why, to determine if the man nominated for the highest law enforcement job in the United States is deserving of that post and the power it carries.

Rogers Denies U.S. Plot To Bar Allende in Chile

(By David Kraslow)

WASHINGTON.—Secretary of State William P. Rogers privately assured the Senate Foreign Relations Committee Wednesday that there had been no plot by the Nixon Administration to prevent President Salvador Allende of Chile from taking office in 1970.

It was learned further that Richard Helms, director of the Central Intelligence Agency, assured Committee Chairman J. William Fulbright (D-Ark.) in 1970 that the CIA would not intervene in the Chilean political situation.

An informed source said Fulbright contacted Helms because of speculation that the United States might interfere in Chile's presidential contest.

Rogers' testimony behind closed doors corroborated Helms' personal word to Fulbright. The secretary told the committee that the Administration's hands were clean and that if the CIA had been authorized to intercede either he or Undersecretary of State John N. Irwin would have known about it.

ANDERSON REPORT

The committee took advantage of Rogers' scheduled appearance on an unrelated matter to question him about Columnist Jack Anderson's published assertions that International Telephone & Telegraph Corp. and a CIA official plotted together in September and October, 1970, to block Allende from gaining power.

ITT and other American companies, fearful that Allende, a Marxist, would national-

ize foreign-owned businesses, had favored the election of a more moderate candidate.

There was intense political activity in Chile between Sept. 4, 1970, when Allende won a popular plurality in the presidential election, and Oct. 24, when the Chilean congress named Allende as president.

Under Chilean law, if no candidate wins a popular majority the decision is made by congress. Chilean legislators were constantly lobbed by Allende's foes during the interim period to break with the tradition under which congress selected the front-runner as president.

Anderson asserted that ITT executives plotted with William V. Broe, identified by the columnist as director of the Latin American division of the CIA's clandestine activities branch.

ECONOMIC APPROACH

Quoting from what he described as confidential ITT documents, Anerson said the plan called for ITT and other large American companies with holdings in Chile to create economic chaos. This would cause the Chilean army to organize a coup that would block Allende from taking office. The documents said continuing approaches were being made—without success—to select members of the armed forces to lead an uprising.

Rogers told the committee that after the general election the Nixon Administration considered various policy alternatives but finally decided to do nothing.

Rogers said, however, that none of the policy moves under consideration was covert or clandestine or was outside the constitutional processes of Chile.

It was during the Sept. 4–Oct. 24 period that Irwin and other State Department officials told the Foreign Relations Committee that the United Sates would maintain a hands-off policy in Chile. It was also during this period that Fulbright consulted with Helms.

SEIZURE FOLLOWS CRUSTY TESTIMONY OF MRS. BEARD

(By Bruce Nelson)

DENVER.—International Telephone and Telegraph lobbyist Dita Davis Beard's collapse during questioning by a Senate subcommittee Sunday afternoon came as a great surprise to the participants because she had put on such a crusty performance in the morning session.

At first during the morning session, Mrs. Beard had lain languidly on her hospital bed, an oxygen tube in her nose, and with wires that ran to an electrocardiograph scope, to check her heartbeat, attached to her arms. By the end of the first 90-minute session, she had risen up from her bed, had begun gesturing dramatically, and was verbally flaying her enemies in ITT, pool reporter Dan Thomasson of Scripps-Howard newspapers said.

It was a bravo performance, and the senators, including the subcommittee chairman Philip Hart (D-Mich.) and Sen. Edward M. Kennedy (D-Mass.), went up to shake Mrs. Beard's hand at the end of the first session.

CITES COOPERATION OF SENATORS

"She came on like gangbusters," said one of her attorneys, Harold (Hack) White of Van Nuys. "She was in great spirits at the end of the morning. We were all astounded when it (the collapse) happened."

White said that in both the morning and afternoon sessions, the senators could not have been more cooperative and decent in questioning Mrs. Beard.

It was the first time in the senators' memory that the Senate had ever conducted a committee hearing in a hospital and they seemed edgy about approaching the invalid.

Sen. Edward J. Gurney (D-Fla.) knocked over the Colorado flag as he came in the room for the morning session, spilling the multicolored ensign on the lone reporter allowed in the room. The reporter picked up the flag.

The meeting took place under strict security procedures and health precautions. Only 17 people were allowed in the stuffy, overheated room—six senators, Senate aides, two of Mrs. Beard's doctors, two of her lawyers, a stenotypist, and a sound man to record the proceedings.

Forty Denver policemen, half of them plainclothesmen, were stationed around the Rocky Mountain Osteopathic Hospital, where Mrs. Beard has been hospitalized for the last three weeks since her unannounced departure from Washington, D.C.

Four German Shepherd dogs were kept in police cars adjacent to the hospital. "They're good for crowd control or for sniffing out everything from narcotics to bombs," one policeman said.

Police said there was some worry about a possible threat to Kennedy, or as one explained it, "Some nut might throw a bomb through the hospital window."

Tight security also prevailed on the 14th floor of the Denver Hilton Hotel, where the senators and their aides were staying.

At one point midway through the first 90-minute hearing, Mrs. Beard's EKG machine quit. "What's happened, has my heart stopped?" Mrs. Beard asked with a laugh. Mrs. Beard's doctors tried vainly to fix the machine and then asked two nurses to accomplish the task for them.

EMBARRASSING SLIP

At the morning session, Mrs. Beard, 53, wore a white nightgown emblazoned with blue diamond pattern. During the hearing, the nightgown made an embarrassing slip off her bare shoulder.

Besides the EKG machine, an oscilloscope, an oxygen tank and an electric heart stimulator, Mrs. Beard's doctor had a complete "crash cart" to handle any major emergency in the room where the hearing was taking place.

Mrs. Beard's language sometimes brought smiles from the senators. Referring to one sentence in the alleged memorandum, concerning Atty. Gen. John N. Mitchell's role, she said, "I don't know where in the world that mother came from."

In response to questions, Mrs. Beard outlined her rise in ITT in 12 years of service for the company in Washington. She said she started as a secretary but that she had gotten into lobbying because the ITT executives did not know what they were doing. "They were babes in arms," she said, explaining that they did not know that it was necessary to be able to get things done in Washington in order to be able to run a company.

When asked her current ITT salary, she replied, "I'm not sure I have one anymore." Then she said her base salary was either $28,500 or $35,000 annually, plus bonuses. She said she had not received a bonus this year.

FBI SAYS SAME MACHINE TYPED TWO DISPUTED MEMOS IN INTERNATIONAL TELEPHONE AND TELEGRAPH CORP. CASE

(By Ronald J. Ostrow)

WASHINGTON.—The FBI said Friday that the memorandum International Telephone & Telegraph lobbyist Dita Davis Beard disowned as a forgery appears to have been typed on the same machine as one that produced a memo the company has identified as genuine.

Reporting on an FBI laboratory analysis of the document, which is at the center of the ITT controversy, FBI Director J. Edgar Hoover also said his agency's tests suggested but did not establish, that the memo was prepared about June 25, 1971, the date it carried.

The analysis, submitted to Chairman James O. Eastland (D-Miss.) of the Senate Judiciary Committee, was a setback to supporters of Atty. Gen.-nominee Richard G. Kleindienst. They had hoped the tests would conclude the memo was typed at some later date and by a different machine.

A few hours after the report was released, President Nixon praised Kleindienst at a press conference as "an able, honest man," and said the Senate hearings had produced nothing to shake his confidence in the nominee.

While predicting that the Senate would confirm Kleindienst, now serving as acting attorney general, Mr. Nixon did not support an early cutoff to the hearings as some Republicans on the Judiciary Committee have proposed.

"We want the whole record brought out because as far as he is concerned, he wants to go in as attorney general with no cloud over him," the President said.

"He will not have any * * * once the hearings are concluded and what we are talking about will be proof, rather than simply charges which have not been substantiated."

Mr. Nixon made the statement when asked whether there was any link between the ITT antitrust settlement and a pledge by an ITT subsidiary, the Sheraton Corp., to help underwrite the Republican convention, the chief allegation under review by the Senate committee.

But the President sidestepped a question on the allegation that Kleindienst had played a role in squelching a federal investigation in San Diego of campaign contributions involving C. Arnholt Smith, a long time friend and financial backer of Mr. Nixon.

ASKED FOR REACTION

"Mr. President, have you satisfied yourself that the Justice Department acted properly in quashing an investigation of campaign contributions in San Diego last year?" a reporter asked.

"I covered that question," Mr. Nixon said, though the subject had not been raised previously at the press conference.

Earlier, the Justice Department scrapped plans to make a detailed reply to the allegation by Life magazine that the Administration had "seriously tampered with justice" in San Diego.

Kleindienst was involved because on Feb. 17, 1971, he said he had evaluated the matter in which Harry Steward, U.S. attorney in San Diego, was a central figure and had determined there had been no wrongdoing.

BRANDED AS FALSE

Instead of the detailed reply, a draft of which had been circulating in the department this week, a two-sentence statement was issued branding the report false and contending that it was "based on misinformation, innuendo, hearsay and a rehash of old rumors which were thoroughly investigated more than a year ago."

A Justice Department official said the decision not to respond in detail at this time was made because of the possibility that Democrats would succeed in bringing the issue before the Senate committee. A detailed reply would give Kleindienst's critics a preview of what the response would be at the hearing, the official said.

The FBI analysis disclosed that the bureau also had run tests on typewritten notes of Brit Hume, the associate of columnist Jack Anderson who interviewed Mrs. Beard before Anderson published the memorandum suggesting a link between the antitrust settlement and the convention pledge.

SAMPLE TOO LIMITED

"The Beard memorandum was not prepared on the typewriter used in the preparation of the Hume notes," the FBI report

stated in one of its few unqualified conclusions.

The handwritten initial "D" appearing on the memorandum was too limited a sample to determine whether it was written by Mrs. Beard, the report said.

While stating that the typewriting ink on the Beard memorandum published by Anderson "appears substantially similar in composition" to that used in the correspondence from ITT's Washington office around the time of the memo, the analysis stressed a qualification.

"A factor which prevents these findings from being positive proof, of course, is the ease with which typewriter ribbons can be substituted or replaced on a typewriter," it said.

More time-consuming analytical tests are being run on specimens from the memorandum obtained by Anderson and the one identified by ITT as genuine, Hoover told Eastland in the report, promising to advise him of "any further significant information."

At his press conference, President Nixon also commented on political contributions, saying: "Nobody gets anything back as far as the general contributions are concerned in this Administration . . .

DEFENDS SETTLEMENT

"I think some of our major complaints have been that many of our business people have not received the consideration that perhaps they thought an Administration that was supposed to be business-oriented would provide for it."

He defended the ITT settlement as "the greatest divestiture in the history of the antitrust law."

Mr. Nixon said the press had inadequately reported the fact that ITT became a great conglomerate corporation primarily during the two previous administrations.

"It grew and grew and grew, and nothing was done to stop it," he said. "In this Administration we moved on ITT. We are proud of that record."

ITT Says Beard Memo Was Written Months Later Than Date It Bears

(By Ronald J. Ostrow)

WASHINGTON.—International Telephone & Telegraph Corp. said Saturday that tests by experts it had retained strongly indicate that lobbyist Dita Davis Beard's memorandum was written seven months later than the date it carries.

This disputed an FBI laboratory examination of the document released Friday, which found nothing "to suggest preparation at a time other than around June 25, 1971," the date on the document.

The conflict is important because it bears on the authenticity of the memorandum, which suggested a link between settlement of ITT's antitrust cases and a pledge by an ITT subsidiary, the Sheraton Corp., to help finance the Republican convention.

Mrs. Beard, who has disowned the memorandum as a forgery, is due to begin testifying today before a Senate judiciary subcommittee in a Denver hospital, where she is recovering from a heart ailment.

ITT said its two experts on "questioned documents," Pearl Tytell of New York and Walter C. McCrone of Chicago, found from the tests they conducted that "the preponderance of evidence points to a period around January, 1972, as the most likely time" when the memorandum was typed.

The FBI declined comment on the findings by the ITT-retained analysts.

Meanwhile, Brit Hume, the newsman who testified before the Senate Judiciary Committee that Mrs. Beard acknowledged writing the memorandum in two interviews with him, passed a lie-detector test on the question.

Hume's employer, columnist Jack Anderson, reported the polygraph test results Saturday in a letter to Sen. James O. Eastland (D.-Miss.), Judiciary Committee chairman.

Anderson challenged "Mrs. Beard and any other witness who contradicts Mr. Hume's testimony to undergo a similar examination."

In a notarized statement, Lloyd B. Furr, a McLean, Va., polygraph examiner, said it was his opinion that Hume "answered the questions truthfully and satisfactorily 'passed the examination.' "

Among the 20 questions Hume was asked were whether Mrs. Beard at any time had told him the memo was a forgery, to which he replied in the negative, and whether the lobbyist explicitly confirmed that she had written the memo, to which he answered "yes."

ITT said that full reports of its experts' findings would be submitted to Eastland. The company said McCrone and Mrs. Tytell "made microscopic, ultraviolet fluorescent and highly sophisticated microchemical analyses" of the memorandum first published by Anderson and a sample of memoranda known to have been typed on Mrs. Beard's typewriter between June, 1971, and February, 1972.

ITT said it had received permission, presumably from Eastland, to have the memorandum examined because of what the firm called "grave reservations as to the authenticity" of the document published by Anderson. The columnist had protested earlier when Eastland turned his original copy of the memorandum over to the FBI, contending the Justice Department was a central party in the controversy.

ITT said that for the last 15 years McCrone had headed McCrone Associates of Chicago, which it described as a research and development laboratory specializing in chemical and physical microanalysis. Mrs. Tytell, ITT said, has worked on "questioned documents" for more than 20 years and has testified as an expert witness before federal and state courts.

In other developments Saturday:

—The Judiciary Committee scheduled its next session in Washington for Wednesday after the subcommittee, headed by Sen. Philip A. Hart (D-Mich.) returns from the Denver trip.

VOTES EXPECTED

Crucial votes are expected to be taken by the full committee on calling additional witnesses in the ITT matter and whether to expand the hearings into allegations that acting Atty. Gen. Richard G. Kleindienst played a role in allegedly squelching a federal investigation in San Diego.

The ITT probe has delayed indefinitely a Senate vote for Kleindienst's nomination to head the Justice Department. He asked for the Judiciary Committee hearings to remove any cloud that he said might have resulted from Anderson's charges.

—It was learned that the list of contributors to the presidential campaign of Sen. Edmund S. Muskie (D-Me.), which will be made public Monday, will include a $2,500 contribution from ITT Director and Wall Street banker Felix G. Rohatyn.

It was after an April, 1971, meeting between Rohatyn and Kleindienst that the Justice Department began the procedures which eventually led to a decision to settle the ITT antitrust cases out of court.

ITT Aide's Heart To Be Monitored at Quiz

DENVER.—Senate investigators who will question Mrs. Dita D. Beard, lobbyist for International Telephone & Telegraph Corp. will be stopped if her heart beat changes.

Mrs. Beard will be questioned in the Rocky Mountain Osteopathic Hospital here beginning today by a Senate Judiciary subcommittee.

Dr. L. M. Radetsky said Mrs. Beard's heart would be monitored during her testimony from a hospital bed. Questioning would be halted, if "there is any change in the rhythm of the heart beat," he said.

W. L. Davis Jr., hospital administrator, said Radetsky and Dr. David Garland would be present during questioning and two cardiac nurses would stand by outside the room.

Davis said guards would block corridors leading to the meeting room where testimony will be heard. "If anyone else tries to get in they will be prosecuted to the full extent of the law," Davis said. "That's what we've got the guards for. We have to take care of other patients, too."

Mrs. Beard is to be taken from her own room by wheelchair to the hearing room, which will be equipped with a special cardiac bed and the monitoring devices.

ITT Attorney Explains Document Destruction

(By Ronald J. Ostrow)

WASHINGTON.—The general counsel of International Telephone & Telegraph Corp. testified Thursday that many sacks of documents were destroyed in ITT's Washington office partly to prevent their "misuse" from causing "unwarranted embarrassment" to unidentified persons.

But Howard J. Aibel said none of the office staff interviewed by a special team of lawyers knew of any destroyed document that linked settlement of ITT's antitrust cases with a pledge by ITT's Sheraton Corp. to help finance the Republican National Convention.

The documents were disposed of Feb. 24, the day after Brit Hume, an associate of columnist Jack Anderson, came to the ITT office with a document that "appeared to be an ITT memorandum which had come to his possession through theft or other misappropriation," Aibel told a Senate Judiciary Committee hearing.

The memorandum, purportedly written by ITT lobbyist Dita Davis Beard, appeared to link the massive antitrust settlement with a commitment of up to $200,000 for the San Diego Convention and Visitors Bureau to help underwrite the GOP convention.

"NORMAL" GENEEN SAYS

Harold S. Geneen, ITT chief executive, defended the document shredding as a "perfectly normal reaction" to the Washington office becoming "an open sieve as far as security is concerned."

Sen. John V. Tunney (D-Calif.) said he would not expect officials in ITT's Washington office to admit now that embarrassing documents were shredded. "Now we have to rely on the memory of those who would be acting contrary to their self-interest" to make such an admission, he said.

Aibel said the document destruction took place after W. R. Merriam, head of ITT's Washington office, told the staff of "a possibility that documents were being illegally removed from the office files for the purpose of being turned over to Mr. Anderson."

AVOID EMBARRASSMENT

The staff was told to remove from their files documents no longer needed for current operations "as well as documents which if put into Mr. Anderson's possession, could be misused and misconstrued by him so as to cause unwarranted embarrassment to the people mentioned therein."

Most of the material was "old and outdated," some of it dating back to 1962, Aibel testified. He stressed that Merriam did not discuss the subject of the memorandum in Anderson's hands so that the staff was under no order to destroy certain matter.

But under questioning by Tunney, Aibel disclosed that five members of the 19-member Washington staff were aware of Hume's appearance in the office with the memorandum before Merriam met with the staff. Anderson alleged in a column that the documents were shredded to keep them from being subpoenaed.

Under questioning by Sen. Philip A. Hart (D-Mich.), Aibel said some of the shredded documents "related to the San Diego convention," while others of "a general nature" dealt with the antitrust settlement. The convention material, he said, "related to the nature of facilities available and tourist brochures."

Meanwhile, at the Securities and Exchange Commission another aspect of the ITT matter proceeded quietly. Last fall, the SEC launched a staff investigation to determine whether any ITT officers or directors had violated securities law by selling company stock on the basis of "inside information"—that is, whether they sold their stock in advance of the antitrust settlement in expectation that the price would drop.

PROBE CONTINUES

Sources close to the investigation said earlier this week that it had turned up no indication of illegal selling on the basis of inside information. But they indicated the investigation was continuing.

In the six weeks preceding the July 31 settlement of the antitrust suits, seven top officers or directors of the firm sold a total of 14,364 common shares and 8,500 preferred shares, with a total value of $1.4 million.

The bulk of this was common stock, which was selling at about $65 per share before announcement of the settlement. It plunged to $55 per share on Aug. 2, the first trading day after the announcement.

A company spokesman, speaking for all officers involved, has denied that they sold on the basis of inside knowledge.

LOBBYIST COLLAPSES DURING INTERNATIONAL TELEPHONE & TELEGRAPH CORP. HEARING

(By Ronald J. Ostrow)

DENVER.—Lobbyist Dita Davis Beard collapsed with severe chest pains Sunday during a second round of questioning by a Senate judiciary subcommittee on the International Telephone & Telegraph Corp. affair.

The subcommittee announced Sunday night that it had unanimously decided to suspend further questioning of Mrs. Beard and was returning to Washington.

Earler, at the extraordinary hospital-room hearing, Mrs. Beard had testified under oath for the first time that she did not write a controversial published memorandum that linked settlement of antitrust cases against her employer, ITT, with a subsidiary's pledge to help underwrite the Republican National Convention.

The collapse came when Mrs. Beard was sitting up in her bed and Sen. Edward J. Gurney (R-Fla.), stressing that, the purpose of the hearing was to determine the qualifications of acting Atty. Gen. Richard G. Kleindienst, asked if she knew him.

"MET HIM ONCE"

"I met him once—at the governors' conference in Tulsa, Okla. . . . I don't think he'd ever . . ."

Gurney asked: "That was just a normal gathering?"

The 53-year-old lobbyist fell back on her bed, gripping the left side of her chest with her right hand. Her flushed face contorted in pain and she moaned.

Mrs. Beard's doctor said Sunday night that her condition "is not dangerous at this time." They said the irregularity in her heartbeat had ceased and that she was resting comfortably but still had chest pains.

Sen. Philip A. Hart (D-Mich.) said Mrs. Beard "could certainly not be asked to testify again until she recovered from her apparent heart condition."

The committee said the decision was made after her doctors said they could give no assurance that there would not be a relapse under further questioning and that another attack might leave Mrs. Beard with permanent heart damage.

CONTRAST WITH MORNING SESSION

The dramatic halt contrasted with the 90-minute morning session of questioning when she appeared to grow stronger as the hearing went on. She swore under oath at the morning session that she did not write key portions of the ITT memorandum—contradicting sworn testimony given earlier by an associate of columnist Jack Anderson.

The lobbyist's testimony that she had told Brit Hume, the Anderson associate, that the memo he confronted her with was not hers clashed with Hume's testimony at Senate Judiciary Committee's hearings that she had acknowledged to him writing it in a tearful interview last month.

Hume, one of the newsmen covering the hospital hearing, said: "She is simply not telling the truth." He recalled her saying in what he described as "virtually an exact quote: 'I wrote it. Of course, I wrote it.'"

Mrs. Beard testified that she told Merriam the idea of a campaign contribution rather than financial aid to the convention was "all completely false."

Merriam said he could not understand her explanation, the lobbyist testified, and requested that she "go write it." This led her to compose an interoffice memorandum that had "similar language" to the first part of the memo published by Anderson, she said.

Under questioning by Sen. Edward M. Kennedy (D-Mass.), Mrs. Beard said that everything but the last sentence in the first paragraph of the memo published by Anderson "seems to make sense to me."

Thus she conceded writing in the memorandum to Merriam: "I'm so sorry that we got that call from the White House. I thought you and I had agreed very thoroughly that under no circumstances would anyone in this office discuss with anyone of participation in the convention, including me. Other than permitting (former Atty. Gen.) John Mitchell, (California Lt. Gov.) Ed Reinecke, (presidential aide) Bob Haldeman and (Mr.) Nixon—besides (Rep. Bob) Wilson (R-San Diego), of course no one has known from whom that 400,000 commitment had come . . ."

MITCHELL DENIAL

Mitchell has testified that he knew nothing of ITT's support for the convention.

Mrs. Beard later explained that she had assumed Reinecke had told the Republican officials she named in her memo about the convention commitment. She said Reinecke first raised the possibility of bringing the GOP convention to San Diego in January or February, 1971, in a luncheon conversation with her in Washington.

Mrs. Beard said she had agreed to allow ITT to shred documents from her files, after the Anderson column was published, because they contained letters she received from "very highly placed politicians" that she feared could be misinterpreted.

In another development Sunday, John Holloman III, Judiciary Committee counsel, denied that the committee had turned over Anderson's original copy of the memorandum to ITT for its own analysis.

ITT had disputed an FBI laboratory analysis of the document Saturday, saying its own two experts had determined that, it was probably written last January rather than on June 25, 1971, the date it carried. The FBI test found nothing to suggest that it was not written on June 25.

The memorandum has not been out of the committee's possession, except when it was delivered to Justice Department or FBI representatives for the FBI test, Holloman said.

An ITT spokesman said he could not explain how the company ran its own tests.

FOUR SENATORS ASSAILED AFTER HOSPITAL QUIZ

(By Bryce Nelson)

DENVER.—As International Telephone & Telegraph lobbyist Dita Davis Beard continued her recovery Monday, a fusillade of attacks against Massachusetts Sen. Edward M. Kennedy and other Democratic senators was lodged by Mrs. Beard's lawyers in Denver and by leading Republican senators in Washington, D.C.

Mrs. Beard's lawyers, Harold (Hack) White and David W. Fleming, both of whom practice in Van Nuys, held a wide-ranging press conference in the same hospital room in which Mrs. Beard suffered a heart seizure while being questioned by a Senate subcommittee Sunday.

Fleming and White criticized Kennedy, columnist Jack Anderson, his assistant Brit Hume, Mrs. Beard's Washington doctor, Victor L. Liszka, and officials of ITT.

Fleming and White are being paid by ITT for defending Mrs. Beard and have asked ITT for $15,000 for their work.

Sen. Hugh Scott of Pennsylvania, the Republican Senate leader, and Sen. Roman L. Hruska (R-Nebr.) said that Democratic Sens. Kennedy, John V. Tunney of Calif., Philip Hart of Michigan and Birch Bayh of Indiana should end their desire for continued hearings on President Nixon's nomination of Richard G. Kleindienst to be attorney general and allow the Senate to vote on the nomination after Easter. They were joined by Sen. Robert Dole of Kansas, the chairman of the Republican National Committee.

Hruska said the Senate hearings "ought to be terminated because the chief witness (Mrs. Beard) has been heard." He called Sunday's Denver hearing "a bedside political inquisition with almost fatal results."

At no point have Mrs. Beard's doctors indicated that she was near death. Monday, Dr. L. M. Radetsky, an osteopathic physician who specializes in cardiology, said, "Mrs. Beard is recovering quite well from her seizure of angina pectoris," but added that she had spent "a very restless night."

DANGER CITED

Radetsky said that people who suffer from angina pectoris are never fully curable and therefore further testimony from Mrs. Beard would never be perfectly safe. "For the next six months or more it would be very dangerous to her health to testify in a hearing," he said.

Mrs. Beard had wanted to testify, he said, and it provided emotional release for her to be able to do so. He added, nevertheless, that "if the subpoena is quashed and the hearings ended, Mrs. Beard will get a lot better a lot faster.

Radetsky said that, based on conversations Sunday with Republican subcommittee members, "we hope and have some reason to believe that the subpoena will be quashed."

Meanwhile in Washington, the mystery continued over who gave the memorandum, which columnist Jack Anderson has said was written by Mrs. Beard, to ITT for an examination to determine its authenticity. After publishing the memorandum, Anderson gave it to the Senate Judiciary Committee, which sent it to the FBI for analysis. ITT issued its own analysis of the memorandum last week, which contradicted the FBI's findings.

ITT and FBI spokesmen declined comment on the subject Monday. Justice Department spokesman John Hushen said, "I can't shed any light on it."

TWO WITNESSES

Hruska and Scott said they did not know who had given the memo to ITT but said they did not think the transfer of the memo was improper. Hruska compared giving the memo to ITT to letting a defendant in a murder case examine the alleged murder weapon.

In the Denver press conference, Fleming, Mrs. Beard's attorney, said the Senate Judiciary Committee should call two witnesses who could corroborate his client's testimony. The two are Walter Benning, an ITT employe, and Beverly Sincavage, Mrs. Beard's secretary, both of whom were in Mrs. Beard's house on the night of Feb. 24, when

Brit Hume interviewed her about the memorandum.

Fleming said that Benning had told Mrs. Beard, "You're a fool to talk to this man. You're in no condition to do so." Mrs. Beard testified that she was drinking that night.

Fleming said that Benning was "never more than 11 feet away" from Mrs. Beard during her entire conversation with Hume. Hume said Monday that Benning was in another room where he could not hear their conversation during most of the time.

FBI LET IT CHECK MEMO, INTERNATIONAL TELEPHONE & TELEGRAPH SAYS

(By Ronald J. Ostrow)

WASHINGTON.—The FBI permitted International Telephone & Telegraph Corp. to conduct its own chemical tests on a key document involved in the controversy over settlement of the giant conglomerate's antitrust cases, it was disclosed Tuesday.

Sen. James O. Eastland (D-Miss.), chairman of the Senate Judiciary Committee, which is investigating the matter in connection with the nomination of Richard G. Kleindienst as attorney general, said he had been asked by the FBI if scientists hired by ITT could run the tests.

"I informed them then that this was a decision for the FBI," Eastland said. He added that he told the FBI, however, that he "saw nothing wrong with the owners viewing their own property under control of the FBI."

The FBI declined comment. But an ITT spokesman said its experts were permitted to test the document "while it remained in the custody of the FBI, in order to prepare their own findings."

The ITT tests disputed the FBI laboratory analysis that found nothing "to suggest preparation at a time other than around June 25, 1971," the date carried by the memorandum, purportedly written by ITT lobbyist Dita Davis Beard.

ITT said the experts, Walter C. McCrone of Chicago and Pearl Tytell of New York, concluded from their tests that the memorandum was most likely written around last January.

The memorandum strongly suggested a link between the company's antitrust settlement and a pledge by ITT's Sheraton Corp. subsidiary to help finance the Republican National Convention in San Diego.

The memorandum was turned over to the Senate committee by columnist Jack Anderson, who protested when Eastland turned it over to the FBI. After the tests, it was returned to the committee, maked by several holes where letters had been removed for further testing.

Neither ITT nor the FBI would disclose whether the independent tests, which the company described as a "highly sophisticated microchemical analysis," were conducted at the FBI facility in Washington or elsewhere.

Meanwhile, Judiciary Committee hearings on the ITT affair will resume today, amid mounting GOP demands to cut them off.

Harold S. Geneen, the firm's chief executive, will return to the witness table for a third day of questioning on the shredding of ITT documents in his firm's Washington office and his numerous contacts with high Administration officials to urge a halt in attacks on conglomerate mergers.

PRESSES ATTACK

Senator Minority Leader Hugh Scott (R-Pa.) stepped up his attack on the Judiciary Committee hearings, denouncing them as "a frantic exercise in continuing irrelevancy, nongermaneness and hearsay evidence pursued to the fourth degree."

Scott also said Democrats on the committee were indulging in a "form of jackassery."

In another blast, Scott described the Senate Foreign Relations Committee as "slavering" to investigate activities by ITT in Chile.

He described Sen. William Proxmire (D-Wis.), who is undergoing hair-transplant treatments, as keeping warm under television lights "while the senator is waiting for his hair to grow back in."

But Scott, after a Republican congressional leadership meeting at the White House, said the subject of cutting off the Judiciary Committee hearings was not discussed with President Nixon.

Last week, Mr. Nixon lent no support to such a move, telling a press conference: "We want the whole record brought out."

Aides to Scott and Sen. Roman Hruska (R-Neb.), ranking minority member of the committee, said their anticipated move to bring the Kleindienst nomination to a vote probably would not be made until the Senate returns from Easter recess next Wednesday.

Their motion will clash with plans of Sens. Edward M. Kennedy (D-Mass.) and John V. Tunney (D-Calif.) for an expanded inquiry.

They want to push on with the ITT matter and to examine charges by Life magazine that Kleindienst played a role in what Life said was the squelching of federal investigations in San Diego.

HUGHES TO INTERNATIONAL TELEPHONE & TELEGRAPH CORP.: UNIQUE INTERTEL: CLOAK, DAGGER—PRIVATE STYLE

(By Robert Jackson)

WASHINGTON—At the height of the Howard Hughes autobiography hoax, a Washington attorney named Robert D. Peloquin suddenly popped up in Zurich.

Peloquin, whose business firm numbers Hughes among its clients, was gathering evidence that $650,000 in publishers' checks—made out to H. R. Hughes—was fraudulently deposited in a Swiss bank account by someone other than the billionaire.

As it turned out, Peloquin—through the connections of his unique organization called Intertel—was instrumental in giving U.S. authorities a clue that author Clifford Irving's wife, using the pseudonym "Helga R. Hughes," was the mysterious blonde woman who made the deposits.

Now Intertel, which is short for International Intelligence, Inc., is working behind the scenes for another big-moneyed client, International Telephone & Telegraph Corp.

THEY TURN TO PELOQUIN

Increasingly, it seems, when businessmen are threatened with fraud, security leaks or crime within their firms, they are turning to Robert Peloquin and his 35-member staff.

Peloquin, president and a founder of Intertel, is a handsome six-footer whose background of government service is matched by those of his associates. Most of Intertel's top people once held responsible positions with the Department of Justice or the Internal Revenue Service.

Collectively, their contacts within the federal establishment are so good—as is their network of outside informants—that Intertel, in some ways, has become a shadowy extension of the U.S. government.

"I've really not feared to take on any task," said Peloquin, 43. "The talent we've collected under one roof—well for any area of expertise, we can find the man."

OUT TO SAFEGUARD BUSINESS

He described Intertel as a consulting firm "created specifically to safeguard business from the hidden risks of vulnerability to criminal elements." Intertel, he said, tries to head off corporate troubles before they begin.

"We're mostly dealing in prevention—advising a brokerage house, for example, not to invest in a certain company because of its hoodlum influence," Peloquin said, "or setting up an internal security system for a company with worldwide operations."

Its work for the Hughes organization dates back to 1970, when Hughes suddenly flew to the Bahamas from Las Vegas and fired Robert A. Maheu, chief of his Nevada properties. Intertel arranged for Hughes' personal security and advises his Nevada casinos on methods of minimizing thefts and illegal skimming.

The Britannia Beach Hotel on Paradise Island, where Hughes stayed until earlier this year, is owned and operated by Intertel's parent company, Resorts International, Inc.

For years there were whispers in government circles that Resorts International, which operates a casino complex in the Bahamas, was tainted by the influence of organized crime. Peloquin, as an attorney for 11 years in the Justice Department's organized crime section, was sensitive to these whispers.

But he insists that, because officers of Resorts International, principally Board Chairman James M. Crosby, took positive steps to keep hoodlums out, the company now operates "a legitimate and crime-free casino."

Intertel grew out of the leaked to the press and fact that Resorts International hired Peloquin and other ex-government types to police the casinos.

Intertel's connections recently led to reports that the firm arranged for ITT's document experts to examine the disputed Dita Davis Beard memorandum, then in possession of the FBI. Peloquin flatly denies this, although he refused to discuss what Intertel is doing for the giant conglomerate.

It is understood, however, that Intertel is working on an internal security system that would reduce the chance that ITT's confidential files could be public.

Although Intertel is a private company, its very name conjures up the image of Interpol, the international organization of government police forces. Intertel's own James Bond-type missions are carried out from a farflung network of offices in the United States, Canada and the Bahamas.

The Los Angeles office, one of four domestic branches, is headed by Donald F. Bowler, former chief of the IRS intelligence division for Southern California. His former government boss, William A. Kolar, who headed the national intelligence division of the IRS, joined Intertel in 1970, several months ahead of Bowler.

Like Peloquin, Thomas J. McKeon, Intertel's general counsel, is a former Justice Department attorney who ran an organized crime "strike force" in Detroit.

Stuart Allen, who specializes in financial institutions for Intertel, was formerly chief investigator for the House Select Committee on Crime, and before that an investigator for the Securities and Exchange Commission, where he developed successful cases against financier Louis E. Wolfson.

Besides mining its government contacts and paying underworld informants who have proved useful, Intertel gathers data from public files.

"Our knowledge of what information is available in the federal government is considerable," Peloquin said. "A lot of people wouldn't know where to go to get it."

Although the Hughes organization is Intertel's largest client—and ITT its most recent one—some other noteworthy assignments of Intertel include:

Guaranteeing that a major U.S. oil firm in the Middle East is free from electronic surveillance by one of its competitors or a foreign government.

Improving intelligence and reporting procedures for a New England state's prison system to make the prisons more secure and reduce a drug problem.

Checking on the background of large borrowers for six California banks.

Planning security measures for the Wayne County Airport at Detroit. The aim is to improve bomb detection, reduce cargo thefts and make aircraft ramp areas more secure.

Congress has taken note of Intertel's efforts. Rep. Dante B. Fascell (D-Fla.), chairman of a House government operations subcommittee, cited the firm during hearings in 1970 into the private sector's role in fighting crime.

"Wonders never cease about the amazing capability of former government employees," Fascell told Peloquin. "It seems that you have a unique organization."

SENATE PANEL FACES DECISION: DROP OR WIDEN INTERNATIONAL TELEPHONE AND TELEGRAPH HEARINGS?

(By Ronald J. Ostrow)

WASHINGTON.—Sen James O. Eastland (D-Miss.) Wednesday scheduled an April 6 session of the Senate Judiciary Committee to decide whether to cut off the committee's ITT hearings or expand them to cover alleged political influence in a federal investigation in San Diego.

Eastland, the committee chairman, called the meeting at the request of Sen. Roman L. Hruska (R-Neb.), who said he would move to close the hearings on the ground that they had developed "no proof or evidence of wrongdoing" by Atty. Gen. nominee Richard G. Kleindienst.

Hruska denounced as "irrelevant, repetitious and trivial" questions and testimony to date on whether settlement of International Telephone & Telegraph Corp.'s antitrust cases was linked to a pledge by ITT's Sheraton Corp. subsidiary to help underwrite the Republican National Convention.

Although Eastland said he had the same request for a cutoff vote from other committee members, there was doubt that the vote would be taken at the first closed-door session.

The committee has an unlimited debate rule, and Sen. John V. Tunney (D-Calif.) indicated that he and other senators who want to pursue the inquiry might use the tactic to continue hearings and call additional witnesses.

Tunney said he would turn over to the committee a document on allegations by Life magazine that Kleindienst played a role in squelching an investigation of alleged illegal campaign contributions involving C. Arnholt Smith of San Diego, a financial supporter and friend of President Nixon. Tunney would not specify the nature of the document.

If the full Judiciary Committee should vote to close the hearings and express confidence in Kleindienst, whose nomination is pending before the Senate, "There's no reason Sen. (Edward M.) Kennedy (D-Mass.) and his administrative practices subcommittee (an arm of the Judiciary Committee) couldn't open them up again," Tunney said. He added that the possibility of such a course had been discussed.

Eastland' decision to call an executive session came as ITT chief executive Harold S. Geneen wound up his third appearance before the committee.

There were these highlights in the testimony:

—Geneen amended a March 13 statement by the company that he had met with more than a score of Cabinet officers, congressmen and White House aides, including presidential assistant Peter Flanigan and Rep. Bob Wilson (R-San Diego), to discuss the "serious impact" of the Nixon Administration's policy of attacking conglomerate mergers.

TELLS SUBJECTS

Geneen testified Wednesday that the subjects were revenue sharing and government reorganization when he took part in a group meeting called by Flanigan, who figured in earlier testimony on the antitrust settlement. As for his meeting with Wilson, who had a key role in lining up the Sheraton convention pledge, Geneen said they talked about a fishing trip and a speech by the congressman on modular housing.

Geneen said he had no explanation for testimony Sunday by Dita Davis Beard, the hospitalized ITT lobbyist, about a call from "someone" in the White House to an ITT official, which she said led the official to ask whether the corporation's commitment was $600,000 and whether it was for Mr. Nixon's reelection campaign. "In my mind, it isn't real," Geneen said.

Geneen was pressed by Tunney—who pointed out that a campaign contribution would be illegal—on whether he had questioned the ITT official involved, W. R. Merriam, head of ITT's Washington office. Geneen said he had not, noting that Merriam was out of town this week. He said the only commitment the company had made was to underwrite up to $200,000 of the GOP convention as a business investment for Sheraton.

PROFESSOR RETAINED

Geneen disclosed that during the antitrust battle ITT retained Donald Turner, a Harvard law school professor and former assistant attorney general in charge of antitrust cases for the Johnson administration. Turner was consulted principally on the case of Hartford Fire Insurance, the acquisition that ITT considered vital to its operations, and advised the company that there was no basis for the antitrust suit.

Eastland dismissed an analysis of a key document in the case by two experts retained by ITT, saying: "I'm going to take what the FBI says on it." The ITT report disputed a finding by the FBI laboratory that there was nothing to show that a memorandum purportedly written by Mrs. Beard was not typed on June 25, 1971, the date it carried. The ITT experts said the memorandum most likely was written last January. The document suggested a link between the antitrust settlement and the convention pledge.

Pearl L. Tytell, one of the ITT-retained document experts, is being paid $1,000 a day, according to Howard J. Aibel, ITT senior vice president and general counsel. He told Tunney that he could not state the total cost of the analysis until Mrs. Tytell submits a bill. There has been no discussion of fees with the other expert retained by ITT Walter C. McCrone of Chicago, Aibel said.

FORMER INTERNATIONAL TELEPHONE & TELEGRAPH TYPIST RECALLS PART OF MEMORANDUM REFERRING TO MITCHELL—REMEMBERS KEY SENTENCE THAT EX-ATTORNEY GENERAL KNEW OF CONVENTION PLEDGE

(By Ronald J. Ostrow)

WASHINGTON.—The former secretary for Mrs. Dita Davis Beard, the International Telephone & Telegraph Corp. lobbyist, said Friday that she recalled typing in a memorandum a key sentence dealing with former Atty. Gen. John N. Mitchell.

The secretary, Susan Lichtman, said she remembered wondering about the sentence: "John Mitchell has certainly kept it (ITT's financial commitment to the Republican convention) on the higher level only, we should be able to do the same." But she said she never asked Mrs. Beard about it, and the lobbyist mentioned nothing about the sentence.

Questioned under oath about that sentence last Sunday in a Denver hospital, Mrs. Beard said: "I don't know where in the world that mother came from."

Mitchell, testifying before the Senate Judiciary Committee that is probing allegations of a link between ITT-Sheraton Corp.'s convention pledge and settlement of ITT's antitrust cases, said he had no knowledge of the convention arrangements.

Mrs. Lichtman, now a college student in Toronto, also told a press conference in Washington that she softened an affidavit that ITT asked her for in the case. She criticized the firm for the use it made of her sworn statement.

Commenting on ITT's relation with various political figures, Mrs. Lichtman said she received a call last June or July from the office of Sen. Vance Hartke (D-Ind.), requesting use of an ITT jet for the senator. Mrs. Lichtman said such requests were "certainly not an unusual practice."

She said she called back and told a Hartke staff member, whose name she did not recall, that a plane was not available.

Hartke could not be reached for comment.

Mrs. Lichtman, who worked in ITT's congressional liaison section, said a congressman—whose name she could not recall—asked the firm to arrange for two camper vehicles to be at Le Havre, France, for his family's use in touring Europe.

The 26-year-old blonde said ITT officials prepared a draft affidavit for her to sign in Toronto, including the statement that she found the suggestion of a deal involving the convention pledge and the antitrust cases "inconceivable."

REFUSED TO SIGN

She refused to sign "anything of the sort," she said, adding: "Little in this world is inconceivable."

Instead, she agreed to make a statement saying that during her seven-week employment in ITT's Washington office she received no impression of any deal and that if there had been one she would have had "an inkling about it."

In another change in the draft affidavit, Mrs. Lichtman said she inserted the word "definitely" in stating that she recalled typing a memorandum containing some of the passages that were in the memorandum published by columnist Jack Anderson, which touched off the controversy.

Mrs. Lichtman said ITT officials had not advised her that they planned to issue her affidavit as a part of a press release challenging the authenticity of the Anderson document.

She said she had told the officials that a job description memorandum, also bearing the June 25 date, had nothing to do with the memorandum she recalled typing. But ITT released the job description memo, calling it the "genuine" Beard memorandum.

Mrs. Lichtman talked with newsmen at the office of her lawyer, Bruce Terris, outgoing chairman of the Democratic Party for the District of Columbia. Terris said he had been contacted on the case through Mrs. Lichtman's brother, who had been a roommate of an attorney in Washington with whom Terris had practiced law.

MRS. BEARD IMPROVED

In Denver, doctors for Mrs. Beard said she would be released from the Rocky Mountain Osteopathic Hospital on Tuesday. She will remain in the Denver area for three or four weeks for checkups, they said.

In another development, Sen. Fred R. Harris (D-Okla.) asked the Justice Department to investigate activities of ITT in Chile for possible violation of two sections of the federal criminal code.

Anderson made public documents purportedly written by ITT officials concerning the government of Chile. ITT is part owner of the Chilean telephone system and has other holdings there.

One section of the criminal code cited by Harris makes it a crime for any U.S. citizen, without the authority of the government, to correspond or conduct intercourse with any foreign government or foreign agent ". . . to defeat the measures of the United States."

Harris said it was unclear from the Anderson documents whether ITT actually intended to defeat U.S. measures.

The second section cited by Harris makes it a crime to conspire to "injure or destroy" property in a foreign country at peace with the United States.

The senator noted that alleged company memorandums released by Anderson said

ITT had been "trying unsuccessfully to get other American companies aroused over the fate of their investments" but had made "practically no progress" in getting these other companies to help create "economic chaos" in Chile.

DITA BEARD SAYS INTERNATIONAL TELEPHONE & TELEGRAPH TOLD HER TO ASK MITCHELL ABOUT SUIT

(By Ronald J. Ostrow)

WASHINGTON.—International Telephone & Telegraph Corp. lobbyist Dita Davis Beard said Sunday that she was acting on instructions from corporate superiors when she approached then Atty. Gen. John N. Mitchell to discuss her company's antitrust troubles.

Mrs. Beard's description of the incident was the first acknowledgement by an ITT official that she had been asked by the company to discuss the government's antitrust attack with Mitchell at a party after last year's Kentucky Derby.

ITT has denied there was any link between the antitrust settlement and a pledge by ITT's Sheraton Corp. to underwrite the Republican National Convention by up to $200,000, as was suggested by a memorandum purportedly written by Mrs. Beard, which she has disowned as a forgery. The conglomerate also has stated that she played no role in negotiations that led to settlement of the antitrust cases.

She was interviewed on the CBS program 60 Minutes in a Denver apartment she plans to occupy Tuesday after leaving the Rocky Mountain Osteopathic Hospital, where she is recovering from a heart ailment. The interview took place Saturday, six days after an attempt by a Senate judiciary subcommittee to question her was cut short when she suffered severe chest pains. Her doctor had said she could not be questioned again by the senators for six months.

Mrs. Beard initially maintained during the interview that E. J. Gerrity, ITT senior vice president for public relations, and William R. Merriam, a vice president who heads ITT's Washington office, had not told her to ask about ITT's desire to hold on to Hartford Fire Insurance Co. in any antitrust settlement.

"No, they didn't," she said.

"Honest?" pressed interviewer Mike Wallace.

"They asked if the occasion arose . . . if there was a possibility to do it," she said.

Wallace: "So you did?"

Mrs. Beard: "So I did."

Mrs. Beard's account squared generally with Mitchell's testimony before the Senate Judiciary Committee that he rebuffed her rather strongly when she persisted in trying to discuss the antitrust matter. Mitchell had disqualified himself from the ITT cases because his former law firm, which he has since rejoined, represented an ITT subsidiary.

Mrs. Beard indicated that she had done considerable drinking before she approached Mitchell.

But she recalled the incident with more detail than Mitchell gave the senators. She said he was "most charming" at first but said she persisted and quoted him as saying, "I'm just simply not going to talk to you about it. I think it will be worked out fairly, but how I don't know. Your lawyers will have to talk to my lawyers."

She added: "I said something to the effect that I understand we have most of the lawyers in the country on retainer talking to you about it now—or talking to somebody."

AFFIDAVIT DENIED ROLE

Merriam, in an affidavit submitted to the Judiciary Committee last month, said: "I also state unequivocally that I know of nothing that would substantiate the claim that Mrs. Beard had any role in the negotiations leading to the settlement of the ITT antitrust cases."

In recalling the lobbyist's trip to the Kentucky Derby, Merriam said that while Mrs. Beard mentioned afterward that she had met Mitchell there, she "never told me of any conversation with Atty. Gen. Mitchell involving the settlement of the antitrust cases. Had the attorney general discussed the settlement of the antitrust cases with Mrs. Beard," Merriam said, "it is inconceivable that she would not have conveyed this information to me."

During the interview, Mrs. Beard again denied the controversial writing memo, which was published by columnist Jack Anderson. Anderson's assistant, Brit Hume, has sworn that Mrs. Beard admitted to him that she wrote it.

QUESTION ON MEMO

Wallace: "Not Brit Hume says, not just the first day, but the next night at your house, you told him several times, over and over, 'I wrote it, there's no doubt about the fact that I wrote it.' "

Mrs. Beard: "Well, he remembered his notes so well that night . . . that he called me the next day to check a few of the things that he had said . . . I said, 'just a minute, you dear boy, I said nothing of the sort last night and I had quite a few witnesses in this house' . . . My son was in the kitchen most of the time. My doctor was there more than half the time."

Wallace: "Well, your doctor testified that you had said that you had written it when you were mad and disturbed. We're talking about Dr. (Victor) Liszka."

Mrs. Beard: "Poor Victor. Did he say that?"

Wallace: "Sure he did."

Mr. Beard: "He gets to mixed up. He tries to translate Hungarian to English and it never works."

CHARGE REPEATED

Mrs. Beard also repeated a charge made by her former secretary that Sen. Vance Hartke (D-Ind.) had used ITT planes. Asked about a statement attributed to her saying that certain individuals "want to use our planes all the time, don't they know that the company has to use the planes, too?" Mrs. Beard, replied: "Well, I did (make the statement) because I was getting calls from people who wanted—the gentlemen she mentioned felt like this was a sort of personal taxicab company."

Asked then, "Vance Hartke?" Mrs. Beard replied: "Yeah."

Hartke has denied the charge.

Mrs. Beard elaborated on her remark in Senate testimony that someone at ITT "seemed to be out to put a period to my career," but named no names.

FIRM ACCUSED OF UNLOADING ITT STOCK BEFORE ANTITRUST SETTLEMENT

(By Ronald J. Ostrow)

WASHINGTON.—The investment banking firm in which International Telephone & Telegraph Corp. Director Felix G. Rohatyn is a partner unloaded "hundreds of thousands of shares" of International Telephone & Telegraph Corp. stock in the weeks immediately before the company's antitrust suits were settled, a Ralph Nader associate said Monday.

Rohatyn met five times with then-Dep. Atty. Gen. Richard G. Kleindienst and, according to Kleindienst's testimony before the Senate Judiciary Committee, set in motion the procedures which led to the settlement last July 31.

In a letter to Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, Reuben B. Robertson III, an associate of Nader, urged the committee to investigate this aspect of the International Telephone & Telegraph case.

Robertson described as "fundamentally misleading" testimony by Rohatyn that his Wall Street firm of Lazard Freres & Co. was both buying and selling ITT stock during the entire period of anti-trust negotiations between ITT and the Justice Department.

He said the statement "did not properly indicate the magnitude of the sales."

Robertson, who joined Nader in an unsuccessful bid to overturn the merger of ITT with the Hartford Fire Insurance Co., said ITT stocks suffered a net drop in market value of $1.25 billion immediately following announcement of the settlement.

PERIOD OF NO SALES

Rohatyn told a reporter Monday that all of Lazard Freres' sales of ITT securities during the period of settlement negotiations resulted from "unsolicited orders received by the firm from its clients."

From last June through August, Rohatyn said, "no shares of ITT securities were sold for the account of Lazard Freres, any of its partners or their families—directly or indirectly."

Rohatyn said that during the period his firm handled as a broker both purchases and and sales of ITT securities on behalf of its clients. "As a matter of policy, we don't identify clients."

He said he had no idea whether Robertson's figures were correct.

Robertson, citing testimony before the committee, said the Justice Department's offer to settle the ITT antitrust cases, rather than fight them out in the Supreme Court, was privately communicated to Rohatyn last June 17.

He said that in the weeks immediately preceding announcement of the settlement Lazard "was perhaps the most active seller in the world of ITT Series N preferred stock—the stock which had been issued in exchange for Hartford fire stock." He said the investment banking firm had unloaded "hundreds of thousands of shares upon the public and upon trust and pension funds throughout the country."

As one example, he cited a series of sales by Lazard of the Series N stock to the State Teachers Retirement System of Ohio, a pension fund established for thousands of teachers in that state.

About July 1, Lazard sold 30,000 shares of the stock to the fund.

About July 7, another 40,600 shares were sold to the same pension fund, which bought a total of 120,000 shares of Series N ITT stock during the entire month, according to Robertson. The prices of the sales ranged from about $78 to almost $83 dollars a share, while on the first trading day after the settlement was announced the stock dropped to about $69 a share, he said.

In Columbus, Ohio, officials of the state attorney general's office said they had been investigating for several weeks whether any securities violations had occurred which damaged the teachers pension fund.

MANSFIELD EXPECTS OK FOR KLEINDIENST—SAYS FOES OF NOMINATION FAILED "TO BUILD A CASE"

(By Ronald J. Ostrow)

WASHINGTON. — Senate Majority Leader Mike Mansfield (D-Mont.) said Tuesday that opponents of Richard G. Kleindienst's nomination as attorney general had failed to "build a case against him" and predicted that he would win Senate confirmation "as of now."

At the same time, Mansfield said the Senate Judiciary Committee should "call the witnesses needed to clear up the Kleindienst matter."

The committee meets in executive session Thursday to consider whether to continue its hearings.

Mansfield's comments in a meeting with newsmen raised the prospect that the com-

mittee would reach a compromise between Republicans who want to cut off the inquiry and Democratic liberals who have a list of nearly 20 witnesses they want to question.

Meanwhile, it was learned that an aide to Sen. John V. Tunney (D-Calif.) spent four days in San Diego last week collecting "written information" on allegations that the Justice Department squelched an investigation into allegedly illegal GOP campaign contributions.

Tunney said he would use the material, collected by his assistant, Thomas Gallagher, to try to persuade the committee to consider the allegations before it voted again on the Kleindienst nomination.

The information collected by Gallagher, Tunney said, supplements a document in the case that he previously said he would turn over to the committee. He said he hoped the material would have great weight with at least enough committee members to broaden the hearing.

So far, the committee has focused on allegations that the Justice Department's settlement of International Telephone & Telegraph Corp.'s Antitrust cases was linked to a pledge by ITT's Sheraton Corp to help finance the Republican convention.

TUNNEY'S CLAIM

Tunney said Kleindienst was directly involved in the separate campaign contribution investigation because he personally cleared Harry Steward, U.S. attorney in San Diego, of any wrongdoing in the matter.

If the committee agrees to broaden the hearing, the question of what material Kleindienst reviewed in clearing Steward in February, 1971, is likely to become paramount. Tunney is convinced that the material he has would have barred any such decision.

Mansfield restricted his comments to the ITT matter. Justice Department officials, including Kleindienst, and ITT executives have denied charges that the antitrust settlement and the convention pledge were linked. The charge was based on a memorandum purportedly written by ITT lobbyist Dita Davis Beard.

LOBBYIST CHECKS OUT

Mansfield said other aspects of ITT's operations, such as the firm's alleged involvement in a plot against Chilean President Salvadore Allende, should be disassociated from Kleindienst so that his confirmation can "come to a head."

Meanwhile, Mrs. Beard checked out of the Rocky Mountain Osteopathic Hospital in Denver before dawn Tuesday. A hospital spokesman said she would receive treatment as an outpatient for a heart ailment for three to four weeks.

She is living in an apartment in the Denver area where she was interviewed last Saturday by CBS television. The interview has raised questions among some Judiciary Committee members. Her doctor had stated she could not be questioned by senators for six months after their first attempt was cut short because she suffered severe chest pains during the hospital room hearing.

KLEINDIENST'S ROLE IN INQUIRY HELD MINIMAL

(By Ronald J. Ostrow)

WASHINGTON.—The Justice Department Wednesday described as minimal the role of acting Atty. Gen. Richard G. Kleindienst in clearing U.S. Atty. Harry Steward of improper interference in a campaign contribution investigation in San Diego.

The characterization by John W. Hushen, the department's public information director, came on the eve of an attempt by liberal Democrats to persuade the Senate Judiciary Committee to investigate the matter before voting again on Kleindienst's nomination as attorney general. Hushen made the comment in response to a question.

In clearing Steward on Feb. 17, 1971, Kleindienst accepted the recommendation of the Justice Department's criminal division "after reviewing what the facts were," Hushen said, "I would call that a relatively minimal role."

Asked whether the recommendation included an internal censure of Steward, Hushen declined comment.

It was learned that an FBI probe of the matter established that Steward had blocked federal investigators from subpoenaing Frank A. Thornton, an executive of Barnes-Champ advertising agency, a target of the campaign contribution investigation.

Thornton, 1968 chairman of President Nixon's campaign in San Diego, is an associate of C. Arnholt Smith, San Diego banker and financial supporter of the Nixon campaign.

JUDGESHIP TIE

Steward, over objections of three federal agents, questioned Thornton himself, the FBI found. Before Steward was named U.S. attorney by Mr. Nixon, Steward and Thornton worked together as Republican fund-raisers, and Steward was reported to have told the agents that he expected Thornton to help him gain appointment as a federal judge.

Details of the criminal division recommendation could not be learned. However, Kleindienst said in his 1971 statement that charges involving Steward "were exhaustively investigated by the bureau and a report was made to the Department (of Justice). I have evaluated the matter and determined there has been no wrongdoing."

At the closed-door Judiciary Committee meeting today, the senators will consider whether to continue hearings, which so far have focused on relations between International Telephone & Telegraph Corp. and the Justice Department.

COMPROMISE SEEN

The outlook is for a compromise to emerge between Republicans, who want to cut off the inquiry or at least sever the Kleindienst nomination from any continued hearings, and Democrats, who are pushing for more witnesses.

Sen. John V. Tunney (D-Calif.), who has said he has a document and other information supporting allegations against Steward published by Life magazine, said he would ask the committee to receive testimony from Denny Walsh, author of the Life article, and six to eight other witnesses on the matter.

Tunney added that he would urge the committee to subpoena "at least half a dozen" documents on the San Diego investigation.

There were these other developments:

The Ripon Society, a liberal Republican organization, said that if Republican senators cut off the hearings "the Democratic Party will have been handed a whitewash issue on a silver platter for the 1972 campaign."

Senate Minority Leader Hugh Scott of Pennsylvania, urging that Senate debate on Kleindienst's nomination begin promptly, said the hearings no longer had "any real bearing on Kleindienst despite the best efforts of the wrecking crew."

SENATE UNIT TO VOTE TODAY ON EXPANDING KLEINDIENST INQUIRY

(By Ronald J. Ostrow)

WASHINGTON.—Amid suggestions of possibly perjured testimony on the ITT case, the Senate Judiciary Committee agreed Thursday to vote today on the nomination of Richard G. Kleindienst as attorney general.

Under the compromise proposal, up to nine more days of hearings could be held, and the committee would examine Kleindienst's role in allegedly squelching a politically sensitive investigation in San Diego.

Sen. James O. Eastland (D-Miss.), Judiciary Committee chairman, predicted that the compromise offered by Sen. Robert C. Byrd (D-W. Va.), would carry.

OUTLOOK STILL IN DOUBT

The outlook remained in doubt, however, both because of Republican desires to cut off the inquiry and concern among Democrats over whether they would be guaranteed procedures that would allow them to investigate effectively within the time limit.

Sen. Roman L. Hruska (R-Neb.), emerging from the closed-door session, denounced the proposal to continue the hearings upon April 20 as "an abomination."

"In a country where speedy trials are sought, the committee will be asked to double the time of a hearing that has already lasted longer than any in the memory of anyone on the committee," Hruska said.

Sen. Quentin N. Burdick (D-N. D.) said he opposed the compromise because it gave no assurance that Dita Davis Beard, the International Telephone & Telegraph Corp., lobbyist, would be called for more testimony.

Mrs. Beard, the purported author of a memorandum suggesting a link between the settlement of ITT's antitrust cases and a pledge by ITT's Sheraton Corp. subsidiary to help finance the Republican National convention, previously was cut short when she suffered severe chest pains while being questioned by senators in her Denver hospital room.

The suggestions of perjury were raised by Sen. John V. Tunney (D-Calif.), who turned over what he said was a transcript of a tape recorded interview that Rep. Bob Wilson (R-Calif.) gave to the San Diego Union March 3.

Tunney said the transcript, in which Wilson recounts a conversation he had with Mrs. Beard, "raises the possibility of three counts of perjury" in statements previously given the committee.

He pointed to testimony by Harold S. Geneen, ITT's chief executive, and Mrs. Beard and a sworn statement by William R. Merriam, ITT's vice president in charge of the Washington office.

CONVENTION PLEDGE

Geneen testified that ITT Sheraton's only commitment in connection with the GOP convention in San Diego was for a maximum of $200,000. Wilson told of Geneen pledging up to $400,000.

Mrs. Beard, in her hospital-room testimony, said she did not write the memorandum in its entirety, but made no such claim in the conversation that Wilson related.

Merriam said in his sworn statement that he had never seen the memorandum addressed to him until an associate of columnist Jack Anderson brought it to ITT's office before publishing a column based on it. Wilson quoted him as saying that he had received the memo.

Eastland said the compromise on holding further hearings includes a provision for calling California witnesses to testify about allegations that Harry Steward, U.S. attorney in San Diego, interfered with federal campaign contribution investigations involving C. Arnholt Smith, a prominent Republican fund raiser and friend of President Nixon, and Frank Thornton, an advertising executive and associate of Smith.

AFFIDAVIT GIVEN

It was learned Thursday night that the Justice Department had submitted an affidavit on tne Steward matter to the Judiciary Committee from Henry E. Petersen, assistant attorney general in charge of the criminal division.

Petersen told of Kleindienst authorizing an administrative inquiry into allegations against Steward and then accepting a criminal division recommendation that the findings were not sufficient to warrant dismissal of Steward.

Petersen noted in the affidavit, however, that the division found that Steward had not conducted himself in accordance with department procedure.

He did not discuss in detail an FBI investigation of the allegations, which found that Steward had quashed a subpoena for Thornton, whom the U.S. attorney described as a friend who had helped him gain his appointment.

Tunney, who spearheaded the effort to broaden the Kleindienst hearing into the Steward matter, turned over to the committee Thursday a Dec. 10, 1970, affidavit from A. David Stutz, a former Internal Revenue Service agent, detailing Steward's alleged interference in federal investigations.

Tunney said Stutz's statement "confirms in every respect" three charges against Steward.

They included Steward's alleged obstruction of the investigation of illegal contributions to Mr. Nixon's 1968 campaign by blocking the subpoena against Thornton, cutting off an independent IRS probe of the same matter and leaking secret grand jury information to Thornton.

Tunney said an investigation by his office found that two other federal agents also gave sworn statements supporting the charges.

Despite the affidavits, Tunney said, Kleindienst formally cleared Steward of wrongdoing Feb. 17, 1971.

"Mr. Kleindienst's own statement that he personally evaluated this matter and made the determination that there was no wrongdoing confirms both his involvement and his responsibility," Tunney said.

WITNESS RULINGS

If the compromise for resuming hearings is adopted, Eastland will have the power to rule whether questions of witnesses are sufficiently related to Kleindienst.

Tunney and Sen. Edward M. Kennedy (D-Mass.) said the committee had raised no objections about a list of more than 20 witnesses they want to call on both the ITT and San Diego investigation matters.

The proposed witnesses include Smith and Thornton, Lt. Gov. Ed Reinecke, Ed Gillenwaters, chairman of the state Department of Commerce, White House aides Peter Flanigan and William Timmons, Steward and Denny Walsh, author of a Life magazine article giving details of the accusations against Steward.

PARALLELS SEEN IN 1970 MERGER OF INTERNATIONAL TELEPHONE & TELEGRAPH-HARTFORD

(By Robert L. Jackson)

WASHINGTON.—The role of officers of International Telephone & Telegraph Corp. in another aspect of the politically tinged case—the approval by Connecticut of ITT's acquisition of Hartford Fire Insurance Co.—is revealed in a recently concluded court battle.

Public files here and in Hartford, Conn., show dealings between ITT and political figures in 1970 that provide a curious parallel with current Senate hearings.

But the politicians in 1970 were Democrats—principally Rep. William R. Cotter of Connecticut, then his state's insurance commissioner.

The tale of corporate political involvement spelled out in the testimony includes:

Intensive lobbying of Cotter by ITT officials including Harold S. Geneen, president and board chairman.

ITT's recruitment of an attorney friend of Cotter's to help in the lobbying effort, despite the fact that giant conglomerate had Washington legal talent.

OVERTURNED IN COURT

Allegations that ITT was investigating Cotter while he was running for Congress and considering the company's merger proposal at the same time.

An unusual closed-door meeting which Cotter and Democratic Hartford city officials held with ITT executives the day before Cotter finally approved the Hartford acquisition. Purpose of the meeting was to extract a firm ITT pledge to support a financially troubled Civic Center project in Hartford.

The state court case, initiated 22 months ago by consumer advocate Ralph Nader, was overturned last week by Superior Judge Walter J. Sidor.

Sidor said Nader and an associate, Washington lawyer Reuben B. Robertson III, did not prove they were aggrieved parties and, therefore, did not have standing in the court. Nader said the decision would probably be appealed.

The judge's decision came after Cotter, Geneen and other figures in the case had given lengthy sworn testimony.

Cotter said he met with ITT and Hartford city officials shortly before announcing his merger decision to determine "whether ITT was sincerely interested in building a Sheraton Hotel in Hartford."

TRIAL TRANSCRIPT

The court transcript shows this question and answer followed:

"Question—Were any other possible civic contributions by ITT to the Hartford community discussed among the participants at that meeting?

"Answer—I seem to recall a statement that I was queried as to whether a contribution would be made to the Civic Center. This contribution would be on the basis of other businesses in the city doing likewise."

The meeting on May 22, 1970, was held at a stoneyard outside Hartford operated by J. Michael Kell, chairman of the Democratic Town Committee. Later the group toured the Civic Center site in an ITT automobile.

Cotter testified that ITT officials Howard J. Aibel and Edward J. Gerrity were asked "what their thoughts were with respect to the Civic Center (and) whether there was substance and sincerity behind their statement that they wanted to become a participant in the Civic Center and a builder of the Sheraton Hotel."

They replied, according to Cotter, that "they fully intended to build a Sheraton Hotel."

The Civic Center project was then in deep financial trouble, with cost projections running $7 million above the $15 million bond issue voters had approved.

John M. Fitzgerald, former city counsel of Hartford, qouted Cotter as saying prior to this meeting:

"'As long as I am going to approve this merger, we might as well do something for the city of Hartford . . . I would like to see the city of Hartford benefit from it.'"

Cotter denied saying this, but told the court, "I love Hartford."

He also said ITT officials played no role in his successful campaign for Congress, on which he spent $100,000.

It was brought out in court testimony that the proposed merger was highly unpopular among Hartford residents, who feared their local company might be moved or that jobs would be reduced.

Cotter had rejected a similar ITT-Hartford merger proposal in December, 1969. The conglomerate subsequently promised not to relocate the insurance firm or reduce personnel.

PRESSURE TOLD

It was the Justice Department's later challenge of this merger and of other ITT acquisitions that led to the controversial antitrust settlement with ITT last July 31. The giant firm was allowed to keep the Hartford company.

Cotter testified he was under heavy pressure from all sides before his decision on May 23, 1970.

He met twice with Geneen, the testimony shows, including a Saturday morning meeting that occurred after formal hearings on the proposal had concluded.

Geneen and Cotter testified that the session was cordial and that they discussed Florida fishing and Geneen's school days in Connecticut, in addition to the matters at issue.

Another ITT representative who made repeated calls on Cotter was Joseph Fazzano, a Hartford lawyer. Fazzano, whom Cotter said he had known for six years, was retained by the company in addition to the Washington law firm of Covington & Burling.

Fazzano was retained, according to the testimony, after formal hearings were concluded in March, 1970, but before Cotter announced his decision two months later.

COTTER UNAVAILABLE

"None of these ex-parte meetings were made a part of the record of these proceedings," Nader charged in a plaintiff's brief filed last January.

"Even written matters were presented which did not find their way into the public record. No public notice was given that such meetings and presentations were to be held, and no members of the public had an opportunity to attend, or to rebut whatever statements or assertions might be made."

An aide to Cotter said he was taking a couple days rest and was not immediately available to discuss issues raised in the lawsuit.

One of the most bizarre aspects was Cotter's testimony that an insurance industry official told him in early 1970 he heard Cotter was being investigated by ITT.

Cotter said he checked out the report and decided it was false. ITT told the court there was no investigation "except for casual inquiries about the prior experience of Commissioner Cotter."

ANALYST DISAGREES WITH ITT TESTIMONY

(By Ronald J. Ostrow)

WASHINGTON.—The author of a key financial study in the ITT antitrust settlement Monday disputed testimony about his analysis given earlier by Atty. Gen.-nominee Richard G. Kleindienst and U.S. Dist. Judge Richard W. McLaren.

Richard J. Ramsden's testimony prompted Sen. Birch Bayh (D-Ind.) to urge that Kleindienst and McLaren, former head of the Justice Department's antitrust division, be called back for more testimony by the Senate Judiciary Committee. Kleindienst's nomination is pending before the committee.

The committee is investigating allegations of a link between settlement of three International Telephone & Telegraph antitrust cases and a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

"In no way" could his report be read to support the claim that breaking apart ITT and Hartford Fire Insurance Co. would have adverse "ripple effects" on the stock market, Ramsden said.

McLaren testified that fear of such an effect was one reason he changed his mind and settled the ITT cases, allowing ITT to retain Hartford.

Ramsden said his analysis would provide only "modest" support for the claim that divestiture of Hartford would adversely affect the nation's balance of payment, another assertion advanced by ITT.

Kleindienst testified March 2 that McLaren arranged for an independent consultant "to furnish an opinion as to whether or not the information supplied by ITT was accurate and whether or not the projected consequences would accrue."

That was "not my understanding" of the assignment, Ramsden told the committee Monday. He said he was to make an "independent financial analysis" of the impact of divestiture and "not in any way a critique of someone else's work."

Ramsden said that McLaren's assessment that breaking apart ITT and Hartford would

have "devastating financial consequences" to more than 250,000 ITT shareholders "is a little strong."

NIXON ADVISER

Ramsden's description of receiving his assignment from Peter M. Flanigan, President Nixon's adviser on the business community, intensified pressure for Flanigan to appear before the committee. The White House has turned down a committee invitation for Flanigan, invoking executive privilege.

Ramsden's testimony "makes it more imperative than ever that Mr. Flanigan appear." said Sen. Sam J. Ervin Jr. (D-N.C.).

It was learned that some Justice Department officials had counseled against the White House's swift refusal to permit Flanigan to testify prior to the committee's vote on whether to subpoena him. Motions for a subpoena were subsequently rejected by a tie vote of the committee.

This fueled speculation that the refusal, expressed in a letter from John W. Dean III, counsel to the President, was the White House's way out of the seven-week battle over Kleindienst's nomination—in effect undercutting it. Some White House officials who opposed Kleindienst's nomination are known to have been further alienated by his request for the hearing in the wake of allegations of a link between the antitrust settlement and the convention pledge.

Ramsden testified that his only contract with Administration officials on preparing the financial analysis was with Flanigan, with whom he had been associated at the investment banking firm of Dillon, Read & Co. from 1961 to 1965.

Ramsden said he was not surprised at being contacted by Flanigan rather than McLaren directly. "He was the logical person to know where I was," Ramsden said.

Ramsden said Flanigan gave him only one document in connection with his study, one that he learned from committee testimony had been prepared by ITT to present its arguments against forced divestiture.

He said Flanigan was "somewhat reluctant" to give it to him, and its only purpose was "to focus on what I was to focus on."

Ramsden conceded that the ITT report and his own reached the "same general conclusion"—that divestiture could cost ITT shareholders $1.2 billion in market value of their stock.

TWO KEY SENATORS OPPOSE KLEINDIENST

(By Ronald J. Ostrow)

WASHINGTON.—Angered by the refusal of White House aide Peter M. Flanigan to testify, two influential conservatives on the Senate Judiciary Committee said Wednesday they would oppose Richard G. Kleindienst's nomination as attorney general.

"I think the nomination is in great trouble," said Sen. Robert C. Byrd (D-W. Va.), the Senate majority whip. He was one of those who said he would vote against Kleindienst unless Flanigan appeared or unless questions related to his involvement in the ITT affair were answered.

The other, Sen. Sam J. Ervin Jr. (D-N.C.), who led an unsuccessful effort inside the committee to subpoena Flanigan, said: "The Senate ought not to vote in the dark especially when the White House is withholding relevant information."

CONFIRMATION PREDICTED

But Committee Chairman James O. Eastland (D-Miss.), while conceding that Ervin was "a man of vast influence in the Senate," reiterated his prediction that Kleindienst would be confirmed.

The committee, dividing along party lines, defeated by 6-6 tie votes Wednesday three motions to subpoena Flanigan. A compromise by Byrd to invite Flanigan to testify in a closed session was defeated by a 9-4 vote.

Eastland did not vote on the motions that lost by ties. One would have subpoenaed Flanigan, White House aide William Timmons and "any other White House or Justice Department employe mentioned" in the hearings, which so far have run 15 days.

In another aspect of the Kleindienst hearing, the committee voted 9 to 2 against taking testimony from two former investigators for a federal strike force in San Diego on charges that U.S. Atty. Harry Steward improperly intervened in an investigation of allegedly illegal contributions to President Nixon's 1968 campaign.

However, the committee agreed to invite Steward to testify about his 1970 conversation with then Dep. Atty. Gen. Kleindienst, before Kleindienst initiated an FBI inquiry into the matter.

In February, 1971, Kleindienst cleared Steward of any wrongdoing despite a finding by the Justice Department's criminal division that his interference was "highly improper." Steward is expected to testify before the Senate committee today.

In a letter released by Eastland Wednesday, John W. Dean III, counsel to the President, turned down the committee's invitation of last Friday for Flanigan to testify.

"PRINCIPLE ESTABLISHED"

Dean said "the principle that members of the President's immediate staff not appear and testify before congressional committees with respect to the performance of their duties is firmly established."

He said Flanigan's involvement in settlement of antitrust suits against International Telephone & Telegraph Corp. "was as stated by U.S. Dist. Judge (Richard W.) McLaren in his sworn testimony" before the committee.

McLaren, who headed the Justice Department's antitrust division when the ITT suits were settled, testified that he had apparently asked Flanigan to arrange for Richard J. Ramsden to conduct "an independent appraisal" of ITT's financial arguments for reversing course and settling the cases.

The appraisal by Ramsden, a former business associate of Flanigan, was one of four factors that led him to change his mind, McLaren said. Senators who favored questioning Flanigan wanted to ask him whether he had given any instructions to Ramsden, whether he had any contact with ITT or discussion with other Administration officials about the matter.

Byrd said the Kleindienst nomination was in jeopardy "in large measure because of Flanigan but overall because of doubt and concern I have and the public has about relations between the White House and large corporations."

Administration witnesses have praised the ITT antitrust settlement as the largest divestiture—$1 billion in assets—in history. Critics on the committee counter that the settlement prevented the government from getting a Supreme Court ruling on its policy of applying present antitrust law against conglomerate mergers.

CONTROL RETAINED

Under the settlement, the company was permitted to retain control of Hartford Fire Insurance Co., which ITT thought was vital to its financial well being, and part of a second firm, Grinnell, Inc.

However, ITT agreed to give up control over Canteen Corp., a large food vending firm; Avis Rent-A-Car System; Levitt & Sons, Inc., a home building concern; two small insurance companies and the fire-protection division of Grinnel.

Only Sens. Edward M. Kennedy (D-Mass.) and John V. Tunney (D-Calif.) voted to question the two former San Diego strike force investigators, A. David Stutz and Richard Huffman.

But it was agreed the committee staff would question Michael DeFeo, a third federal investigator reported to be unhappy over Steward's intervention, and Eastland will decide if his testimony would be relevant.

DOES NOT AGREE

In an interview Wednesday night, Huffman disputed the description of the Steward matter given the committee Tuesday by Asst. Atty. Gen. Henry E. Petersen.

Petersen said the investigators had not launched an immediate formal complaint after Steward blocked a subpoena for the testimony of Frank Thornton, a San Diego advertising executive and associate of C. Arnholt Smith, a fund-raiser for Mr. Nixon.

"Stutz and I complained like mad to Justice Department officials in California," Huffman said. "We considered the matter serious. I don't know what they did with the complaints."

Huffman, who along with Stutz is now with the San Diego District Attorney's office, said the investigators were trying to determine whether Thornton, Smith and Charles Pratt, former president of San Diego Yellow Cab, were involved in a conspiracy to channel illegal campaign contributions through the Barnes-Champ Advertising Agency.

In other development the committee agreed unanimously to ask two Denver heart specialists to reexamine Mrs. Dita Davis Beard, the ITT lobbyist who denies writing a memorandum linking settlement of the antitrust cases with a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

Mrs. Beard's hospital room questioning by the committee was cut short when she suffered severe chest pains and her physician, Dr. L. M. Radetsky, said she could not testify again for six months. Six days later she was interviewed for 90 minutes for CBS television.

U.S. INVESTIGATING SECOND DOCTOR IN BEARD CASE

(By Robert L. Jackson)

WASHINGTON.—The Denver physician who has been treating Dita Davis Beard, a key figure in the International Telephone & Telegraph Corp. case, is under federal investigation for alleged Medicare fraud, Sen. Edward M. Kennedy (D-Mass.) disclosed Tuesday.

The case involving Dr. L. M. Radetsky, a cardiologist, appeared similar to that facing the doctor wife of Dr. Victor L. Liszka, another of Mrs. Beard's doctors.

Dr. Radetsky announced recently that Mrs. Beard, the ITT lobbyist, would be unable to talk to senators again for six months.

In disclosing the investigation in a letter to Sen. James O. Eastland (D-Miss.), chairman of the Judiciary Committee, Kennedy accused the Justice Department of incompetence or willful concealment in failing to advise the committee of Radetsky's troubles.

CALLED "ROUTINE"

Radetsky reached in Denver, said the federal investigation was "routine" and that it involved $6,000 to $7,000 in disputed doctor's fees. He said the probe had not affected his actions in the Beard case.

The Radetsky case recalled that of Dr. Katherine V. Greene, Dr. Liszka's wife, who was recently indicted in Alexandria, Va., on Medicare fraud charges.

Liszka testified last month that Mrs. Beard was "mad and disturbed" when she purportedly wrote a controversial memorandum that kicked off the ITT affair.

Although Radetsky has refused to allow Mrs. Beard to resume her Senate testimony—it was halted abruptly when the lobbyist collapsed while testifying March 26—Mrs. Beard temporarily left her Denver hospital six days later to tape a CBS television interview.

Radetsky said the interview occurred without his knowledge or permission.

He said he had never discussed with members of the Justice Department his evalua-

tion of Mrs. Beard's condition or her Senate testimony.

Kennedy, a member of the Judiciary Committee, which is conducting the ITT hearings, charged in his letter:

"During the very period when the committee was relying heavily on Radetsky's judgments and assessments on matters of utmost importance to the acting attorney general (Richard G. Kliendienst), this committee remained uninformed of the federal investigation of Dr. Radetsky.

"Since the Department of Justice was directly involved in the handling of Radetsky's case, I am forced to conclude that the department's actions show at least the grossest incompetence and insensitivity . . . and at most a willful attempt to interfere with the proper functioning of this committee."

Kennedy said the Social Security Administration based on a 1971 investigation, ordered a halt to all further Medicare payments to Radetsky last Jan. 18.

He said the Social Security Administration had referred the case to the U.S. attorney at Denver "with a recommendation for prosecution" and that Radetsky's case might be considered by a federal grand jury in the next few weeks.

DENIES SECRECY

Henry E. Petersen, assistant attorney general in charge of the criminal division, told Kennedy he only learned of the Radetsky investigation Tuesday morning. He denied withholding information from the committee.

In related developments Tuesday:

Rep. Bob Wilson (R-Calif.) said an investigation should be made to determine if William R. Merriam, who heads ITT's Washington office, has committed perjury.

Merriam has denied receiving any memo from Mrs. Beard on financing of the GOP National Convention. Wilson has said Merriam told him a month ago he did receive such a memo.

Rep. Chet Holifield (D-Calif.) denied a charge by syndicated columnist Jack Anderson that Holifield received a $500 cash "payoff" from ITT for writing a letter to the Air Force on behalf of an ITT subsidiary.

Holifield, dean of the California Democratic delegation, said he wrote then-Air Force Secretary Harold Brown on Dec. 19, 1918, to ask "fair consideration" for a Los Angeles firm, the ITT-Gilfillan Co.

Gilfillan was in competition with other firms to sell a ground-control radar device to the Air Force and the letter was similar to "hundreds" of others he has written for Southern California companies, Holifield said.

Gilfillan did not receive the contract Holifield said he neither sought nor received any payment from ITT and has no record of any such amount representing a campaign contribution.

Robert L. Schmidt, director of public affairs at ITT's Washington office, who was alleged by Anderson to have made the payoff, also denied the charge.

In a statement, Schmidt called Anderson's charge "completely false, misleading and destructive to my name and reputation."

MRS. BEARD'S BOSS DENIES HE ORDERED HER TO WRITE MEMO

(By Ronald J. Ostrow)

WASHINGTON.—The head of International Telephone & Telegraph Corp.'s Washington office disputed under oath Monday lobbyist Dita Davis Beard's sworn testimony that he instructed her to write a memorandum which touched off the ITT controversy.

That and other conflicts between testimony by William R. Merriam and Mrs. Beard prompted Sen. John V. Tunney (D-Calif.) to call for a federal grand jury to consider possible perjury charges.

Testifying before the Senate Judiciary Committee, Merriam also denied Mrs. Beard's statement that he became confused over ITT's commitment to help finance the Republican National Convention and asked her whether it was a $600,000 contribution to President Nixon's reelection campaign.

PERPLEXED OVER TESTIMONY

Rep. Bob Wilson (R-San Diego) appeared to leave senators equally perplexed over his testimony. He said that Mrs. Beard told him over a month ago that she did not write the memorandum, but he also testified that he had failed to mention her denial in at least three interviews soon after he talked with her.

The hearing room tension produced by close questioning over the challenged testimony was relieved several times by eruptions of laughter over Merriam's sometimes startling responses.

Sen. Sam J. Ervin (D-N.C.) asked Merriam whether it was ITT's policy to destroy records—a step the firm took after columnist Jack Anderson published a memorandum purportedly written by Mrs. Beard, which seemed to link settlement of ITT's antitrust suits with the firm's convention financing pledge.

"It is when you have a memo like that get out," Merriam replied. "There might have been a lot of others in there (the files) like that. Sen. Ervin, you never know what's in the files of a corporation. I wasn't taking any chances."

At another point Merriam, in explaining why he initially told Wilson he had received Mrs. Beard's memorandum said he receives "hundreds of memos."

"Not alleging what was in the Anderson-Beard memorandum, I hope?" asked Tunney.

"You'd be surprised," Merriam said.

After the laughter subsided, Tunney said: "The Anderson-Beard memorandum alleges a gross impropriety by your company. I assume as head of the Washington office you would remember."

Merriam said that in telling Wilson shortly before the Anderson column ran that he had received the memorandum, "I fudged a little bit." He said he was "in a state of confusion" over the memo's authenticity.

"HEDGED," OFFICIAL SAYS

Under questioning by Ervin, Merriam changed the verb to "hedged," saying it "is a better word than fudged."

Ervin: "You concealed the truth."

Merriam: "No, I did not—honestly."

Ervin: "Don't you conceal the truth when you hedge?"

Merriam: "You slip a little bit . . ."

Merriam said he led Mrs. Beard to believe he had received a White House inquiry about the convention commitment even though he had actually talked to Jack Gleason, an ITT consultant and former White House staff member.

He testified that he asked Gleason to check on plans for the GOP convention after Mrs. Beard told him of "A commitment of some type by ITT" toward bringing the convention to San Diego.

Mrs. Beard "has a strong antipathy toward Mr. Gleason," Merriam said. "To avoid telling Mrs. Beard that I had called on Mr. Gleason to check what she had told me about the San Diego convention, I simply told her that I had received the inquiry from the White House and did not disclose to her the background of my conversations with Mr. Gleason."

Ervin, saying Merriam had "admitted to the committee your attempt to deceive" Mrs. Beard, asked him how he expected the senators to place credence in his testimony.

"That's a very unfair question, Senator" said Philip Gilbert, Merriam's lawyer who sat alongside his client. Gilbert attempted to distinguish between a statement to a subordinate and testimony under oath.

"Truth is truth whether told under oath or not," Ervin said.

Wilson offered various explanations for his month-long silence on the authenticity of the memorandum published by Anderson.

Referring to a March 3 interview with the San Diego Union where he raised no question about the authenticity, Wilson said: "It was so obviously a questionable memo that I didn't even raise the point."

Wilson also dismissed his failure to challenge the memo in interviews with San Diego television reporter Harold Keen and with the San Diego Tribune, saying: "I didn't have any obligation . . . I wasn't connected with the memo."

Wilson said he was embarrassed by having the San Deigo Union interview, which he said he thought was "off-the-record" in the "hands of a Senate investigating committee. It's like taking Candid Camera along on your honeymoon."

The committee, which reopened its confirmation hearing of Richard G. Kleindienst to be attorney general at his request, resumes today with testimony expected from John Ryan, Merriam's deputy, and Asst. Atty. Gen. Henry E. Petersen.

COMPROMISE SOUGHT IN KLEINDIENST IMPASSE

(By Ronald J. Ostrow)

WASHINGTON.—Sen. Charles M. Mathias (R-Md.) said he was hopeful Thursday of a compromise in the next two days that would break the impasse over executive privilege that is jeopardizing the nomination of Richard G. Kleindienst as attorney general.

Mathias cited "informal sessions" held by the Senate Foreign Relations Committee with Henry A. Kissinger, President Nixon's national security adviser, as a pattern for a possible solution.

He said he and other undientified members of the Senate Judiciary Committee have been discussing a compromise with White House officials, whom he did not name.

The White House invoked executive privilege Monday in turning down a committee invitation for presidential aide Peter M. Flanigan to testify about the role he played in settlement of antitrust suits against International Telephone & Telegraph Corp.

This caused a break in the ranks of committee conservatives who had been solidly behind Kleindienst. Sens. Robert C. Byrd (D-W. Va.) and Sam J. Ervin Jr. (D-N.C.) said they would vote against the nominee unless Flanigan testified.

Despite Mathias' optimism, other Republican sources said they doubted the White House would go far enough to satisfy Ervin, Byrd and such liberals on the committee as Sens. Philip A. Hart (D-Mich.), Edward M. Kennedy (D-Mass.) and John V. Tunney (D-Calif.).

The Kissinger precedent cited by Mathias—four informal meetings over the last year-and-a-half—has left some Foreign Relations Committee members highly unsatisfied, including Sen. J. William Fulbright (D-Ark.), committee chairman. No transcript was taken of the sessions, which were closed to the public.

One Administration source expressed dismay over the White House's swift invocation of executive privilege. He noted that the refusal, in a letter from John W. Dean III, counsel to the President, came before the committee considered whether to subpoena Flanigan and other White House aides. The committee Wednesday defeated by tie votes motions to issue such subpoenas.

"That letter from Dean was just as precipitous as Kleindienst asking for the hearings in the first place," the source said.

In another development, the committee changed its plans to hear Harry Steward, U.S. attorney in San Diego, Thursday and scheduled his testimony for Tuesday instead.

Steward will be asked about a private meeting he had with Kleindienst in con-

nection with allegations that he improperly intervened in a political campaign contribution investigation in San Diego. Witnesses today are E. J. Gerrity, ITT senior vice president for public relations, and Jack Gleason, a former White House aide and currently a consultant to ITT.

ITT AIDE SAYS HE COMPLAINED TO KLEIN ABOUT ANTITRUST SUITS

(By Ronald J. Ostrow)

WASHINGTON.—International Telephone & Telegraph Corp.'s public relations chief testified Friday that he complained to Herbert G. Klein, White House communications director, in 1969 after the Justice Department filed antitrust suits against ITT.

"I went to Herb Klein because I knew Herb Klein," E. J. Gerrity, ITT senior vice president for public relations, told the Senate Judiciary Committee.

Klein became the fourth White House aide to figure in the hearings that are investigating allegations of a link between settlement of ITT's antitrust suits and a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

The hearings were requested by Atty. Gen.-nominee Richard G. Kleindienst after columns by Jack Anderson sparked the charges.

"What did you think Herb Klein could do?" asked Sen. Edward M. Kennedy (D-Mass.).

Gerrity said he told Klein that "the reaction to the suits was negative in the business community," and that he should know if the issue came up in White House meetings.

"He just kind of said, 'I understand your problem, I understand what you are saying," Gerrity said.

Klein could not be reached for comment. His office said he was flying to California from New Orleans where he had delivered a speech in which he defended the government's "strong action" in the ITT cases.

In the speech to a Louisiana Press Assn. meeting, Klein said the hearings "are indeed 'jackassery,' a political circus with Sen. Kennedy as ringmaster."

In his testimony, Gerrity said that after meeting with Klein he reported on the session to the ITT's chief executive, Harold S. Geneen.

He said he had told Klein that the Administration's attack on conglomerate corporations was "a pretty stupid policy. You're responsible for expressing it. Why don't you do something about it?" He added, however, that he did not know what Klein could do.

Meanwhile, there was no sign of a break in the impasse over White House refusal to permit presidential aides to testify at the hearings.

SECRET HEARING FOUGHT

Sen. Sam J. Ervin Jr. (D-N.C.) rejected efforts at a compromise for a closed session or limited questioning as proposed by Sen. Charles M. Mathias Jr. (R-Md.), declaring that "the public business should be conducted in public."

The executive branch's refusal, Ervin said, "is like enacting the play of Hamlet without the Prince of Denmark, being present."

Ervin, who until Friday focused on hearing testimony from presidential assistant Peter M. Flanigan, said he also wanted to question two other White House officials, John D. Erhlichman, the President's chief adviser on domestic affairs, and William E. Timmons, a liaison man with Congress.

Flanigan arranged for an independent analysis of ITT's arguments for settling the case by a former business associate, Richard J. Ramsden.

"If I had been in Mr. Ramsden's position and had gotten a call not from a lawyer, but from an aide to the President, I might reasonably reach the conclusion that the White House wanted the case settled," Ervin said.

Timmons, according to previous testimony, discussed the San Diego convention with an ITT consultant. Ehrlichman met with Geneen to discuss antitrust policy.

Ervin, who made his comments before Klein's name was mentioned, said the refusal to let the aides testify indicates that "there is something rotten in Denmark or in the White House."

NIXON TO LET AIDE TESTIFY ABOUT ITT—YIELDS IN EFFORT TO WIN APPROVAL OF KLEINDIENST

(By Ronald J. Ostrow)

WASHINGTON.—The White House moved to break the deadlock Tuesday over Richard G. Kleindienst's nomination to be attorney general by making presidential aide Peter M. Flanigan available to answer limited Senate questions about his role in the International Telephone & Telegraph affair.

Liberal Democrats on the Senate Judiciary Committee balked at accepting restrictions on the type of questions they could ask Flanigan, and the committee voted to notify the White House that it would require more leeway in questioning him.

Although the matter was still unresolved Tuesday night, prospects were that a compromise would be reached, with Flanigan testifying Thursday, the final day of scheduled hearings.

It was learned that former Atty. Gen. John N. Mitchell, whom Kleindienst served as deputy attorney general, had a major role in convincing President Nixon to reverse his position and permit Flanigan to appear. A break in the impasse over executive privilege would brighten Kleindienst's confirmation prospects considerably.

Mitchell, joined by Clark MacGregor, special assistant to the President for congressional affairs, designed Flanigan's offer to undergo limited questioning to satisfy Sen. Sam J. Ervin Jr. (D-N.C.), who said he would fight the Kleindienst nomination unless the White House backed down on executive privilege.

Shortly before Flanigan's offer was announced Tuesday, Mitchell, grinning broadly, told a reporter: "You better get up there (to the Kleindienst hearing)." He declined to elaborate as he entered the Pennsylvania Ave. building which houses the Committee to Reelect the President, where Mitchell now serves as director.

The reversal came in a letter from Flanigan to Sen. James O. Eastland (D-Miss.), committee chairman. The White House aide said he "would welcome the opportunity to appear and testify" if the questioning were restricted to two areas of his involvement with the International Telephone & Telegraph Corp.

These were his "limited involvement" in contacting and instructing Richard J. Ramsden, a Wall St. analyst and former business associate of Flanigan, to conduct a financial analysis of the government's antitrust attack on ITT, and the participation of Harold S. Geneen, ITT chief executive, in a 1971 White House meeting Flanigan arranged on revenue sharing.

Sen. Edward M. Kennedy (D-Mass.) said he did not feel compelled "to meeting his conditions." He said it would be the first time during his 10 years in the Senate that a witness would be allowed to limit questioning.

Kennedy said he also planned to question Flanigan about his relationship with the Justice Department and with ITT officials and whether he was involved in locating the Republican National Convention in San Diego.

The committee is probing allegations of a link between settlement of ITT's antitrust cases and a pledge by ITT Sheraton Corp. to help finance the Republican Convention in San Diego.

TUNNEY SEEKS OTHERS

Sen. John V. Tunney (D-Calif.) said that White House aides William E. Timmons, Herbert G. Klein and Charles Colson, who have been mentioned in earlier testimony, also should be invited.

But the committee defeated by a 7-6 vote Tunney's motion to invite Timmons, who was contacted by an ITT representative on the convention pledge, according to testimony. The vote split on party lines, with Eastland joining Republicans to reject Tunney's motion.

In its letter to the White House, the committee said Flanigan would not be questioned on conversations he had with the President or members of the presidential staff, areas traditionally covered by the doctrine of executive privilege—which holds that certain communications within the executive branch are of concern only to that branch.

THIRD PARTIES INVOLVED

Ervin had argued that the doctrine does not cover conversations of a presidential aide with third parties outside the White House, such as Ramsden and ITT officials.

White House Press Secretary Ronald Ziegler said the reversal did not reflect a fear that Kleindienst's nomination was in jeopardy. But Republican committee members, including Sen. Edward J. Gurney of Florida, conceded this was the case.

A White House aide, who declined to be identified, said there was a split on the issue between top-level presidential advisers and what he called "the middle-level working stiffs."

He said the higher officials viewed the turnaround as an escape valve for a potentially damaging political issue. The lower level officials, who have to deal with Congress on a daily basis, feared that permitting Flanigan to testify would open the door to demands by other congressmen for appearances by any presidential assistants they might want to question, the aide said.

He cited as the leading example the long-standing request by Sen. J. William Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee, for an appearance by Henry A. Kissinger, Mr. Nixon's national security affairs adviser.

Ziegler said the President reserved the right to invoke executive privilege if the questioning of Flanigan went beyond areas agreed to by the White House.

NIXON AIDE RECALLS ANOTHER INTERNATIONAL TELEPHONE & TELEGRAPH TALK—KLEINDIENST WAS TOLD OF COMPLAINT, FLANIGAN SAYS

(By Robert L. Jackson)

WASHINGTON.—An additional contact with the White House by International Telephone & Telegraph Corp. was disclosed Monday by presidential aide Peter M. Flanigan, who said ITT director Felix G. Rohatyn complained to him last June about the company's antitrust problems.

In a three-page letter to Sen. James O. Eastland (D-Miss.), chairman of the Senate Judiciary Committee, Flanigan also revealed that two days later he passed on Rohatyn's complaint to Acting Atty. Gen. Richard G. Kleindienst, who was then deputy attorney general.

The committee, which is considering Kleindienst's nomination as attorney general, closed 21 days of hearings last week on the ITT affair.

Flanigan, who testified last week under ground rules established by the White House, made the disclosures Tuesday in response to written questions from the committee which the White House agreed could be answered.

Sen. Edward M. Kennedy (D-Mass.), who has spearheaded the attack on Kleindienst's nomination, said Flanigan's response conflicted with that of the nominee "about the White House involvement in the settlement of the ITT case" last July 31.

Sen. John V. Tunney (D-Calif.), another committee member, said the Flanigan letter "raises additional grave questions" that ought to require another appearance by the White House aide "with no limitations on his testimony."

Kleindienst told the committee last March 8 that "I had no conversation with Mr. Flanigan" about the ITT antitrust case.

The committee will meet in closed session Wednesday to discuss further action and to vote whether to recommend Kleindienst's confirmation.

In his letter to Eastland, Flanigan said Rohatyn raised the antitrust case issue last June 29 after meeting with Flanigan about stock market problems. Rohatyn, a Wall Street banker, was chairman of the surveillance committee of the New York Stock Exchange.

On the same day, according to earlier testimony, Rohatyn met with Kleindienst—one of five meetings on ITT involving the two men.

"Just before he left," Flanigan said of their White House meeting, "I recall that Mr. Rohatyn asked if I was aware of a settlement proposal by the (Justice Department) antitrust division for the ITT suits.

"I replied that I was not aware of it. Mr. Rohatyn indicated his belief that the proposal was so tough as to be unacceptable to the company and that the company intended to continue to fight the suits in court.

"I replied that this was a matter for ITT and the antitrust division."

"I further recall," said Flanigan, "that in a discussion on an unrelated matter with Dep. Atty. Gen. Kleindienst a couple of days later I passed on to him the Rohatyn comment and my reply. As I recall his response, it was to the effect that Mr. McLaren (Richard W. McLaren, then head of the antitrust division) had worked out the proposal, and was handling the matter."

The committee called Flanigan after learning he had arranged, at McLaren's request, for a Wall Street consultant, Richard J. Ramsden, to make an independent study last May of the ecoonmic consequences of possible divestiture by ITT of Hartford Fire Insurance Co.

Ramsden, a former business associate of Flanigan's, concluded that divestiture of Hartford would adversely affect the nation's balance of payments. The government's settlement last July allowed ITT to keep Hartford but required the conglomerate to shed other subsidiaries worth $1 billion in assets.

REINECKE LUNCH WITH DITA BEARD DESCRIBED—LIEUTENANT GOVERNOR'S FORMER AIDE SAYS IT OCCURRED BEFORE PARLEY WITH MITCHELL

(By Robert Fairbanks)

SACRAMENTO.—A former aide to Lt. Gov. Ed Reinecke says that Reinecke and Edgar M. Gillenwaters had lunch with International Telephone & Telegraph lobbyist Dita Davis Beard before their meeting last September with former Atty. Gen. John N. Mitchell.

Hal D. Steward, who resigned from Reinecke's staff two months later with an angry blast at the lieutenant governor, said he was at the table with Reinecke, Mrs. Beard and Gillenwaters, who is state director of commerce.

"The total subject was politics and Ed Reinecke's campaign to be elected governor and the Sheraton Hotel support of the national Republican campaign, and what a great guy Ed Reinecke was politically and so on," Steward said.

Steward made his statements to Kirk C. Smith, Sacramento correspondent for Pacifica Radio, in a recent interview.

LUNCHEON CONFIRMED

Questioned by The Times, a Reinecke spokesman confirmed that the luncheon had occurred.

"He had no lunch programmed that day, so somebody said, 'Let's have lunch with Dita Beard,' " said Reinecke's press secretary, James Woodworth.

Steward also said he did not accompany Reinecke and Gillenwaters into the meeting with Mitchell, but waited outside with Gillenwaters' assistant, Bart Christensen.

"When Reinecke and Gillenwaters and Christensen and I got back into the automobile, Reinecke and Gillenwaters both spoke of the importance of getting John Mitchell's support in Reinecke's campaign to be elected governor of California," Steward said.

Earlier in the interview, Steward challenged the official explanation for the trip.

"Now, ostensibly, the purpose of the trip was to make a presentation to the National Aeronautics and Space Administration on attempting to obtain the space launch project for California.

"However, I soon learned that that was only a byproduct of the trip—that really, the trip was more to politics. And we spent more time in the offices of the Republican National Committee and the office of John Mitchell.

". . . We spent, to my memory, about one hour in a briefing with NASA and we had a brief meeting with a few members of the California (congressional) delegation. And that was the total extent on NASA. The other three days that Reinecke was there were devoted solely to politics," Steward said.

POLITICAL FUNDS

Steward was Reinecke's director of public affairs until his resignation Nov. 9, 1971. At that time, he made several accusations, including a charge that Reinecke was using taxpayer dollars to further his political career. In the interview, Steward described Gillenwaters (whose Commerce Department comes under Reinecke's administration) as a "fund-raiser" for the lieutenant governor.

Steward said Gillenwaters once asked him to prepare a $250,000 budget for Reinecke's political campaign.

"Now, I doubt seriously that could by any stretch be considered an official function of a man drawing a salary from the taxpayers of California, which I was at that time," Steward said.

REINECKE AIDE LIES IN ITT CASE—BAYH

(By Ronald J. Ostrow)

WASHINGTON.—Citing "Patent conflicts" in testimony, Sen. Birch Bayh (D-Ind.) Wednesday accused an aide to California's Lt. Gov. Ed Reinecke of committing perjury at Senate Judiciary Committee hearings on the International Telephone & Telegraph Corp. affair.

"Somebody's not telling the truth," Bayh told Reinecke and the aide, Edgar M. Gillenwaters, California state director of commerce.

"Your credibility has gone from 100 to darn near zero," Bayh said to the two state officials. They testified about meeting with former Atty. Gen. John N. Mitchell on financing the Republican National Convention and about their contacts with Dita Davis Beard, lobbyist for International Telephone & Telegraph Corp.

ACRIMONIOUS EXCHANGE

At this point in what was the most acrimonious exchange in 20 days of hearings, Gillenwaters, sitting alongside Reinecke, smiled at Bayh.

"You smile, sir . . . but if my impression is correct, you have committed perjury," Bayh said. "I have that feeling in my gut."

Gillenwaters, who had clashed earlier with Bayh when the senator suggested he should have been fired for a mistake he made about the timing of the Mitchell meetings, retorted: "If our credibility has gone to zero in your eyes, it surely must have gone up considerably elsewhere."

Gillenwaters' response drew a gasp from the spectators in the hearing room. Bayh, shaking his head, broke off the exchange, telling Gillenwaters: "I'm not going to get in your league."

Reinecke and Gillenwaters were questioned about a change in their public statements last month concerning when they first briefed Mitchell about the financing of the GOP convention in San Diego, including a $200,000 commitment by ITT's Sheraton Corp. subsidiary.

In at least three published interviews, they initially said the subject was discussed in Mitchell's office sometime between May 17 and 19 last year. But after a telephone call informing Reinecke that this did not jibe with Mitchell's records, the lieutenant governor said he had been mistaken and that the convention financing was reported to Mitchell in his office last Sept. 17.

The timing is important because of the central allegation in the hearings, which are considering the nomination of Richard G. Kleindienst as attorney general. That allegation is that there was a link between settlement of ITT's antitrust cases and the $220,000 underwriting by ITT's Sheraton Corp.

The antitrust settlement was announced last July 31—10 days after Sheraton wired the financing commitment to Rep. Bob Wilson (R-Calif.) of San Diego.

Mitchell, testifying March 14, said: "I do not as of this date know what arrangements, if any, exist between ITT or the Sheraton Hotel Corp. and the Republican National Committee, or between ITT or any of its subsidiaries and the city of San Diego or any agency thereof."

KENNEDY QUESTION

Under questioning by Sen. Edward M. Kennedy (D-Mass.), Reinecke said he did not know who called to notify him that his recollection of the meeting with Mitchell did not agree with the former attorney general's. He said his secretary handled the call and did not ask who the caller was.

Asked about a report in the Los Angeles Times that the call came from Mitchell's office in Washington, Reinecke said: "It could have come from anywhere."

Kennedy asked, "Could it have come from Mr. Mitchell's office?"

"That's presumptuous," Reinecke said. "It could have been an employe in our building."

Sen. John V. Tunney (D-Calif.) questioned Reinecke about a telephone-call he had with him about an hour before Reinecke issued his amended statement about the date of the meeting.

CHAMBER ROLE

Tunney said Reinecke told him he talked to Mitchell as a representative of the California Chamber of Commerce seeking to bring the convention to San Diego.

Why, Tunney asked, would Reinecke have such a conversation with Mitchell in September, two months after San Diego had been designated as the convention city?

"The tense of the verb I was using may have been unfortunate," Reinecke said. "I don't know that I can offer much help, Senator."

In an interview outside the hearing chamber, Reinecke charged that Tunney's call was "a setup" because a newsman asked 30 minutes after Tunney called whether he would testify before the committee, one of the subjects the two men discussed.

Tunney dismissed the charge as "patently ridiculous," saying he had called only to notify Reinecke that he had requested he testify.

IDEA "SEEDED"

Reinecke denied that he first mentioned the effort to bring the GOP convention to San Diego to Mrs. Beard in January or February last year, as the lobbyist testified earlier. He said he first discussed it with her in May, and that the idea was "seeded" at a Washington reception of San Diego business representatives April 27.

In another development, Jack Gleason, a former White House aide and now a consultant on government relations for ITT, invoked the lawyer-client privilege in refusing to answer questions about his lawyer's conversation with two White House officials shortly before he testified.

Tunney first pinned down the fact that the lawyer, Edward Taptich, had talked to John W. Dean III, counsel to the President, and Wallace Johnson, a White House legislative liaison man.

PARTY LINES

The committee split largely along party lines on whether to permit Gleason to invoke the privilege.

Sen. Roman L. Hruska (R–Neb.) said questions about the conversation were "totally irrelevant."

Sen. Philip A. Hart (D–Mich.) said that if the White House was attempting to influence a witness' testimony, "nothing is more relevant than that."

Sen. James O. Eastland, (D–Miss.), committee chairman, ruled against requiring Gleason to answer.

Under questioning by Kennedy, Gleason said that when he was on the White House staff in 1969 he called Kevin Phillips, then special assistant to Mitchell, to ask for information about ITT's antitrust case pending at the Justice Department.

Gleason said he wanted the information "so I could pass it back to Bill (Merriam, head of ITT's Washington office) and perhaps put their mind at ease."

"What did Phillips tell you?" Kennedy asked.

"He told me basically to forget it—that it was not something that he or I should get into."

White House aide Peter M. Flanigan is scheduled to testify today, the committee's last hearing day under a timetable agreed to earlier. Flanigan wrote Eastland Wednesday agreeing to answer questions in more areas than he had specified at first.

HEARINGS END ON ITT AFFAIR AS LIBERALS CHARGE "SNOW JOB"

(By Ronald J. Ostrow)

WASHINGTON.—The Senate Judiciary Committee Thursday wound up hearings on the International Telephone & Telegraph affair amid charges by Democratic liberals of a "snow job" when key questions put to White House aide Peter M. Flanigan were ruled out of order.

A motion by Sen. John V. Tunney (D-Calif.) to extend the hearings two more days lost by a 7–7 tie vote.

Sen. James O. Eastland (D-Miss.), committee chairman, ended the 21 days of hearings with a brusque "that's it," and said the committee would vote Wednesday on the nomination of Richard G. Kleindienst as attorney general.

The committee investigated two allegations in connection with the Kleindienst nomination.

One was that settlement of antitrust suits against International Telephone & Telegraph Corp. was linked to a pledge by ITT Sheraton Corp. to help finance the Republican National Convention in San Diego.

The other charge was that Kleindienst improperly cleared U.S. Atty. Harry D. Steward of wrongdoing after he intervened in a Federal Campaign-contribution investigation in San Diego.

Flanigan's day-long appearance, arranged only after the committee accepted a limitation on the areas of questioning, turned out to be anticlimatic.

Eastland began the questioning as Flanigan, the President's chief liaison with the business community settled down at the witness table, the 67-year-old committee chairman asked: "Mr. Flanigan, what do you know about ITT?"

Flanigan related that at the request of former Asst. Atty. Gen. Richard W. McLaren he contacted Wall Street analyst Richard J. Ramsden, a former business associate of Flanigan, to conduct an independent study of the financial effect if ITT were required to divest itself of the Hartford Fire Insurance Co.

McLaren testified previously that Ramsden's study was one of the four factors that caused him to change his mind and settle the cases, permitting ITT to retain Hartford.

Did Flanigan attempt to influence Ramsden's findings, Eastland asked.

"I did not," Flanigan said.

As other senators picked up the questioning, they ran into either refusals to answer by Flanigan, on grounds the questions were outside the limitations, or rulings by Eastland that the inquiries conflicted with the agreement reached with the White House.

REFUSES TO ANSWER

Sen. Philip A. Hart (D-Mich.), for example, attempted to ask Flanigan whether ITT director Felix G. Rohatyn or anybody else on behalf of the firm had expressed concern to Flanigan about the effects that breaking apart ITT and Hartford might have on the stock market, brokerage houses and the economy.

"To the best of my recollection," Flanigan began to answer, but then he paused and said: "I regret to have to again respond in this way, but I don't believe the question is within the areas of the limitation agreement."

His refusal was backed up by Eastland. In all, at least 15 questions were rejected by Flanigan, Eastland or Sen. Sam J. Ervin Jr. (D-N.C.).

After a series of rejected questions, Sen. Birch Bayh (D-Ind.) said he had the impression "we were going to get the whole story" when Flanigan agreed to appear.

"SNOW JOB"

"In fact, the questions are being so narrowly construed we would not get one-half the kernel of truth," Bayh said. "We're going to come out of here looking like the biggest snow job in history. We're going to come out from here not disclosing anything."

The committee subsequently turned down, 9 to 5, a motion by Sen. Edward M. Kennedy (D-Mass.) to expand the questioning. But it adopted by an 8–4 vote a motion by Sen. Roman L. Hruska (R-Neb.) to submit written questions to Flanigan on what contacts or conversations he had with ITT representatives or Justice Department officials on the antitrust cases.

Tunney, one of those opposing Hruska's motion, said he did so because it allowed no opportunity to cross-examine Flanigan.

Flanigan's description of his contacts with Ramsden on the financial analysis differed in some respects from Ramsden's earlier testimony.

Ramsden, for example, said Flanigan was "somewhat reluctant" to turn over to him a report that stressed the alleged dire effects of the divestiture to help him focus on the issues. (The report, testimony showed, was prepared by ITT officials.)

"I don't recall that there was any reluctance," Flanigan testified.

Ramsden later told a reporter the reluctance "may have been surmised on my part."

OCCUPATIONAL SAFETY AND HEALTH

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, I have received many letters and reports from Montana businessmen. They are raising serious questions about the methods of the U.S. Department of Labor's Occupational Safety and Health Administration program to enforce the Occupational Safety and Health Act of 1970.

I want to share with my fellow colleagues the following letter from the Equity Supply Co. of Kalispell, Mont. This letter highlights the nature of the problem. It deserves your attention. I am submitting remedial legislation which will correct the inequities of the program and maintain reasonable standards of occupational safety and health.

The letter follows:

EQUITY SUPPLY CO.,
Kalispell, Mont., May 4, 1972.

Representatative DICK SHOUP,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE SHOUP: Sorry for the delay in getting you an account of my OSHA experience, but the records had been with the attorney, and I only got them today. Briefly summarizing my experience, it is somewhat of this nature:

On September 1st two inspectors of OSHA called on me. We had a general discussion about the program in my office about 9:00 a.m. The conversation was informative and courteous. The OSHA inspector said he would like to make a walk through inspection of our facilities, and asked that either I or someone from management designated by me go with him, and there should also be an employee along which was easily arranged.

As we started our walk through inspection the inspector became completely non communicative, and I was very much puzzled by the inspection which I described as "eyeballing", writing down a few notes, and I do not recall a single instance where I was asked any questions or where anything was pointed out to me. We went through six of our facilities, one of which is located five blocks away, in a period of about one hour.

Following the inspection he asked for some additional time for a post inspection conference which was courteously given. He then told me he had made some notes of items he felt were out of compliance. He mentioned in a general way such areas as electrical, but gave me no definite items or location of violation. The only record I had was a mental picture of where we had been, and I did try to follow his glance to observe what he might be looking at. He stated that if the violations he had noted were of such a nature that a penalty would be assessed, I would hear from him, and that I would have thirty days in which to file an objection.

On November 1st I received a number of citations. I am enclosing copies of these in order that you might note the vagueness of them, and particularly of 6(13) which pertains to the creamery. After checking the citations over I made arrangements to correct all of the items that I could identify and understand except for two items, 3(2) and 4(3). Under item 3(2) my maintenance men in the shop contended there were no combustible liquids stored in unapproved containers. We even went to the trouble of having the fire department check the area.

With respect to item 4(3), it was my contention there were no fire extinguishers that were not properly inspected and marked, and that again we could do nothing to correct a situation which did not exist. The amount of penalty involved on these items was $26.00.

I could have paid the penalty and said nothing, but I was not about to be blackmailed into any payment, and only wanted a clarification of what they were talking about. The only avenue open to me was to file an objection, and this set into motion the only recourse under the program, making out a big hearing on the whole issue. Problems could have been avoided if the inspector had pointed out the areas he had doubts about, and I am sure we could have agreed on the spot whether there were combustible liquids as contended, and I could have showed him a complete set of records on inspection of all fire extinguishers.

I still had ideas that maybe they would send someone in to clear up the matter, but instead I received a notice of a hearing for the second week of December which was within the thirty day requirement of the law. Shortly before the hearing we were notified that no personnel was available, and it would be rescheduled. Later we were notified of a hearing date in April.

For a hearing on my $26.00 items to gain some information and clarify the items referred to, the Department of Labor sent into Kalispell a judge from St. Louis, an attorney and court reporter from Denver, and an inspector from Billings plus one or two state inspectors.

At about 3:00 p.m. on the afternoon before the hearing, I received a subpoena which I am enclosing ordering me to appear at the basement of the First National Bank building with a truck load of records which was neither physically possible to assemble nor transport to a hearing room with less than a week's notice. I did the only thing possible, and that was to disregard this part of the subpoena. I considered this a high handed, arrogant harassment by the federal government, and, of course, the records were never even mentioned at the hearing.

I have no idea how much time or money the government spent on this hearing, and, of course, it did cost me several hundred dollars. Again let me repeat, it wasn't a question of the $26.00, it was a question of defending what few rights an American citizen might still have.

I would like to mention that I am in sympathy with the objectives of Occupational Safety and Health for our employees, and have been doing everything possible in this direction. I also recognize an inspection service can call things to our attention we might overlook, but this program is the ultimate in arrogant, high handed bureaucracy that is costing taxpayers millions of dollars, and not accomplishing its full objectives because it is alienating rather than getting the cooperation of both employers and employees.

I have no idea when a decision will be rendered in this case, and whether or not I will receive what I consider equitable treatment.

One last comment—our business is involved with living up to regulations under the Board of Health Livestock Sanitary Board, Department of Agriculture and many others. Their inspections have been tough, and we have known that we must comply with their requirements. We have always gone along because the inspectors have always made it plain to us what was wrong, what had to be done and they have been reasonable in allowing us to make these changes. This is certainly not OSHA's approach.

Very truly yours,

S. N. HALVORSON,
General Manager.

JACKSONVILLE SYMPHONY TO PERFORM AT KENNEDY CENTER

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BENNETT. Mr. Speaker, on May 18, the Jacksonville Symphony Orchestra, under the direction of Conductor Willis Page will perform at the John F. Kennedy Center for Performing Arts. My hometown of Jacksonville is extremely proud that its symphony orchestra will be performing in this fine hall in the Nation's Capital.

The symphony will introduce two new works during their concert. One will be by Duke Ellington and the other by Carlisle Floyd. The compositions were written especially for the Jacksonville Symphony Orchestra to commemorate the 150th anniversary of the city of Jacksonville.

Duke Ellington has written more than 5,000 compositions, including some of the world's most popular music.

His symphonic composition is based on his memories of his frequent visits to Jacksonville. The overture recalls with melancholy the long extinct "Number Two Club"—a Jacksonville nightclub where blues artists used to gather for jam sessions. Moving to the core of the city, the composition builds up to a fanfare which represents the growth of Jacksonville. Turning to a romantic theme, the composition closes with a musical allegory describing our beautiful city.

Carlisle Floyd's "Flower and Hawk" will be sung by soprano Phyllis Curtin. Their first collaboration, "Susannah," received the New York Critics' Award. "Flower and Hawk" is an exciting, new musical concept—the Monodrama—a fully staged work for the musical theater. In it, Miss Curtin will portray the tortured last days of one of history's most powerful personalities—Eleanor of Aquitaine, mother of Richard the Lionhearted. Frank Corsara, one of New York's leading stage directors, staged and directed the production. Lloyd Evans, a renowned designer for opera, theater, and television, designed the imaginative set and Miss Curtin's costume.

To open this unusual program, Willis Page has selected "Dies Natalis" or "Day of Birth," written by the distinguished American composer Howard Hanson.

Mary Lou Wesley Kronsnick, pianist, who will play Weber's "Konzertstuck" is also a composer. At 14, she won the New York Philharmonic's Young Composer's Contest.

The symphony will also present the same program at Carnegie Hall in New York City the night of May 19. Again, I and all of us in Jacksonville are tremendously proud of our symphony.

FEDERAL INVOLVEMENT IN PUBLIC BROADCASTING

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. FREY. Mr. Speaker, one of the more complicated issues soon to be debated in Congress is the Federal involvement in public broadcasting. It is extremely difficult to understand how the different bureaucracies, created as a result of the Public Broadcasting Act of 1967, function and interact. For example, how do you tell the difference between the Corporation for Public Broadcasting—CPB—Public Broadcasting Service—PBS—the National Public Affairs Center for Television—NPACT—Children's Television Workshop—CTW—and the Eastern Educational Network—EEN.

Mr. Speaker, I include an article appearing in the December 11, 1971, Congressional Quarterly in the RECORD for all to read:

PUBLIC BROADCASTING: CONTROVERSY OVER FEDERAL ROLE

The honeymoon for public broadcasting is over.

Noncommercial, nonprofit public television and radio has collided with the White House over crucial questions of the industry's funding and structure. The Administration's criticism is the most serious ever encountered by the industry.

At issue is what the Administration calls "communications federalism"—the relationship between national and local broadcast organizations.

At stake is the shape of funding legislation which either will limit the growth of public broadcasting to approximately its present level, or will expand the industry.

INDUSTRY BACKGROUND

"Public broadcasting" is what used to be called "educational" radio and television. Its new name complements new formats. Public broadcasting now entertains as well as informs, with shows like *Masterpiece Theatre* and *The Great American Dream Machine.*

The industry's development attracted much attention in 1969, when the educational children's program *Sesame Street* went on the air. From 1969 to 1970, the public television audience increased by 33 million persons, or 37 percent.

Today the industry is large and more complex:

Public television stations are interconnected by the Public Broadcasting Service (PBS). There are 213 public television stations, all of which are PBS affiliates. (*Box p. 2569*).

As of July 1, 1971, 32.4 percent of the television stations were licensed and operated by state and municipal authorities; 29.5 percent by state universities; 27 percent by nonprofit community corporations, and 11.1 percent by local public schools.

Public television's audience, according to a 1970 Louis Harris survey, is highly concentrated in suburbs and cities, in the West and Midwest and among 21-to-49-year-old persons. Fifty-three percent of college graduates and 48 percent of those who earn $15,000 or more watch public TV. So do 22 percent of those who never completed high school and 26 precent of those who earn less than $5,000 annually. An estimated 39 million viewers watch public television at least once a week.

Public television signals reach 74 percent of the population in the United States, Samoa, Guam and Puerto Rico. Public radio signals reach 75 percent.

There are 500 public radio stations, but a high percentage broadcast limited schedules on limited power; 118 are affiliates of National Public Radio, the radio inter-connection. Seventeen percent of these affiliates are AM; 83 percent, FM.

"We've never before been in this league," a public broadcasting official recently exclaimed. But he admitted that he was torn between agony and ecstasy. Public broadcasting has had problems as well as plaudits.

MONEY PROBLEMS

One continuous problem has been the lack of a dependable funding method for the independent Corporation for Public Broadcasting (CPB), established in the 1967 Public Broadcasting Act (PL 90–129) to funnel federal funds to public radio and television stations. Its initial $9-million authorization, said the Senate Commerce Committee, "was intended to be seed money pending a long-range financing plan to be submitted by the Administration." The legislation provided for annual appropriations until such a plan was submitted by the Administration. (1967 Almanac p. 1042; Congress and the Nation Vol. II, p. 297)

ANNUAL APPROPRIATIONS

The 1967 Act required the Corporation to submit its annual budget to the Office of Management and Budget, just as if it were a government agency. The President has the power to reduce a request he considers too high before sending it to Congress.

Educational broadcasters argued against these provisions in 1967. The paramount, immediate need, they said, was to assure the Corporation a permanent source of funds free from the political implications of the annual appropriations process. Without permanent financing, they said, educational broadcasters would hesitate to present controversial subjects for fear of losing their financial support in Congress the following year.

Various types of permanent financing were suggested, including an excise tax on the sales of TV sets; increasing and earmarking commercial broadcast license fees; using fees charged commercial stations for the use of a commercial satellite system; and a "user tax" on radio and television sets, the system used in Britain and some other countries to support their government broadcasting systems.

President Johnson promised legislation that never came. President Nixon stated in his 1972 budget message that "legislation will be proposed to provide an improved financing arrangement for the Corporation." But no administration bill has been submitted. (Text of budget message, Weekly Report p. 271)

FEDERAL FUNDING

One annual appropriation has followed another: $5-million in 1969; $15-million in 1970; $23-million in 1971, and $35-million in 1972. Five million dollars of the 1972 appropriation, however, depends upon a matching amount raised from private sources. (Fiscal 1972 appropriation, Weekly Report pp. 841, 1302)

The Corporation says that federal funding is inadequate as well as unreliable. They cite a report issued by the Carnegie Commission on Educational Television, prior to the passage of the 1967 public broadcasting legislation, which estimated that the Corporation would need an average annual appropriation of $56-million, plus $30-million in equipment assistance for stations from the Department of Health, Education, and Welfare, for its first four years.

Instead, Corporation spokesmen emphasized appropriations have averaged only $19.5-million per year since 1967, and the HEW grants have totaled only $32.3-million.

Individual stations, where the average budget is about $650,000, go begging for funds. The Corporation supplies them with general support grants, but those grants (totaling $7.5-million) constitute only about 18 percent of the Corporation's budget this year. Only a relatively few stations receive production funds. The Corporation hopes to increase the budget allocation for local stations' general support grants to 30 percent, provided federal appropriations are adequate.

The Office of Education is the other major source of federal funding. In this fiscal year, they will distribute $13-million in station plant grants.

PRIVATE FUNDS

Of the $125-million spent by public TV until June 30, 1970, only about 20 percent came from federal sources. Two-thirds of the rest came from state and local government and one-third from private sources.

Foundations, individuals and corporations have given more money to noncommercial TV than Congress. The Ford Foundation alone has given $174,397,083.66 in grants and projects to public broadcasting from June 30, 1951, when it began to fund experimental educational television and radio workshops, to July 1, 1971.

In fiscal 1970, for example, public TV stations reported a total income of $103.6-million. Major contributors were state governments or boards of education with $30-million; $20-million from local schools, boards of education and other local government sources; $10-million from state universities and colleges; $8-million from broadcast industry sources, primarily the Corporation; $8.5-million from national foundations, primarily Ford, and $6.8-million from subscribers and individuals.

The federal government was the next-highest contributor, with $5-million.

Business and industry contributed $2.1-million that year. Included in this category are corporations such as Mobil Oil, Polaroid and General Foods, which contribute to the production of certain programs.

The corporations receive the closest thing to advertising on non-commercial television when it is announced that "This program was made possible by a grant from the —— Corporation."

Polaroid, for example, produces Julia Child's *The French Chef*. Mobil Oil money produces *Masterpiece Theatre*.

Not all corporation grants are exclusively for production. A $1-million Mobil grant in 1970 was divided so that $490,000 was to be spent for the production; $250,000 for copies of *Sesame Street Magazine* to be given away to disadvantaged schoolchildren, and $260,000 to publicize the Corporation's contributions.

CENTRALIZATION ISSUE

The funding question may hang in the balance of a dispute between the Corporation and the White House Office of Telecommunications Policy (OTP) over the public broadcasting structure. (*Box, preceding page*)

Whitehead View. Clay T. (Tom) Whitehead, the director of OTP, opposes the idea of the public broadcasting industry's becoming what he calls "a fourth national network." He believes that the autonomy of individual local stations can be preserved by direct congressional funding. But the Corporation insists that it should continue to distribute all the station grants.

At the heart of the argument is what Whitehead calls "centralization." He and Arthur L. Singer, Jr., who was instrumental in the establishment of the Carnegie Commission report, have criticized the industry for being overly centralized.

Carnegie Report. According to Singer, the Carnegie Report was a "plea for pluralism, a plea for localism. . . . The present system is not pluralistic. It is dominated by the Corporation for Public Broadcasting, the Public Broadcasting Service and the Ford Foundation. What goes on the air on the system . . . is what these institutions approve."

He agreed that program production is dispersed among stations and regional and state networks around the country but noted that the three major institutions evaluate programs for their national significance and distribute them on the basis of their judgment. He called this procedure "dispersal in name only."

"There's no pressure on the local station to run any program we send down the line," retorted William Duke, the Corporation's public information director. "If the local stations don't have any faith in us, they won't run the program."

Disputed FBI Report, PBS selects and schedules the programs from its production centers for its stations. Its members have given it "go or no go" discretion over the programs, but the final responsibility for clearance and scheduling rests with the stations.

Recently, PBS ordered National Educational Television (NET), its largest and best-funded production center, to delete from its program *The Great American Dream Machine* a controversial segment dealing with alleged FBI undercover operations on college campuses. PBS claimed the segment was badly documented and too brief to carry the charges of FBI encouragement and instigation of violence within radical organizations.

A PBS official called the decision "the crunch—the kind of decision we knew we eventually had to make."

However, WNET–TV (Channel 13) in New York broadcast the segment. The action opened a debate on PBS' authority to make editorial decisions: i.e., to act like a commercial network. Another question engendered: whether NET, or any production center, should have direct station access instead of routing programs through PBS.

The PBS board and smaller, generally more cautious stations favor the network idea. They reaffirmed PBS' "go or no go" authority by an overwhelming margin after the incident.

This particular instance of PBS blue-penciling was welcome at the White House in spite of the "centralization" worries. Whitehead said, "As long as there is a centralized network, Harford Gunn (the president of PBS) is trying to make it work in a responsible manner despite the brickbats."

NEWS ORGANIZATION

Whitehead is also critical of public television's new Washington news organization, the National Public Affairs Center for Television (NPACT), a production affiliate of WETA–TV, the Washington, D.C., public television station.

NPACT hired former NBC newsman Sander Vanocur as its $85,000-per-year senior correspondent. *The Washington Post* has said White House aides do not think Vanocur was a wise choice for the job. The newspaper quoted an unnamed White House official of accusing Vanocur of having a liberal bias that shows on the television screen.

Whitehead himself only said that NPACT is an example of centralized programming that he does not favor. He said that his direct-funding measures predated NPACT's creation in a July Administration bill never submitted to Congress.

"The whole approach boils down to Nixon's philosophy on everything," said Whitehead's assistant Brian P. Lamb. "Local versus national."

White House Offensive. Whitehead combined the funding and centralizations issues in an Oct. 20 Miami speech before the National Association of Educational Broadcasters.

Whitehead noted the 43-percent rise in national broadcast hours from 1968 to 1970 and a 13-percent decrease in local production during the same period; the creation of NPACT, and the interest among public broadcasters in "rating points and audience."

"The concept of dispersing responsibility," he said, "was essential to the policy chosen in 1967 for public broadcasting. . . . The centralization that was planned for the system—in the form of CPB—was intended to serve the stations, to help them extend the range of their services to their communities. . . . The idea was to build an effective counterforce to give appropriate weight to local and regional views. . . .

"Do any of you," he asked the broadcasters, "honestly know whether public broadcasting—structured as it is today and moving in the direction it seems to be headed—can ever fulfill the promise envisioned for it or conform to the policy set for it? If it can't, then permanent financing will always be somewhere off in the distant future."

Corporation Reaction. About two weeks later, John T. Witherspoon, Corporation Director of Television Activities, claimed that Whitehead had threatened "in straightforward political language" to oppose permanent financing for the Corporation until "public broadcasting shows signs of becoming what this Administration wants it to be."

"Decent national programming was our first mandate and now that's established," said the Corporation's William Duke. "Of course we want more variety in programming—we were saying that long before Whitehead said anything. But the industry's been on starvation wages for two years. . . . if they've really serious about the need for more localism, they should come through with the money."

Whitehead said in his Miami speech that "great bales" of money would solve much of the problem by strengthening the local stations. But money alone, he said, will never solve basic structural problems.

"We feel the decisions on structure should be made within the industry and by our board," protested Duke. "Either public broadcasting is free to organize its house or it's not."

The upshot is that year-old negotiations for acceptable funding legislation between the Corporation and the White House are stalled.

CONGRESSIONAL OUTLOOK

Three public broadcasting financing bills have been introduced in Congress this year. H.R. 7443 was introduced by Rep. Robert O. Tiernan (D. R.I.) in April. It provides for a $500 million five-year authorization through two-for-one federal matching grants.

H.R. 11807, introduced on Nov. 16 by Rep. Torbert H. Macdonald (D. Mass.), chairman of the Communications and Power Subcommittee of the House Interstate and Commerce Committee, provides for a $575 million five-year appropriation through the same matching grants, but stipulates that 30 percent of the total amount received annually by the Corporation must be distributed to local stations.

S. 2765 was introduced on Oct. 28 by Senators Warren Magnuson (D. Wash.), chairman of the Senate Commerce Committee, and John O. Pastore (D. R.I.), chairman of the Communications Subcommittee of that committee. Their bill calls for a 1973 authorization at the same level as the 1972 authorization—$35 million, contingent on the same matching grant regulations as 1972's authorization.

No Broadcast Tax. Missing this year are proposals for a public broadcasting excise tax, the most frequently mentioned method of permanent financing for the Corporation.

Whatever else they disagree upon in the field of public broadcasting, the White House, key members of Congress and the corporation agree that an excise tax proposal hasn't a chance of passage this year.

The political sensitivity of an extra tax in an election year is one reason. The fact that public broadcasting, with its smaller audiences, has little to offer public figures in an election year is another. The legislative crunch of a closing session is another. The fact that President Nixon and key House members are against an excise tax is another.

The Administration opposes the tax because "the President is against an extra tax that is forced on the individual," said a spokesman.

Wilbur D. Mills (D. Ark.), chairman of the House Ways and Means Committee, opposes the tax because he dislikes special-purpose trust funds beyond reach of the annual appropriations process.

Harley D. Staggers (D. W.Va.), chairman of the House Interstate and Foreign Commerce Committee, disapproves partly, according to an aide, because the excise tax would remove jurisdiction of public television from his committee and place it under Ways and Means.

Duke described the excise tax proposal as the Corporation's "ideal bill."

"But that's unrealistic," he said. "We'd be children to walk in there in a political year with a proposal like that."

Whitehead's speech may have politicized the public broadcasting issue to the point where even Macdonald's five-year bill may be unrealistic, Duke said. Although the Corporation would prefer that the Magnuson-Pastore continued-authorization bill covered two years and called for more money, Duke said, the Corporation would be satisfied with its passage.

"That would give us a couple years for Congress to get on its feet, to give us a chance to come up with a long-range financing bill," he explained.

It would also take everyone to 1973, past a possible change of administration—"which may have been a factor in some peoples' thinking," said a Senate Commerce Committee aide.

White House officials have accused the Corporation of "planting" the Magnuson-Pastore and Macdonald bills. "But Pastore considers himself the father of public broadcasting," one said, "and neither Pastore nor Macdonald is going to appreciate being played off against each other."

Duke denied any consultation on the Magnuson-Pastore bill, but said that Macdonald's aides "did ask our opinion" on their legislation.

No hearings are expected on any of the legislation until next year. Even then, if the issue continues to be as controversial, said the Senate aide, "a Macdonald-type bill will never get anywhere."

Administration Future. It is not likely that Congress would approve a public broadcasting commitment for a substantial amount of money over a period of years without Administration support, said committee aides on both sides of the Capitol.

The only Administration bill known to be drawn up, the direct-funding proposal, was submitted to and withdrawn from the Office of Management and Budget in July after the Corporation attacked it. Lamb, Whitehead's assistant, says that no other funding legislation will be submitted in the foreseeable future.

"If the political issue gets any worse, the Administration will say, forget it," Lamb said.

"What with the war and the economy, it's not an issue that Congress is willing to spend a lot of time on, anyway. It's not worth a political fight in a political year."

MONEY FOR PUBLIC BROADCASTING

Major sources of funds for public broadcasting are:

Congress. Funds the Corporation for Public Broadcasting and the Office of Education.

Office of Education. Funds stations through facilities grants. Funds Children's Television Workshop for *Sesame Street* and *The Electric Company*.

Ford Foundation. Funds Corporation for Public Broadcasting, Public Broadcasting Service, Children's Television Workshop, and individual stations.

Carnegie Corporation. Funds Children's Television Workshop.

Private Corporations. Funds Corporation for Public Broadcasting.

OFFICE OF TELECOMMUNICATIONS POLICY

President Nixon established the Office of Tele-Communications Policy (OTP) on Sept. 4, 1970. The new agency, like the Office of Telecommunications Management that it replaced, oversees the federal government's use of long-distance communications. But unlike its predecessor, OTP has also been instructed to set policy guidelines for telecommunications outside the government.

According to the director, 33-year-old ex-Rand Corporation researcher Clay T. (Tom) Whitehead, OTP has taken an immediate interest in the development of communications satellites, cable television and public broadcasting.

But Whitehead has also attracted attention with his statements on commercial broadcasting. In an October speech, he called for the elimination of the fairness doctrine and its replacement with a statutory right of paid access.

"However nice they sound in the abstract," he said, "the fairness doctrine and the new judicially contrived access rights are simply more government control masquerading as an expansion of the public's right of free expression." In another interview in *Broadcasting* magazine, he continued, "Fairness is great, but do you want the FCC, issue by issue, day by day, community by community, deciding what's fair and what's not fair? Or do you want to define a process that you think is generally fair and realize that there are local imperfections and live with that? What we're saying is that's the way to do it."

Whitehead favors reducing FCC control over details of a broadcaster's operation so that "the broadcaster's incentives are to look to the local community and program to meet local needs." Presently, Whitehead said, the broadcaster is pulled one way by a demand for local programming and pulled another by the FCC's national program standards.

Whitehead is assisted by George F. Mansur Jr., OTP's deputy director; Charles C. Joyce Jr., Walter R. Hinchman and Bromley K. Smith, assistant directors; Wilfrid Dean Jr., assistant director for frequency management; Mrs. John T. Smith, special assistant to Whitehead; Brian P. Lamb, assistant to the director for media and congressional relations; and Antonin Scalia, general counsel. (Background on federal regulation of broadcasting, Congress and the Nation Vol. II, p. 447).

WHO'S WHO AND WHAT'S WHAT IN PUBLIC BROADCASTING

Corporation for Public Broadcasting (CPB): Funnels money to noncommercial radio and television stations, National Public Radio and the Public Broadcasting Service. General support grants go to all stations; additional funds to stations engaged in national production. Headquartered in Washington. President is John W. Macy Jr. Fifteen-member board appointed by President and confirmed by Senate. Chairman of the Board is Frank Pace Jr.

National Public Radio (NPR): Produces and distributes national programming and manages station interconnection. Supplies equipment and facilities to member stations. Does not distribute money. Incorporated by CPB in 1970. Receives approximately $3.5-million from CPB annually. Headquartered in Washington, President is Donald R. Quayle.

NPR Stations: Receive NPR programming to supplemental local programming.

Public Broadcasting Service (PBS): Manager of the television interconnection; selects, schedules and promotes programs from national production centers distributed nationally. Distributes no money. Produces no programs. Incorporated by CPB in 1969. Receives $7-million annually, primarily from CPB. CPB does not operate PBS; PBS reports to a board drawn from public television management. Headquartered in Washington. President is Hartford N. Gunn Jr.

Regional and State Networks: The five regional networks are the Eastern Educational Network (EEN), Southern Educational Network (SEN), Central Educational Network (CEN), Rocky Mountain Corporation for Public Broadcasting (RMCPB) and Midwest Educational Television (MET). The main state networks are in Nebraska, South Carolina, New York, New Hampshire, Maryland, Kentucky, Georgia and Alabama.

The programming that four of the regional networks distribute to their member stations is taped except for one hour per week "live" from PBS. EEN, the largest regional network, carries more "live" programming.

PBS Stations. Eight are national production centers: KQED, San Francisco, KCET, Los Angeles; WGBH, Boston; WTTW, Chicago, WQED, Pittsburgh; WNDT, New York; WNET, New York; and WETA, Washington.

National production at WNET (Channel 13), New York, is handled by National Educational Television (NET), the major national production center for evening programming. President of WNET/NET, also known as the Educational Broadcasting Corporation (EBC), is James Day.

National production at WETA (Channel 26), Washington, is handled by National Public Affairs Center for Television (NPACT), which handles public TV's major news and public affairs operations. President is Jim Karayn.

All public television stations—whether or not they are national production centers—receive PBS programming to supplement local programming. They may also belong to state and regional networks.

Children's Television Workshop (CTW): Not part of public broadcasting system. Independent nonprofit corporation which produces Sesame Street and The Electric Company. Shows distributed through PBS. Headquartered in New York. President is Joan Ganz Cooney.

SALARIES AND TALENT FEES

The Corporation for Public Broadcasting released its executive salaries and talent fees Dec. 2 at the request of Rep. Lionel Van Deerlin (D. Calif.), a member of the Subcommittee on Communications and Power of the House Interstate and Foreign Commerce Committee.

The Corporation said its pay scales are modeled on those in the Federal Civil Service.

Corporation President John Macy tops the executive pay scale at $65,000. Vice President Ralph Nicholson receives $45,000; Director of Television Activities John Witherspoon, $40,000; and Secretary William Faville and Planning Director John Golden, $38,000 each.

President Hartford N. Gunn Jr. of the Public Broadcasting Service receives $50,000; and General Manager Gerald Slater, $40,000.

National Public Radio President Donald Quayle receives $45,000. National Public Affairs Center for Television President Jim Karayn receives $40,000.

Newsman Sander Vanocur receives the top "star" salary—$85,000 annually. His colleague Robert MacNeil, another senior correspondent, receives $65,000.

Bill D. Moyers, former press secretary to President Johnson and former Newsday publisher, will receive $75,000 for a 35-program series this year.

The National Review Corporation will receive $506,000 for 44 Firing Line shows. Columnist and editor William F. Buckley will receive a salary of undisclosed amount from this company.

The producer of Hollywood Television Theatre, Lewis Freedman, will receive $45,000 yearly, Fred Rogers of Misteroger's Neighborhood receives $40,000 annually.

Elizabeth Drew, Washington editor of The Atlantic Monthly, receives $950 for each program of 30 Minutes With. . . . The expected total is $40,000 per year. Arthur Fielder, conductor of the Boston Symphony Orchestra, receives $1,500 for each summertime program.

The Advocates pays each participant $1,000 per show. Alistair Cooke of Masterpiece Theatre receives $833 per show; Jean Shepherd of Shepherd's America, $750 per show; Robert Cromie of Book Beat, $500 per show; Julia Child of The French Chef, $500 per new show or about $10,000 per year; Marshall Effron of The Great American Dream Machine, $23,400 for the 20-show series; and David Littlejohn of Critic-at-Large, $250 per show, World Press participants receive $140 per show and Washington Week in Review participants, $125 per show.

"Whether public television's talent and administrative officers are overpaid constitutes a value judgment," Rep. Van Deerlin said. "I should have hoped that this new medium would build up its own air personalities, rather than seek to compete on the commercial market. I am afraid that the agency's hope for future success on Capitol Hill has not been improved by these revelations."

PROF. WILLIS C. TUCKER

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DUNCAN. Mr. Speaker, in 1947, Willis C. Tucker was given the assignment of establishing a school of journalism within the College of Business Administration at the University of Tennessee. Professor Tucker not only founded the school, but he became its chairman and remained as head of the school for the next 25 years.

The school of journalism met with such high acclaim that a few years ago the university decided to make it a full-fledged college. Thus, in 1969, the College of Communications opened in a brandnew $3 million building, and everyone associated with the effort knew that most of the credit belonged to Professor Tucker.

I mention these things at this time because Mr. Tucker is retiring as head of the school of journalism this year, and Saturday night, his students, past and present, and associates are honoring him with a special banquet at the Regency Hyatt House in Knoxville.

One of my sons was a student under Professor Tucker, and I have also had the privilege of working closely with several others who studied under him. I know that Mr. Tucker is held in the highest esteem by all those who have been associated with him.

Under his leadership, the school of journalism at the University of Tennessee has achieved a reputation as one of the best such schools anywhere. Professor Tucker has played a major role in raising the quality of journalism, not only in Tennessee, but throughout the entire Nation.

Willis Tucker has been a great asset to the University of Tennessee, and as he steps down as head of the school of journalism, I would like to add my congratulations for a job well done.

ASPIN REQUESTS GAO INVESTIGATION OF COAST GUARD

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ASPIN. Mr. Speaker, today I am requesting that the General Accounting Office undertake a comprehensive investigation of the U.S. Coast Guard. The experience of the people of Racine with the Coast Guard reveals that the organization is riddled with inefficiency, ineptness and a callous disregard for the lives of thousands of Racine boaters.

I hope that the GAO will determine whether the Racine Coast Guard station was closed simply as an economy move or because of the need for the Coast Guard to gain additional funds to cover its squandering on other programs.

I am also anxious to discover why the Coast Guard service in the Racine area has been so totally inadequate. On Monday, May 1, an aircraft crashed on Lake Michigan near Racine. It took 2 hours for Coast Guard boats to appear on the scene. Coast Guard helicopters were turned back because of heavy fog. In another incident, fishermen stranded on Lake Michigan were forced to wait 2 hours and 15 minutes while a Milwaukee and Kenosha Coast Guard station apparently resolved a jurisdictional dispute.

I hope that the General Accounting Office will be able to uncover why the Coast Guard so consistently seems to fumble its job in the Racine area.

The GAO will study whether the Coast Guard is wasting funds that could be used to provide decent Coast Guard service for communities like Racine. It will also survey the efficiency and responsiveness of other Coast Guard services.

The people of Racine and the American people deserve excellent service from our U.S. Coast Guard. If our experience in Racine is any example of what is happening around the country, then the Coast Guard is not doing an adequate job.

The letter to Mr. Staats follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 11, 1972.

Mr. ELMER STAATS,
Comptroller General of the United States, Washington, D.C.

Attention: Richard W. Kelley, Assistant Director, Department of Transportation

DEAR MR. STAATS: I am writing to you in order to request a general comprehensive review of the operations of the United States Coast Guard.

I hope that this review will involve the study of the costs, the technical expertise, and the organizational efficiency of the Coast Guard.

As you know, the Coast Guard recently decided to close the Racine Coast Guard station. Recently, a plane crashed in Lake Michigan near Racine. It took the Coast Guard two hours to send a boat to the scene. In another incident, there apparently was a jurisdictional dispute between a Milwaukee and Kenosha Coast Guard station that delayed aid to a group of stranded fishermen for more than two hours.

I hope specifically the General Accounting Office will be able to determine whether the Coast Guard is wasting funds that could be used to provide decent service for communities such as Racine.

The Coast Guard estimates that the annual savings of the closing of the Racine Coast Guard station is only $35,000. They also have publicly stated that it would cost an additional $130,000 to modernize the present facility.

I hope the GAO will study the adequacy of Coast Guard services, particularly in the fulfillment of its search and rescue mission.

A member of my staff, Mr. William Broydrick, will be in touch with Mr. Richard W. Kelley, your assistant director at the Department of Transportation, to work out the specific details of work which the GAO will undertake.

Sincerely,

LES ASPIN,
Member of Congress.

J. EDGAR HOOVER—REMARKABLE ACCOMPLISHMENTS

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. THONE. Mr. Speaker, when death ended 48 years of service as Director of the Federal Bureau of Investigation, J. Edgar Hoover received almost unanimous praise—some of it from unexpected sources.

Columnist Jack Anderson devoted an essay to Mr. Hoover's passing. Although a portion was concerned with alleged abuses of FBI power, the column contained this accomplishment-recognizing tribute, which I quote:

J. Edgar Hoover died, as he would have wished, in harness.

When he took over the FBI 48 years ago, it was loaded with hacks, misfits, drunks and courthouse hangers-on. In a remarkably brief time, he transformed it into a close-knit, effective organization with an esprit de corps exceeding that of the Marines.

Under Hoover's reign, agents were fired for drunkenness, for insubordination, even a few for homosexual behavior. But not a single FBI man ever tried to fix a case, defraud the taxpayers or sell out his country.

This amazing, scandal-free record was accomplished by hiring the best men available, training them well, convincing them they were the best, paying them top salaries, and then selling the public on the idea that the FBI is ready to protect the nation from internal emergency.

Above all, Hoover insisted upon discipline. FBI men, who were able to face down armed criminals, couldn't escape the gaze of Hoover. Small disciplinary infractions brought heavy punishment—transfers to unpleasant posts, suspension without pay, or outright dismissal.

For his giant accomplishments, the nation should pay homage to the Old Bulldog whose grim visage, gruff manner and steel-trap mind won't soon be forgotten.

J. Edgar Hoover was subject to error, like all mortals, but he was a remarkable man who did much for his Nation. Mr. Emil Reutzel, Jr., editor of the Norfolk, Nebr., News, in one brief paragraph summed up the strengths and contributions of Mr. Hoover's tenure at the FBI. In an editorial the Norfolk News declared:

Mr. Hoover was a strong man of great character who developed an agency in his image. Critics to the contrary, his power was not misused. He was a firm believer in limiting the role of the FBI to investigation and fact-finding with the findings turned over to others in the law enforcement field to do as they saw fit. Lesser men would have been influenced to use this power unwisely.

BROOKLYN'S DEAN

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BRASCO. Mr. Speaker, the other day, the revered and universally respected MANNY CELLER celebrated his 84th birthday. He is the dean of the House and as well loved as he is respected.

Over the years he has devoted his entire life to the democratic process as we understand it in this Chamber. In fact, he has always been found on the right side of every issue where the cause of human dignity is advanced. And he has never had to run to catch up with the good cause. Always he has been found out in front, leading it.

Every single major civil liberties and civil rights law on the books since the Great Depression has some or all of his imprint on it. Generations yet unborn will have cause to bless and remember his name because of that lifelcng belief in and attachment to the concept that all men are equal in the eyes of God.

He has always been an outstanding credit to the immigrant and ethnic and religious heritage he comes from and has in so many ways come to embody.

His efforts on behalf of the State of Israel alone have won him a place in the hearts of millions of Americans that must be felt rather than described.

My own service in this House as a Member representing a portion of Brooklyn has been marked with a most cordial learning and cooperating relationship. MANNY has always been ready to aid another Member in any and every way.

So I extend my warmest congratulations and best wishes to MANNY CELLER on this birthday. He has been a credit to the Congress and to his constituents. He has helped strengthen the democratic process by his daily actions. I can only wish him the best of health and happiness and many happy returns of the day.

REPUBLIC OF CHINA: POST-UNITED NATIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RARICK. Mr. Speaker, in this issue-oriented world of ours where the minority can manipulate public opinion through a series of created crises, much of importance can be lost.

Such is the case of the Republic of China, a trusted ally and a valued friend who, though it has suffered tragically at our own hands in being expelled from the United Nations, remains friendly to the American people. Its people have not forgotten; have we?

The free Chinese have been the victims of an unrealistic notion of "balance of power potentialities"—a situation, in fact, an existence, that has been created by the power manipulators of the United States for their own profit and economic control. The doctrine of the superpowers is a created myth whose only reality rests on imagined strength and its resulting fear.

The present administration, unfortunately, seems to believe that the balance of power game is simply a question involving the United States, Soviet Russia, and the Communist Chinese; in actuality, there is much more at stake—in fact, the very existence of the free world. Peace for the Communists can only be reached after total world domination, regardless of how this is achieved; if the United States, the leader of the free world, continues to appease the Communists by yielding to their every suggestion, threat, or demand, this world will see the end of individual freedom in our time.

The Republic of China stands as a constant bulwark against further Communist aggression; truly, these are people worthy of our continued friendship, respect, and admiration.

I ask that a related article by a Yale professor of political science detailing the situation of the Republic of China following its expulsion from the United Nations follow. The article appeared in the May 1972 issue of Issues and Studies: A Monthly Journal of Communist Problems and World Affairs.

The article follows:

REPUBLIC OF CHINA: POST-UNITED NATIONS

(By David Rowe)

The Republic of China (ROC) includes not only Taiwan and the neighboring Pescadores Islands, but the Matsu and Kinmen (Quemoy) groups close up to the Communist mainland. In these territories there are now over 15,000,000 people who enjoy the fruits of the Modernizing Chinese Revolution of our time. To this Revolution the ROC is the sole heir, and it continues to carry it on with unbated energy, determination, skill and devotion.

Today, as a result of its expulsion from the United Nations and the admission of the Chinese Communist regime there, the ROC has once again come to an important crisis in its life. What is it, and what does it mean?

By way of background, President Nixon in his State of the World message of Feb. 25,

1971, while opening the door to UN membership for the Chinese Communists, had promised to continue to resist attempts "to deprive the Republic of China of its place as a member of the United Nations and its Specialized Agencies." (p. 108) A simple majority vote in favor of expelling the ROC from the UN and for admitting the Red Chinese had been cast in the UN General Assembly in 1970. It thus became clear that the so-called "important question" technique of requiring a two-thirds majority for expulsion would probably be ineffectual in 1971. Nevertheless the United States held to this technique. The ROC loyally went along and did not invoke the other main provisions of the UN Charter that clearly applied to the matter.

In this respect, Secretary of State Rogers and other U.S. officials repeatedly, and correctly, labelled the UN action toward the ROC as "expulsion" of a member. Under the UN Charter such expulsion of a Permanent Member of the Security Council by a simple majority of the General Assembly was clearly illegal. Under U.S. law the Charter, as a Treaty to which we are a signatory, is part of the "supreme law of the land." This supreme law has been violated in this instance.

To the Government and people of the ROC the announcement on July 15, 1971, of President Nixon's visit to Communist China had seemed to maximize the chances of a reaction against them in the coming UN session. When his foreign affairs advisor Dr. Kissinger, made his second visit to Peiping just at the time of the voting in the General Assembly, they believed it had certainly helped swing votes away from them. Announcements came from the State Department to the effect that the question of "Taiwan" (as it is usually mis-named) was still unsettled since the end of World War II. Dr. Kissinger implied that this should be a matter for negotiation between the ROC and the Chinese Communists.

All this made it very difficult to take at face value the continuous stream of statements by US officialdom that, even after the expulsion of the ROC from the UN, the United States would continue to recognize the ROC and to come to its defense in case of attack, as provided in the mutual security treaty of 1955. After all, in 1949–50 President Truman had refused further military assistance to the ROC. In January 1950, Secretary of State Acheson had declared both South Korea and Formosa (Taiwan) to be beyond our defense perimeter in the Western Pacific. Was the United States about to revert to these policies of the past?

In 1945 the United States had decided that the ROC must be brought into a coalition government with its sworn enemy and inveterate opponent, the Chinese Communist Party. Was Dr. Kissinger now trying to revive some such strategy by urging negotiations between the ROC and the Chinese Communists? Like the try at coalition in 1945–47, the Nixon two-Chinas policy in the UN had failed in 1971. Both were attempts at securing a modus vivendi between Chinese Nationalists and Communists. But the 1971 two-Chinas policy resulted in a complete victory of the Communists in the UN and the complete defeat of the ROC there. Would President Nixon's trip to Peiping carry this defeat still further?

These apprehensions combined with a wave of shock, anger and bitterness in the government and people of the Republic of China. We must remember that many of those who had come over from the mainland twenty years before had lost everything they owned to the Communists. Was disaster to engulf them again? But the tradition of revolutionary persistence in the face of defeat and even of seeming disaster is still as strong as ever in the Republic of China. A very few people decided to liquidate their holdings in the local economy, but were soon to see all values climb higher than before. No major defections of any kind have been indicated. The resolution and steadfastness of the people of Free China, from President Chiang Kai-shek on down, is often capable of surprising even those who know it best.

Being forced out of the UN was a bitter blow to prestige, and a cruel injustice, undeserved on the record. But the dignity and assurance of the Republic of China survives unharmed. Furthermore, the ROC has simply proceeded to adjust and innovate on every hand.

In foreign affairs, for instance, a new flexible policy has already been initiated. Dealings of all sorts, on a pragmatic basis, with any and all countries, no matter what their ideologies, will be undertaken in the future, if only the countries involved are not "hostile" to the ROC. Every case will be worked out on its merits, without regard to legalisms or technicalities. This would seem to forecast possible trade relations, for example, with any member of the Communist bloc except Communist China. The ROC has simply accepted, however unwillingly, the new developments as to its international status, and has decided to make the best of them.

Internally, there are also strong tendencies toward generalizing still further the political representation and participation of the people in government, while revitalizing administration by the introduction of more new and vigorous young talents. Changes of this kind have been under way for a number of years. Power has been flowing steadily away from the older functionaries and into the hands of younger and modern scientifically trained personnel. Much of the ROC's progress in the last twenty years has come from this.

Most evident as a reaction to the current emergency are policies aimed at still more rapid and progressive development of the economy. Certainly the UN defeat and other developments in the foreign field have by no means hindered economic growth. On the contrary, 1971 was the best year ever for business in the ROC, with the gross national product climbing by 11.4% to a figure of US$6,237.5 million at current prices. Per capita income increased by 10% to a figure of US$329 per annum, one of the highest in Asia. Foreign trade increased during 1971 by 32% to a total volume of over US$4 billion. This is very close to the total figure for the entire Communist mainland with at least 47 times as many people.

The US Ambassador to the ROC, Mr. Walter McConaughy, predicted in a speech before the American Chamber of Commerce in Taipei on Jan. 19, 1972, that the total foreign trade of the ROC would exceed that of the Chinese mainland by as much as US$1 billion by 1974, and that by 1975 this "margin is likely to be even bigger." (Note: in terms of value, about 28% of Red China's exports are of narcotics.)

Economic development in the ROC is firmly based on a substructure of high quality education, with nine years of free education for all. There is increasing emphasis upon vocational training. Basic research is stressed, and will be continuously developed in the future, taking into full account the skills being imported from abroad along with capital funds. American investments in the ROC are steadily increasing and will soon be worth US$500 million.

Increasing attention is being given to manpower problems, particularly in view of the steady drift of labor from agriculture into industry. The primary problems of manpower are qualitative ones. On these matters the best brainpower in both the USA and the ROC is being mobilized to work out solutions. Included are some very comprehensive plans for mechanization and land consolidation in agriculture, as answers to growing shortages of agricultural labor. The population grows at a rate of around 2.3% per year, but the rate is slowly being decreased.

Rapid economic and technological development is bound to bring new problems, particularly as to social welfare, labor and income. Much of the industrial growth is based upon the lower wage scales prevalent in the ROC, even compared to Japan and Hongkong, as well as the high trainability and hard working habits of labor. But the ROC has successfully dealt with the wage problem by effective controls upon wages, money supply, commodity prices and currency values. No substantial wage-price inflational spiral is likely in the near foreseeable future. This, in turn, induces capital inflow, accompanied by advanced technology. This increases productivity of labor and leads to a natural healthy growth in labor's income and standard of living. This is a politico-economic fact of great importance. The accompanying growth of social services, such as health insurance, is in fact spearheaded by the Nationalist Party itself, not the least of whose interests is naturally that of political mobilization.

All this is related directly to the problem of internal security of the ROC. There is no doubt but that the drastic shift in the world position of the ROC will accentuate opportunities for the development of opposition to the Government, from a variety of reasons and sources. The assumption must be made by the Government now, even more than before, that some of this will emanate from a desire for the destructive subversion of the Republic of China. But this has never constituted a major problem for the security agencies of the ROC, and it is not likely to become such in the near future.

There is no doubt of the glowing pride of the people of Free China in the social, cultural and economic achievements of the past twenty years. To them this is a living proof of the continuing validity, over the years, of their own solutions of the problems of the Modernizing Chinese Revolution of our time. This is a fact of Chinese life, of which the people on the mainland and in the Republic of China are all aware. It is also a fact of the continuing political warfare between Communist China and the Republic of China. But here, of course, is the danger, namely that the greater the successes of the Republic of China and the grosser the failures of the fluctuating and expediential policies of the Chinese Communists, the more the latter must, in self defense, resolve to "liberate" the people of the ROC by force, saying, as they do, that "no force on earth" can stop them.

It is natural, therefore, to hear the top echelons of the Government of the ROC saying that "economic strength is the only means to military power." Here, while accepting the limitations natural to a people of only fifteen million with a highly restricted area and natural resource base, the Republic of China will undoubtedly develop its armed strength to the highest degree consistent with orderly and swift economic and social development. In this as in other things, it "does a lot for less." Aside from regular armed forces of about 600,000, it has huge trained military reserves several times larger, along with the necessary weapons and command structure.

Military development will no doubt be accentuated by the drop in credibility ratings of previously relied upon "guarantees" as to their external security. In spite of all assurances from the "highest quarters" in the U.S. government that it will sustain its treaty for the ROC's security against armed attack, there remains the steady question as to just what these guarantees may mean in actuality.

For example, the Chinese Communists for a long time have demanded the "total removal of U.S. forces from Taiwan." President Nixon can hardly accede to this demand

without helping to create the same situation in respect to the ROC that Mr. Acheson did for the Republic of Korea by his announcement that it was "beyond our defense perimeter in the Western Pacific," which certainly helped bring on the Korean War about six months later. The likelihood might be stronger, therefore, of some actions which at the start might be described as "merely symbolic." They could start, for instance, with a pledge by President Nixon to close down all U.S. Air Force stations on the island of Taiwan. Perhaps the single most important of these involves the USAF use of the big Chinese air base in central Taiwan as a way station in air logistics for the war in Southeast Asia. This might happen soon anyway, as the war in Vietnam phases down or out. Another possibility is that the U.S. Military Assistance Advisory Group (MAAG) might be removed. Such an action would, it seems, be far more important symbolically than materially, although its material significance cannot be completely downgraded.

The increasing self-sufficiency of the Republic of China's armed forces, and their capacity for maintenance, repair and replacement of military equipment have been well noted. Their Air Force is in serious need of more modern planes for defense, but the US Government has not been willing to supply them. Removal of the US MAAG might well stimulate the Republic of China to spend some of its foreign currency reserves upon such weapons. Even though this could by no means satisfy the requirement, it would constitute a "counter symbolism" to help off-set effects of possible US withdrawal of its advisory group.

Much farther up on the list of possible options would be the withdrawal of the American component of the joint Sino-American Taiwan Defense Command (TDC). This organization, logically called for by the joint security arrangements between the two countries, is headed by an American admiral who is schematically second in command under President Chiang Kai-shek, Commander in Chief of ROC armed forces. However, even if these joint security arrangements are themselves to be unilaterally put out of effect by the USA, contrary to every specific guarantee that has been repeated so many times since the UN defeat, something like the TDC is essential to the interests of the USA in respect to the preservation of security in the area. Otherwise the ROC would be left in complete control of the options as to defense against aggression in the area. If only for such reasons, TDC removal at this time is deemed improbable.

Finally, what of the idea that the Chinese Communists would, *for the time being at least*, be satisfied if only the Republic of China would evacuate all its armed forces from the offshore island groups of Kinmen (Quemoy) and Matsu? These islands are in no sense bases for any possible ROC attack against the Chinese mainland. They have been strongly attacked *from* the Communist-held mainland, notably twice, in 1949 and 1958. Both attacks failed.

As things now stand, the Republic of China cannot conceivably be "talked out" of the offshore islands, and will not even discuss the matter. They have developed the defenses of these islands to the place where they believe that, given adequacy of air cover, they are solidly defensible. But even if not, they will have to be driven out of them by force, since they consider them indispensable forward positions for the defense of Taiwan and the Pescadores from attack from the mainland. It is merely natural and logical that their unjustifiable expulsion from the UN has hardened their will against giving up as much as one square inch of their national territory.

But what if the discussions between Mao Tse-tung and Chou En-lai and President Nixon in Peiping should take a more general line, involving, for example, the idea that in return for a pledge by the Chinese Communists not to use force in the Taiwan Strait, the USA would pledge no further military support at all for the Republic of China? It is most doubtful, no matter what is promised on either side, the American diplomacy at this time can really succeed in the aim of getting the Chinese Communists to abjure the use of force in the Taiwan Strait, something our diplomacy has been trying to secure ever since the days of Secretary of State John Foster Dulles. And in the last analysis, any Chinese Communist promises along this line would not be worth the paper they were written on.

But, it will be said, at present the Chinese Communists have special reason to make some agreement. They are, it is claimed, desirous of "doing business" with us because they want to use us to help balance off the Russians who threaten them with thirty-five or more divisions of heavily armed troops along their northern borders. The exploitation of the balance of power potentialities of the so-called Sino-Soviet split is, in fact, widely considered around the world to be the main reason for the Nixon initiative toward Communist China and for Mao Tse-tung's willingness to have him visit and talk in Peiping. In fact it goes beyond this, even to the point where many are convinced that the troubles between Peiping and Moscow have resulted in conversations between authorities of the ROC and those of both the Chinese Communists and the Russians! The Chinese Communists have themselves planted stories to the effect that the ROC had been talking and negotiating with them. On this, President Chiang Kai-shek's New Year's Day message to his own people, of 1972 stated:

"The only contacts between us and the enemy are those of blood and steel in the operations in front of and behind the enemy's lines. There are absolutely no contacts of any other kind."

In fact the balance of power game here is far from being a relatively simple question of Communist China, Russia and the USA, but must involve a number of other countries as well. The current initiatives of Moscow toward Tokyo show how hard it is to keep such a game within bounds. What would it profit President Nixon to gain a few odds and ends from the Communists in China, only to lose as far as Japan is concerned? Here the Russians hold some high cards in the shape of Japanese territories they have held since the end of World War II. By contrast with the Nixon diplomacy toward Okinawa, the Russians have held these territories until a vital *quid pro quo* could be secured for any concessions regarding them.

President Nixon no doubt entertains the notion of playing around the margins of the problems of Sino-Soviet relations and thus avoiding any entanglement with either party which would be dangerous. But if the Russians are suspicious of what he may be doing in this respect, we know already that the Chinese Communists are not merely suspicious; they are convinced from the start that President Nixon, who made his political start in life as a hard anti-Communist, could never be trusted even if he were to say only "Two plus two equals four."

Seen in this way, President Nixon's Peiping trip and his later trip to Moscow are not believed in the Republic of China to be likely to change things for the better. They are also convinced that whatever may *seem* visibly to come out of these meetings, the unannounced results, even perhaps the secret agreements for the future, will be more important to them than what is in the communique, if there is one.

Therefore it follows, many in the ROC believe, that the way must be explored toward alternate sources of security in case the United States really and in secret seems to be deserting them, and no matter how long such a desertion could take. For a long time they have been trying to build up regional security arrangements with such nations as the Republic of Korea, the Philippines, and South Vietnam. The United States has, seemingly, always discouraged these efforts, on the basis that none of these countries need any more security guarantees than are given by the USA.

This argument now begins to fall on rather deaf ears not only in the ROC, but in all the other countries involved in the area. But the missing element is Japan, as to whose direction in the field of national defense no one can be sure. Even the current slow but steady rise in the military budget in Japan raises severe political problems there, not the least of which are caused by the strong aim in many quarters to "normalize" relations with Communist China.

Such "normalization" already faces the staggering obstacle of Japan's previously stated and now reaffirmed position as to the ROC, as of Jan. 11, 1972, namely that the security of "Taiwan" is of vital importance to Japan. This so-called "Taiwan clause" was originally contained in the joint Nixon-Sato communique of Nov. 19, 1969. But now, as then, any relevance it has to the security of the ROC is, purely and simply, a function of US security arrangements on behalf of the ROC. Japan plays no part in any such arrangements. And, in fact, no US forces on bases in Japan can be used for this or any other purpose without prior consultation with Japan and Japan's consent. This will soon apply to our bases on Okinawa.

Only a sufficient and autonomous Japanese military establishment can provide any meaning or any sanctions behind Japanese desires and plans for the security of areas nearby to herself and in which her political and economic as well as strategic vital interests are involved. This may well be a very long time in coming. But this too will depend very much upon the Japanese interpretation of the results of the Nixon visits to Peiping and Moscow.

The pressure in the Japanese media for "normalization" of relations with the Chinese Communists has to be seen to be believed. Even anti-Communist circles in Japan appear to have been at least partially brainwashed by this constant pressure. Some Japanese are now beginning to urge, for example, that the Republic of China should cease to identify itself with China at all, and should abandon its title as Republic of China in favor of one which would identify it as a "separate country." Perhaps they believe that this is the only way in which it can possibly escape a takeover by the Chinese Communists. But there is little chance that the Chinese Communists would settle for anything as trifling as this. They want nothing less than the destruction of the Government of the Republic of China and the takeover of its territories, people, armed forces and total assets. And the Government of President Chiang Kai-shek will never give up its present title, no matter what is advocated along these lines either at home or abroad.

The Republic of China, post-United Nations, thus presents a picture of calm, resolute and determined self-confidence in the face of the injustice and evil treatment which it suffered in the United Nations. It is, in fact, the UN which has come out badly in this matter. By contrast with the Republic of China, the United Nations has lost the confidence of millions of its supporters both in the United States and around the world, and has set its feet on the pathway towards dissolution and total impotence.

In fact, the Republic of China is today stronger than ever before. Its friends and admirers on every continent have even more reason to support it than ever. Long Life to the Republic of China!

CONTINUING CRISIS IN MEAT PRICES—IMMEDIATE REPEAL OF MEAT QUOTA ACT NEEDED

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. VANIK. Mr. Speaker, as every shopper knows, the price of many food goods, particularly meats, fruits, and vegetables, skyrocketed during the past half year. Finally, this March, it was reported that the supermarket food prices dropped 0.4 percent, with the farmer, not the middleman processor, absorbing the price cut.

While the trend in recent prices is encouraging, it is still an undeniable fact that food prices, especially meat prices, are still too high and will probably begin rising again within a month or two.

While the general level of meat prices is usually upward throughout the spring and early summer, there is often a small drop in April and May. After that the prices continue to rise through at least the fall months. I predict that this summer's meat prices will be the highest ever, unless immediate action is taken to control these prices. This forecast is supported by an article which appeared in the New York Times, of May 2, 1972, which included the following analyses:

Higher farm prices for hogs and beef will mean higher wholesale prices. And unless retailers are willing to accept, or are pressured by the Government into accepting, a reduction in their profit margins, supermarket pork cuts will certainly cost more by September. If past trends in beef demand continue, supermarket beef cuts will also be edging up by September and October.

A recent Agriculture Department inventory of hogs now in feed lots has confirmed what agricultural economists were forecasting in early March: The supply of pork ready for market in September will decline by as much as 7 per cent. If demand continues at current levels, a decline in supply will certainly be followed by an increase in the prices paid to farmers.

The forecasts indicate that by the October-December quarter, beef ready for market will be 4 per cent above last year. But the American Meat Institute estimates that during the next six months the annual per capita consumption of beef will rise from 113.3 pounds per person to 115.5.

In the last decade, a steady increase in the per capita supply of beef has not been enough to prevent increasing demand from pushing prices up.

From its studies of past trends, the institute believes that a far greater increase in annual supplies of both beef and pork would be necessary to hold prices near their current levels indefinitely, and this is not in prospect.

The administration expects meat prices to continue to rise. The Director of Agricultural Economics of the Department of Agriculture said in a speech of this January 6 before the Kansas Livestock Association convention that—

First, the short run. This year shapes up as being one of the better years for livestock producers. Red meat out-put will likely be about the same as last year.

We expect marketings to be up next summer and fall because the cattle inventory is rising and cattle-feed price relationships generally favor expanded feeding. Usually, when we see sizable increases in beef out-put ahead, we anticipate lower cattle prices. *But it looks like any weakness in cattle prices that may develop will be limited . . . the price effects of increased beef out-put in 1972 likely will be offset by the sharp reduction in pork out-put now developing. There probably will be another rapid rise in consumer incomes.*"

Not only will prices rise this year, but the same economist predicts meat price increases over the next decade:

Now let's take a quick look at some of the longer-term aspects of the livestock situation . . . the beef production projected for 1980 would mean a rise of around a third over that produced in 1970. *This is a slower rate of increase than from 1960–1970 . . . thus, in the years ahead, the pace of expansion in beef out-put will slow . . .*

Price trends in the cattle business will continue irregularly upward even with an increase in production because consumer demand will be up even more.

I am not against an improvement in the income of the livestock growers—but it should not come at the expense of America's urban consumers whose wages have been frozen during the current economic emergency. In addition, there has been a great deal of propaganda put out by the livestock industry, generally to the effect that it is about time that livestock prices rose, that prices today are only equal to what they were 20 years ago, and so forth. It is deceptive to use the catch phrase, "prices were only equal to what they were 20 years ago" because 20 years ago, as you will remember, was the height of the Korean war—a war which resulted in such a domestic inflation that price controls were imposed—even on meats. Prices paid for cattle were 40-percent higher in 1951 than they were 2 years earlier and they were 50-percent higher than they were 2 years later in 1953.

During the war crisis, the price per hundredweight at Omaha of choice steers was $33.64. But the average price for these steers during the period 1953–57 was $23 or about $10 less per hundredweight. Has the cost of raising cattle risen significantly since then? Of course, many costs have increased. But there have been some technological breakthroughs that have radically increased the cattlemen's yield. Not only is the age at which slaughtering is now done considerably lower, but the calving rate has increased by 80 to 90 percent in the last 20 years.

In short, I do not believe that today's meat prices can be properly justified. Certainly, today's crisis prices should not be justified on the grounds of the crisis prices of 20 years ago.

CONTINUED ARTIFICIAL PRICE OF LOWER GRADE CUTS OF MEATS

My main point today, however, is that while the latest newspaper reports indicate that the price of groceries and some meats may have declined in the last month or two, they do not indicate which cuts of meat are becoming less expensive.

I believe that the cheaper cuts of meat—the processed and canned meats, the frozen dinner meats, hot dogs, and hambugers—are still at totally unreasonable highs. It is the more expensive grades of meat—the sirloin steaks that so few of us can afford—that are beginning to decline in price.

The price increases between February 1971 and February 1972 in New York, Washington, and Los Angeles, are larger, percentagewise, for many cheaper cuts than for the expensive cuts. For example, the Bureau of Labor statistics has provided the following data:

	Prices for February 1971	Prices for February 1972	Percent change from February 1971 to February 1972
Chuck roast (pound):			
New York	74.9	89.0	18.1
Washington	74.5	85.7	15.1
Los Angeles	70.4	80.7	15.3
Round steak (pound):			
New York	158.4	179.3	14.0
Washington	136.2	152.3	12.2
Los Angeles	116.7	133.6	16.1
Sirloin steak (pound):			
New York	136.9	153.4	11.4
Washington	133.9	149.3	11.6
Los Angeles	182.9	208.7	14.1

In Cleveland, the same price pattern appears to be developing. For example, while the price of sirloin steak last Tuesday, May 2, was essentially the same as it was last November, ground beef and chuck is still generally a dime per pound more than it was in November. A sampling at two stores revealed the following price patterns:

	Nov. 10	May 2
Store A:		
Ground beef	$0.59	$0.69
Ground chuck	.79	.89
Sirloin steak	1.39	1.38
Store B:		
Ground beef	.69	.79
Ground chuck	.79	.89
Sirloin steak	1.49	1.34

One of the major reasons for the continued exorbitant prices for the traditionally cheaper grades of meats is that there is a real shortage of this type of meat, known as processing meat. The reason that there is a shortage is because we have placed restrictions on the importation of foreign meat, meat which is almost entirely of the processed variety. These restrictions have been permitted under the provisions of the Meat Import Quota Act of 1964, an anticonsumer piece of legislation which I opposed in 1964 and which I—and some 50 other Members of the House—are now seeking to repeal.

The meat that is raised in foreign nations is, almost entirely, noncompetitive with that raised by our livestockmen. The reason is that the foreign animals from Australia and New Zealand, for example, are allowed to graze on open range lands. Our livestock is now often raised under "greenhouse conditions." Heavy use is made of feedlots where the animals barely move—and, therefore, their meat is fatty, juicy, and tender. The foreign range feed meat is generally tough and lean and, therefore, not suited for being cut into steaks. American cattlemen claim that about 40 percent of the meat imported into this country comes in in the form of competitive "cuts" and that the free entry of foreign meat would

drive down their prices. This is not true. When the quotas were first imposed in 1964, only about 10 percent of the foreign meat entered as "cuts." That same ratio holds true today. The simple fact is that the American livestockmen cannot supply the quantity of lean meat for processing that is needed by the American consumer.

This fact can be seen by an examination of the price trends in meat during the past 8 months. Below is a table obtained from data contained in the daily price quotations of the Chicago market, as reported by the National Provisioner Daily Market Service. The first column of figures is the highest printed price for the 30 days proceeding August 15, 1971—the base period on which prices would have been frozen if the phase I controls had been extended to meats. The second column of figures is the market quotations for May 5, 1972.

BASE PERIOD, MAY 5, 1972 (U.S. GRADE CARCASSES)

	Top half	
F.o.b. Midwest River points:		
Ch. Strs. 5/600	53	55
Ch. Strs. 6/700	53½	55
Ch. Strs. 7/800	54	54
Ch. Strs. 8/900	53½	53
Choice lambs (river points):		
Lambs, 35/45	64	62-63
Carcass, cows and bulls (CHGO)		
Cows, North:		
C.C., 350/up	48½	52½
Bng. Utl. 400/up	45½	49
N. Bolo Bulls 500/up	50	54
Boneless processing beef—Fresh C. & C. (packed), frozen:		
65, buls. beef 90% ln	65	72
66, Bnls. Chucks	66	72
61, Trmgs. 85/90%	61	68
50, Trmgs. 75/85%	50	57
Froz. Shank Meat	65%	72½-73
Froz. Shldr. Clods	68	74
Aust.—N.Z. frozen imported meats f.o.b. port of entry (30 days):		
Cow Meat 90% Vis. In	61½	67½ to 68
Bull Meat 90% In	63½	69 to 69½
Shank Meat	64½	69½
Bnls. Mutton 90% In	38	44½ to 45
Primal cuts beef—U.S. Choice or equal:		
Less than Carlot	Choice	
Trad. Loins 40/50	98	93
Trd. Loins 50/60	1.00	93
Trad. Loins 60/70	1.00	93
Ribs 25/30	72	73-74

These figures show that while the price of choice cuts of meats rose way above the base period price during the winter months, they have now declined to levels equal to or below that of last August. But processing meat, the meat used in the cheaper grades is actually higher than it was last August. This means that it is getting cheaper to eat sirloin. But if your budget can only afford hamburger, you are still in trouble.

Note especially the quotations for Australian and New Zealand imported meats. It is now being imported at a price up to 8 cents higher than it was 8 months ago. Obviously it is needed to meet the needs of the American consumer. Yet we are limiting the importation of this meat. The results are higher prices for those who can least afford it. The Meat Quota Act must be repealed.

Finally, I would like to make a few comments about the statements which have been issued by the Secretary of Agriculture and others claiming that the American shopper is lucky that he only has to pay a small portion of his weekly take-home pay for food costs. The Secretary has stated that the American housewife spends only 15.6 percent of her disposable income on food. This figure is totally inaccurate. This figure appears to be accurate for the small number of American families making about $20,000. For those with incomes above or below that figure, the figure is fictitious.

The Library of Congress has estimated that families earning about $6,300 a year would spend about 30.5 percent of their disposable income on food; families earning around $9,000 a year, 27.2 percent on food; and city families with an annual income of around $12,700 would spend approximately 24.5 percent of their income for food.

For a family of four living below the poverty level, $4,000, the percentage spent on food is obviously much greater. According to the Secretary of Agriculture, such a family would spend only $624 a year on food, or $12 a week—an obvious impossibility.

When so many families spend such a large proportion of their income on food, every effort must be made to stabilize food prices. Not only should the Meat Import Quota Act be repealed, but the strictest controls must be maintained on the prices of goods which the farmers and livestockmen must buy and the prices which food processors charge. Direct controls should be extended to fresh foods. The continuing failure to do this will completely undermine the economic stabilization program.

GOODWILL—ADDING TO HUMAN RESOURCES

HON. CHARLES THONE

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. THONE. Mr. Speaker, for 70 years, Goodwill Industries has been helping to develop America's most valuable resource—people. May 7–13 has been designated as National Goodwill Week to recognize this institution's contribution in helping those who otherwise could not be self sufficient.

A cornerstone of the Goodwill program has been, and is, collective of reusable clothing, furniture, and appliance for repair and resale. Goodwill work, however, is much broader in scope and includes manufacturing and assembling products.

Goodwill's basic aim is to train handicapped people so they can obtain regular employment. For those too handicapped to earn regular wages, Goodwill operates sheltered workshops where severely handicapped people earn dignity while they are earning a few dollars in wages.

Seventy years ago, Goodwill began by serving the physically handicapped. Now, the agency is helping addicts, alcoholics, the mentally retarded and the emotionally disturbed to become taxpaying wage earners.

As a nation we need to give more support to agencies such as Goodwill Industries, which can carry out many tasks more effectively and at less cost than can the Federal Government.

A VIEW OF ICC

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. MURPHY of New York. Mr. Speaker, I commend to the attention of the House of Representatives the recent remarks of Mr. Charles A. Webb, president of the National Association of Motor Bus Owners before the 1972 Conference of the Motor Carrier Lawyers Association. Mr. Webb's views are helpful to us in the discharge of our responsibilities in the field of interstate commerce, particularly as they relate to the decisional process of the Interstate Commerce Commission:

INSIGHTS INTO THE DECISIONAL PROCESS

(Remarks of Charles A. Webb)

It is always an honor for a lawyer to be asked to address his peers. My last speech before the Motor Carrier Lawyers Association was in 1965 in Las Vegas when I was Chairman of the Interstate Commerce Commission. This then is the second time I have written a speech for motor carrier lawyers for delivery in a locale which makes an audience problematical.

One of my last speeches as a member of the Commission was titled, "How the Commission Decides Its Cases." I don't know where Bill Lippmann resurrected it but as Chairman of our Program Committee, he asked me for an encore and to discuss for illustrative purposes, passenger broker licensing cases. I have conferred with several former colleagues to verify that the Commission's decisional processes have not changed essentially over the past five years.

When I was appointed to the Commission, its dean was the late Judge Mitchell. In reminiscing about his service as the junior Commissioner, he told me that upon taking office he found in the top drawer of his desk a pair of dice. He did not know whether they had been left by his predecessor or planted by a practical joker. I am sure Commissioner Mitchell never required any such decisional aid, but the value of a judicious use of dice should not be overlooked.

A Commissioner is obliged to vote on many matters without the benefit of an adequate file or record. For this reason, a decision on whether to grant or deny temporary operating authority or to suspend or not suspend a challenged rate may be as unpalatable for deciding Commissioners as for the losing party. Consider the advantages of throwing the dice. All suspicion concerning the possible influence of improper *ex parte* communications, modal favoritism, or undue fraternization would be dissipated. This no-fault jurisprudence would also elimiate fees of counsel.

I often thought of Judge Mitchell's dice in those cases where a vote either way seemed wrong. For example, a broker of passenger transportation by motor vehicle should exercise independent judgment in providing the best service available from all authorized carriers in the area. This principle was cited recently by the Commission as a reason for denying a broker's license to an applicant affiliated with local sightseeing companies. *Gray Line National Tours Corp. Broker Application*, 114 M.C.C. 914 (1972). On the other hand, there are precedents for the issuance of licenses to brokers affiliated with carriers. E.g., *Kerrville Tours, Inc., Broker Application*, 100 M.C.C.. 270 (1965); *National Trailways System Broker Application*, 41 M.C.C. 411 (1942).

There are other cases in which decisions reached by a roll of the dice might be just

as satisfactory to all concerned as those reached by intellectual torment. Seriously, though, the Commission's decisional process is highly responsible and, before being quoted out of context, I should proceed to explain why.

All of you are familiar with the organizational framework of Commission action. The Commission's internal decisional processes, from the standpoint of reaching sound conclusions, are perhaps more important than its published rules of organization and procedure.

The most important Commission cases are those considered in conference. Regular conferences are held on the first and third Tuesdays of the month. The Commission also meets in conference either at the end of oral argument or within a week or so thereafter. In addition, numerous special conferences are called as the need arises.

The formal discussion of a case is begun by the senior Commissioner in point of service, proceeds to the junior Commissioner in point of service, and ends with the Vice Chairman and the Chairman. After a further and less formal exchange of views, the roll is called in reverse order of seniority.

Voting by proxy is not permitted. If a Commissioner is uncertain as to how he should vote, which is unusual, he may vote later by notation. After the roll is called, the Chairman designates a Commissioner who voted with the majority to supervise the preparation of a report reflecting the views of the Commission. The preparation of a draft report in a difficult case may require two or three months, or even longer. The draft report is circulated for suggested revisions and for final approval. Although the decided date on Commission reports is correct, virtually all of the cases considered in conference were decided for all practical purposes at the conference which voted on the result to be reached.

When a draft report is finally approved, dissenting Commissioners are given seven working days in which to submit their separate expressions. Although the Commission reserves the right to reject a dissenting expression, the exercise of that right was not even considered during my service on the Commission. Each Commissioner is accorded unrestricted freedom of expression, subject only to the Commission's right to reject any statement that is scandalous or impertinent in nature or which discloses confidential information.

Members of the Commission's staff do not participate in conference deliberations except when called to the conference room to give their views on some particular question. The great majority of cases are disposed of in conference without any member of the staff being present.

However, I do not wish to imply that the influence of the staff is minimal or that their advice and assistance are unimportant. Some conference actions are conditioned upon the staff's conclusion on some particular phase of the case. The file in almost every case taken to conference contains the views of experienced members of the staff.

The request of a Commissioner that a Commission case be disposed of in conference rather than by notation voting is always granted. Prior to conference, Commissioners who have strong views about the case will usually circulate them in writing. To facilitate conference discussion, extensive changes in a draft report or order may be circulated in advance of the meeting. To facilitate conference discussion, extensive changes in a draft report or order may be circulated in advance of the meeting. However, there is no general exchange of memoranda among Commissioners prior to conference. Each Commissioner tries to enter the conference room with a thorough knowledge of the case and in a conciliatory mood. Commissioners rarely exchange memoranda concerning a case that has been scheduled for oral argument. Each attempts to walk up to the bench prepared and willing to be persuaded.

I have long felt that the Commission's finest work is done in conference. Important and controversial issues can seldom be resolved fairly or finally without some accommodation of divergent views. In dealing with such issues, writing notes is seldom an adequate substitute for face-to-face discussion. The reason, perhaps, is that views have less tendency to harden when expressed orally. Only the eleven Commissioners and the Commission's Minute Clerk are privy to all conference discussions. Those discussions are impersonal, always frank, sometimes heated, and usually reflect a keener sense of carrier and shipper motivation than it is prudent to disclose in a published report.

In my opinion, the keystone of the Commission's internal decisional process is avoidance of any form of log-rolling. When a Commissioner argues the merits of a pending case, either orally or in writing, his views are presented to all Commissioners simultaneously. This practice discourages the formation of cliques, trading of votes, and voting on the basis of purely personal relationships.

Because of the Commission's huge caseload, only a small percentage of cases are decided in the conference room. Most cases are disposed of by notation voting. Under this procedure, a copy of the draft report or order is circulated to all Commissioners, together with the pertinent file. The date of the decision is the date upon which the last vote is cast. Copies of votes on Commission reports are sent to all Commissioners. If a Commissioner votes to approve the draft report, he will often suggest changes, either editorial or substantive in nature.

If a Commissioner votes to reject a draft report, he will usually explain why and will indicate, if the report is approved, whether he intends to file a separate expression.

Voting by notation is regarded as a constructive conference. If the Commission were required to dispose of all matters in an actual conference, it could not function. Although conference is generally the best method of deciding important cases, notation voting is a responsible procedure. If highly technical matters are involved, it is probably better for a Commissioner to reach a decision in privacy on the basis of the file and the written views of his colleagues. Notation voting is not incompatible with a vigorous dialogue. The voting memoranda exchanged on controversial cases are extensive, forceful, critical, and examples of the highest form of advocacy. It is a pity that the notation votes of Commissioners are necessarily confidential. I usually found these expressions to be more interesting than the text of majority and minority opinions which, of necessity, were more circumspect.

What I have said in regard to Commission conferences, oral argument, staff participation, assignment of cases to individual Commissioners, circulation of draft reports, dissenting expressions, and notation voting is largely applicable to the decisional process at the division level. In the disposition of division cases, three Commissioners are involved rather than eleven and the Chairman of the division is responsible for the administrative handling of division cases in much the same way as the Chairman is responsible for handling entire Commission cases. There is one important difference, however, in the decisional process at the division level.

Except in those instances in which a draft report of a division is recalled and approved as a Commission report, almost every report of the entire Commission is one that has been prepared in accordance with the Commission's instructions. Except for reports on reconsideration, most division reports are drafted prior to division consideration of the merits of the case. When replies to exceptions have been filed, the case is assigned to the docket of a member of a division and, at the same time, an attorney is designated to assist the Commissioner in preparing a draft report. This draft is then circulated to the other two members of the division for their approval. If they do not approve, one of them will prepare a report reaching a different conclusion.

Prior to 1961, the Commission had no employee review boards to decide heard cases and all initial reports of divisions could be appealed as a matter of right to the entire Commission. Obviously, the Commission was unable to consider intensively over a thousand petitions for reconsideration filed each year in relatively unimportant cases. Since the establishment of employee review boards and curtailment of the right of appeal, consideration of a case at the Commission level is just as thorough as at the division level.

In the past, choices of Commissioners in regard to division assignments were honored on the basis of seniority of service. As a result of a change made in 1965 Commissioners have an opportunity to serve on all three divisions within a three or four year period. Under this procedure respecting division assignments, each division usually has at least two new members at the beginning of each calendar year. The end result is more rotation and less specialization.

The decisional process described above is largely applicable to petitions for reconsideration. Such petitions may be considered in conference or voted on by notation. There are two important differences. First, the petition for reconsideration of a Commission, division, or board report is circulated with a memorandum of a staff attorney who has independently appraised its merits. This means that the reviewing body, Commission or division, has the recommendation of at least one person who did not participate in the prior decision. The review of a division decision by the same division, sitting as an appellate division, may not be an ideal procedure but it is preferable to requiring the entire Commission to dispose of numerous cases involving no issue of general transportation importance.

Secondly, the decisional process outlined above is somewhat different with respect to petitions seeking Commission review of cases allegedly involving an issue of general transportation importance. Since such petitions may not exceed three pages in length, no staff recommendation is circulated unless specifically requested. In addition, since the merits of the prior decision are not directly involved, extended study of the file is frequently unnecessary.

A division of the Commission may note the existence of an issue of general transportation importance at the time it serves its report, thus permitting the filing of a petition for reconsideration by the Commission. In *Auch Inter-Borough Transit Co. Extension—22 States,* 88 M.C.C. 455 (1961), Division 1 found that any adverse effect on brokers was not a sufficient ground for denial of passenger carrier operating authority. This issue had not previously been presented squarely to the Commission. The division concluded that a broker of transportation had no legitimate interest in preventing the authorization of a new carrier service available to it and to other brokers. These conclusions were upheld by the Commission in its denial of the protesting broker's petition for reconsideration.

The basic purpose underlying the licensing of brokers is to protect the traveling public against unscrupulous or dishonest purveyors of transportation. Section 211(b) provides for the issuance of a brokerage license to applicants who are found to be "fit, willing and able properly to perform the service proposed" and who show that the proposed service "is or will be consistent

with the public interest and the national transportation policy." Section 211(c) authorizes the Commission to issue regulations prescribing bond or other security in such form and amount as will insure the financial responsibility of brokers.

Brokers of motor carrier transportation are required by Section 211 to utilize the services of authorized motor carriers. Since brokers cannot provide passenger transportation directly and generate traffic for authorized passenger carriers, why should entry into the brokerage field be restricted? There would be no reason, in my opinion, if the passenger traffic generated by a broker could be provided only by carriers who, in the absence of broker intervention, could perform the service in question. In the *Tauck Tours* case, however, it was held that a charter bus operator, having no authority to sell individual fare tickets, could transport groups of passengers on leisurely sightseeing and pleasure tours arranged by a broker through the sale of individual tickets. *Tauck Tours, Inc., Extension—New York, N.Y.*, 49 M.C.C. 491, 52 M.C.C. 373, 54 M.C.C. 291, 63 M.C.C. 493; action to set aside dismissed, *National Bus Traffic Assn., Inc.*, v. *United States*, 143 F. Supp. 689 (D. N.J., 1956), aff'd, 352 U.S. 1020. This decision enabled charter bus operators, in conjunction with brokers, to provide service in competition with carriers holding regular-route or special operating authority which would be unauthorized but for the interposition of a broker between the charter bus operator and the general public.

In *Greyhound Corp.* v *Edwards*, 96 M.C.C. 112 (1964) the Commission, Division 1, was confronted with an extension of the *Tauck Tours* situation. The issue in this case was whether a broker, through the sale of tickets to the general public, may assemble a group of passengers for trips of one day or less to shop, attend athletic events, or play bingo, and arrange for their transportation by a carrier holding only charter authority. The Commission held the one-day shopping tour was unlawful because no significant community interest existed among the patrons of the tours. The passengers did not shop together, eat together, or stay together throughout the trip; the non-transportation features of the tour were insignificant; and the shopping tour service could easily be utilized by passengers interested in only expedited point-to-point transportation.

On the other hand, the Commission found the one-day hockey excursions and the bingo trips would not be attractive to persons desiring only point-to-point transportation; that a substantial community interest existed among the patrons of these tours; and that the non-transportation features of the tours were substantial. Following the Commission's report on reconsideration in the *Edwards* case, 100 M.C.C. 453 (1966), NAMBO and the National Bus Traffic Association asked the Commission to clarify the authority expressed in brokers' licenses and to limit the transportation provided by brokers in conjunction with charter bus operators to leisurely tours of the type found lawful in the *Tauck Tours* litigation. The Commission declined to issue such rules and regulations.

One reason why the broker cases are difficult is that the entry requirement is not couched in the familiar concept of public convenience and necessity. The Commission cannot deny applications for brokerage licenses merely on the basis of existing service and cannot issue licenses merely upon finding applicants fit, willing and able. The test most frequently employed is that an applicant for a brokerage license must show that his service will contribute something of value or be of some benefit to carriers and the general public. This was the conclusion of the entire Commission in *Carla Ticket Service, Inc. Broker Application*, 94 M.C.C. 579 (1964). The Commission has attempted to apply that test in subsequent cases but the ambiguity of the standard makes the Commission's task unenviable.

Lawyers who practice before the Commission are understandably curious about the working habits of Commissioners. There are only three observations I can make with absolute confidence. First, no two Commissioners work in exactly the same way. Secondly, no Commissioner has more than 24 hours in his day. And finally, each Commissioner reads as much of the file as he deems necessary in order to reach a just conclusion.

Some matters on which Commissioners are required to vote are routine, extremely simple, and of no great transportation consequence. In my opinion, reading the entire file in such cases would be an inexcusable waste of time. Each Commissioner has at least three highly competent advisers on his personal staff. These examiners are responsible only to the Commissioner for whom they work. They know their Commissioner's philosophy of regulation. Commissioners and their examiners are not infallible and do not claim to be. However, most mistakes revealed by hindsight would be attributable, in my opinion, to errors of judgment rather than lack of effort.

While on the Commission, I was frequently asked what elements of advocacy are most influential in the final result. Obviously, there is no substitute for the development of an adequate record. As to controverted questions of fact, the Commission is naturally inclined to accept the findings of the examiner who heard the case. The importance of good writing is obvious. There are other important elements of advocacy which I would like to mention briefly.

First, we must realize a case becomes progressively narrower in scope as it moves from the hearing stage to final decision. It is always hard to relinquish points felt to be valid but nothing should interfere with the task of making the Commission see the main point in the case.

Secondly, persuasion by the written and by the spoken word should be recognized as two distinctly different arts. At the time of oral argument, the Commission has already been subjected to written persuasion. In most instances, the Commission will reach its decision within a few hours or days following oral argument and often without any further review of the file. Thus, if oral argument is merely a sterile summation of what has already been put in writing, the opportunity to gain from a different form of persuasion has been lost.

Finally, I think many of the arguments in Commission cases are excessively legalistic. Some cases, of course, turn primarily or exclusively on a relatively novel legal question. In a majority of cases, however, the Commission has considerable discretion. In such cases, the Commission cannot easily be persuaded that it is required as a matter of law to reach the result we desire. It is more impressed by arguments explaining the transportation consequences of a decision one way or the other.

In conclusion, I have attempted to describe an internal decisional process which is responsible and is being constantly improved. People, though, are far more important than processes. If the Commission were divided into warring factions or cliques, its decisional processes would soon become irresponsible. No matter how sharp the differences of opinion among Commissioners on various transportation matters, I do not rewere based on personal or political considera-call during my service any differences which tions or which generated any ill will. To serve on a Commission completely free of personal animosities is not only a great joy but the strongest restraint against irresponsible action.

THE DIFFERING PERSPECTIVES OF RURAL AND URBAN AMERICANS ON THEIR COMMON PROBLEMS

HON. VERNON W. THOMSON

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. THOMSON of Wisconsin. Mr. Speaker, on Wednesday, May 17, I intend to testify before the Agriculture Appropriations Subcommittee when it considers the funding levels for Rural Electrification, Rural Telephone, Rural Environmental Assistance, and personnel for the Farmers Home Administration. One encouraging development in this Congress, has been the increased interest among the Members in understanding the differing perspectives of rural and urban Americans on their common problems.

To assist my urban colleagues, I have asked that a copy of my tesimony be included at this point in the RECORD:

TESTIMONY OF VERNON W. THOMSON, REPRESENTATIVE

Mr. Chairman, it is again a privilege to appear before your Subcommittee. I know that in the past you and other Members of this Subcommittee have always been sympathetic to programs affecting rural America. Today, I would like to discuss four of them with you.

I would encourage the Subcommittee to closely survey the budget proposed for REA. In my view, it is not sufficient to meet the needs for electric power in rural America and I urge an increase in appropriations.

Let's look at the figures critically. Beginning this calendar year, the REA backlog stood at $387,610,000. NRECA's survey of anticipated projects for the 18 months beginning January 1, 1972, stood at $1,817,364,-210. Assuming REA will provide 85% of the loans for distribution facilities and 40% of the generating facilities, the actual demand on the loan funds are expected to be $584 million for distribution and $452 million for generation. Even considering factors such as postponement of plans or submission of applications in one year while actual funding occurs over a period of years, need remains considerably above the projected budget.

In Wisconsin's Third District alone, there are numerous coops planning projects which anticipate submitting applications in f.y. 1973. Buffalo Electric Coop, Alma, $200,000; Grant Electric Coop, Lancaster, $800,000; Vernon Electric Coop, Westby, $1,114,700; Crawford Electric Coop, Gay Mills, $275,112; Barron Electric Coop, Barron, $1,000,000; St. Croix Electric Coop, Baldwin, $730,000; Eau Claire Electric Coop, Fall Creek, $485,293; Polk-Burnett Electric Coop, Centuria, $823,-000; and Dairyland Power Coop, La Crosse, $117,000,000. Of this the REA portion for distribution facilities is calculated to be $4,-422, 849 and $38 million for generating facilities. Adding the current application for loans from Oakdale and St. Croix Falls, the estimated demand on the REA fund from my district alone will be $43,313,849. At this rate, the requests from only 10 Congressional Districts with similar needs could be met by the proposed budget.

If the need is so great, why not just pass along the costs immediately to REA consumers? In fact, the cost of electricity is rising for rural America. I received reports this spring, for example, that a distribution coop in Pierce County, Wisconsin, was forced to raise its rates over 15%. Rural residents *are* being required to absorb immediate increased costs of just maintaining service,

let alone improving or expanding it. They cannot do much more.

Dairyland Power Cooperative, one of the nation's largest generating cooperatives, advised me in regard to their rising expenses exclusively for service maintenance. Aside from increased wages, etc., Dairyland has encountered a rise in the price of coal over the past few years from $5.50 per ton to $9.10 per ton. In terms of actual heat produced (BTU's), the cost has doubled. Being a responsible organization and in full compliance with Federal regulations, Dairyland is adding $19 million worth of anti-pollution equipment or modifications, beside having created a new Environmental Department.

Non-productive cost increases such as those of Dairyland must ultimately be absorbed by the consumer. Thus if we are to keep within the Congressional mandate given REA—providing an adequate supply of cheap electrical power—rural residents simply cannot absorb costs of expansion or construction in addition to operating increases through immediate and high electricity bills. A healthy REA loan fund for that reason is necessary.

I do not propose to tell this Subcommittee what level of fiscal year 1973 REA appropriations is sufficient. My resources in making such a determination are not that encompassing. I would submit, however, that $438 million falls far short.

Last year the Congress made a significant advance in helping to provide rural services. The Rural Telephone Bank Act embodied an extremely promising approach toward permitting modern telephone service in non-urban areas. Still, we must recognize that the major supplier of funds for rural telephone companies remains the REA telephone loan fund.

It is anticipated that the proposed budget will be adequate to meet projected demands of consumer organizations; I am gratified at this Administration response. Nevertheless, the backlog of loans approaches $650 million. That means a local telephone company can expect to submit an application and four years later have it funded. In the meantime, however, cost projections change and auxiliary planning may become necessary. Such a condition is neither conducive to sound fiscal conduct of a company nor customer service.

In Wisconsin's Third District, for example, I am aware of several companies that have submitted applications for either a Telephone Bank or a regular loan: Northwest Telephone Company, Tomah, $5,852,500; St. Croix Telephone Company, New Richmond, $685,650; Viroqua Telephone Company, Viroqua, $567,000; Vernon Telephone Coop, Westby, $554,000; Dickeyville Telephone Company, Dickeyville, $500,000; Chibardum Telephone Coop, Dallas, $2,163,000; Amery Telephone Company, Amery, $1,300,000; Osceola Telephone Company, Osceola, $600,000; and Frederic Telephone Company, Frederic, $1,138,000. If each of these were required to wait four years, the type of telephone service taken for granted in urban areas could not be realized for a considerable period. And then, rising costs and added planning could very well require further delay. This, of course, is not to mention those currently denied any service.

I, therefore, feel it would be well if we began to clear the backlog. Such an effort obviously could not be accomplished overnight. Nevertheless, a beginning should be made and there is no reason to delay it any longer.

I would like to express my concern over the proposed budgetary reductions in Farmers Home Administration field personnel and urge that levels of these personnel be set so as to facilitate the prompt efficient processing of F.H.A. loan and grant applications. Since I am most familiar with the situation in my own State of Wisconsin, I focus my remarks on conditions there. In all probability Wisconsin is typical; however, I possess no data to substantiate the contention.

Between 1964 and 1971, full time FHA employees in Wisconsin rose 45% to a total of 168. Under normal bureaucratic conditions, this hefty increase must be considered excessive. Nevertheless, the growth of FHA programs and services as authorized by Congress scarcely constitute normal conditions.

In the past seven years the FHA unduplicated caseload in Wisconsin rose 151%. The average employee caseload as a result increased about 60%. Currently, 91 supervisors are being asked to service 13,932 applications, an impossible test.

It is significant that not only has the number of loans grown astronomically, but the complexity of many has as well. View, for example, the rising number of community water and sewer loans and grants. These community applications require considerably more time and effort to process than would a farm operating loan. My State approved 32 water and/or sewer loans and grants in f.y. 1968 amounting to $3,186,200, while in f.y. 1971 there were 66 at $11,750,000.

Wisconsin now faces a situation where the time required to service and collect loans permit FHA to make only 4–5 new loans per month per supervisory employee. At that rate, the 2,900 families now waiting for loans must continue to wait up to eight months before their application can be processed. In addition, 27 communities have funded water and sewer loans, but are waiting for the Wisconsin FHA to close what has already been approved. Another 100 communities have filed applications and await processing.

Mr. Chairman, it makes no sense to have FHA funds available if they cannot be distributed. In fact, I would argue such a situation creates unnecessary false hopes. If money were not available, the people could understand; but when it is there, just waiting for an application to be processed, the people become exasperated.

Let me suggest that a balance needs to be restored. Allow the processing mechanism to keep pace with the funds available. Only in this manner can FHA fulfill the mandate given it by Congress.

Every year I make a repeat performance before this Subcommittee on behalf of REAP (ACP). This year I am doing the same.

REAP is one of the Government's most valuable programs. When the so-called environmental crisis was discovered three or four years ago, REAP and the conservation activities it helped finance were long established. For years, REAP has been an active participant in maintaining soil and water quality, preserving and creating wildlife habitat, and generally aiding the continuance of an environmentally healthy rural America.

The program further is not a government handout to the individual farmer. Each recipient is expected to contribute about 50 percent of the approved project's cost. Thus the farmer helps to finance conservation practices which benefit us all.

Last January, correspondence was received from Mr. Boyd Frank, President, Wisconsin Association of Farmer Elected Committeemen. I would like to share a portion of that letter. Mr. Frank writes, "In our county of St. Croix last year, we had requests for $285,000 REAP funds. However, due to the late announcement of the program, shortage of field time, technical assistance from SCS, and weather conditions this Fall, we used only $80,000 which was 115 percent of our county allocation." (St. Croix County is predominantly agricultural and has a population of 34,354.)

Requests for funds in that one county were 350 percent above the allocation. Nor is this situation unusual as reports received from other counties within the Third Congressional District would indicate. Consistently, these shortages arise and many qualified farmers must be rejected.

Recently, the House passed a $25 billion water pollution bill. It rightly seeks to eliminate or drastically reduce the pollutants discharged into the nation's waterways. Yet silt is the single greatest polluter and the bill provides no funds for that purpose.

REAP, which not only retards silting but provides numerous other benefits, is budgeted at $145 million. Thus there exists an infinitely smaller allocation of funds to reduce our largest single polluter than to reduce others. This is totally inconsistent.

I would urge the Subcommittee to recognize this fact. Let us allocate our resources on a reasonable basis. I do not feel that an appropriation of $400–$500 million would be unjustified.

Thank you for permitting me to appear before this Subcommittee.

BIENNIAL CONVENTION OF UNITED CIRCLE CHOIRS OF WESTERN DIOCESE OF THE POLISH NATIONAL CATHOLIC CHURCH

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ZABLOCKI. Mr. Speaker, the United Circle Choirs of the Western Diocese of the Polish National Catholic Church held its biennial convention and concert the weekend of May 6 at Milwaukee, Wis.

The United Circle Choirs is an association of parish choirs of the Western Diocese of the Polish National Church. The Western Diocese—whose See is All Saints PNC Cathedral, Chicago, Ill.—includes PNC parishes in Wisconsin, Illinois, Indiana, Ohio, Michigan, and Minnesota. Participants were from PNC parish choirs from Wilwaukee, Wis.; Chicago, Ill.; South Bend, Ind.; Detroit, Mich.; and Cleveland, Ohio. Special invited guest choir was the Polish Bard Choir, a combined choir from Polish National Catholic parishes in the Greater Pittsburgh, Pa., area.

On the occasion of this event, the city of Milwuakee Common Council adopted a resolution which follows:

RESOLUTION CONGRATULATING THE UNITED CIRCLE CHOIRS OF THE WESTERN DIOCESE OF THE POLISH NATIONAL CATHOLIC CHURCH, ON THE OCCASION OF THEIR BIENNIAL CONVENTION IN MILWAUKEE

Whereas, the United Circle Choirs of the Western Diocese of the Polish National Catholic Church held their biennial Convention in Milwaukee, Wisconsin, May 5 through 7, 1972; and

Whereas, The choirs meet for the purposes of promoting Christian fellowship through the medium of music, and to uphold the culture of the Polish people by promoting the performance of their music; and

Whereas, Choirs participating represent Chicago, Illinois; South Bend, Indiana; Detroit, Michigan; Cleveland, Ohio; and Pittsburgh, Pennsylvania as well as Milwaukee; and

Whereas, This year, the United Circle Choirs are commemorating their fortieth year of church and community service; and

Whereas, In these confused and changing times, with their increasing disregard for tradition and cultural values, this Honorable

Body welcomes the opportunity to recognize the valuable contributions made by organizations such as this one in the areas of ethnic and cultural identity and community service; now, therefore, be it

Resolved, That the Common Council of the City of Milwaukee hereby congratulates the United Circle Choirs of the Western Diocese of the Polish National Catholic Church, on the occasion of their biennial Convention in Milwaukee, and in recognition of their forty years of promoting Christian fellowship and Polish cultural values in a changing world through concerts, church activities and community service; and, be it

Further Resolved, That this resolution be spread upon the permanent record of this Council and a suitably engrossed copy presented to the United Circle Choir organization.

Over the past 40 years many conventions and concerts have been conducted by the United Circle Choirs. Many have been in Milwaukee, Wis. One of the early leaders in promoting music and Polish culture in general and in working with young people of these choirs in particular was the late Bishop Francis Bonczak who for decades served as pastor of Holy Name Church. The convention delegates and choir members held the Sunday services on May 7 with the Very Reverend Francis Kolwaicz, pastor, officiating. The Reverend Thomas J. Gnat of Washington, D.C., national chaplain of the National United Choirs of the PNC and pastor of St. Francis PNC of Washington gave the homily, entitled "The Dawn of Even Greater Things," which I wish to include in my remarks at this point:

THE DAWN OF EVEN GREATER THINGS

"Then opened Jesus their understanding, that they might understand the Holy Scriptures." (Luke 24:45)

In the name of the Father, and of the Son, and of the Holy Ghost. Amen

Very Reverend Pastor and Brethren in Christ.

The last chapter of the Gospel of Saint Luke tells us an interesting story of events that followed the resurrection of our Lord and Savior, Jesus Christ. This last chapter of the Gospel of Saint Luke tells us that the women who went out that morning with spices, found an empty tomb. Chapter Twenty-four also teaches us that after His resurrection, Jesus appeared to two disciples on the road to Emmaus. That chapter also relates to us that Christ appeared to the Eleven Apostles and ate with them.

It is about this way to Emmaus that I should like to speak, this morning.

The appearance of Christ, after the resurrection to the two disciples, is told only by the Gospel writer Luke. An earlier verse than these, of Chapter Twenty-four, tells us that the women who went out on that First Easter morning came rushing to tell the news of the empty tomb to the Eleven and "to all the rest."

The two men on the road to Emmaus were part of that other group, called in Holy Scripture "all of the rest."

Saint Luke tells us that the name of one of them is Cleopas. But beyond this, Bible scholars don't know anything about that person. In fact, Bible scholars aren't even sure of the exact location of the town of Emmaus. We know from Scripture that it is very near Jerusalem, probably no more than seven miles away.

At least one of those two disciples must have been from the town of Emmaus for the New Testament tells us that Jesus was invited to stay over, there.

In this selection of Holy Scripture, we see then two men walking down the road, walking home, after an exciting and frightening week-end.

They knew of the report of the women and the empty tomb. They knew that the fact of the tomb being empty was confirmed by further investigation. But yet, the Bible tells us, they were not sure, they did not believe what had transpired; that Jesus was in fact alive.

These two men were deeply engrossed in a discussion of the empty tomb when Jesus caught up to them. But they did not recognise the resurrected Christ.

The Bible tells us, in fact, that they were surprised at the questions of this unrecognized stranger. These two men of the road to Emmaus asked him if he was a visitor in town. And they proceeded to explain the weird events that had transpired that week-end.

It was obvious from their explanation that two things bothered them:

First, that their own religious leaders had refused to accept Jesus as the hope of Israel and they delivered him to be crucified;

And the second bothering fact for them was that God, who gave evidence that Jesus was the Divine Son, did not intervene, during the time of crucifixion, to save Him.

They continue the story to the stranger.

They reported that the tomb was found empty and investigation proved the women were right. They opened and wondered why Jesus would not remain with his disciples, if he were in fact alive.

Now the Bible tells us, at this point the still unrecognized stranger took up the conversation. And He explained to the two men on the road to Emmaus that their foolishness and slowness of heart came from misunderstanding their own Scripture.

This Stranger, still unrecognized, reminded them of the prophets of old and all that they taught. He told them that suffering must precede glory.

This unrecognized Stranger on that road to Emmaus on the outskirts of Jerusalem then proceeded to teach them as they were walking and talking.

This unrecognized Stranger began with Moses, He spoke of the prophets and all parts of Holy Scripture.

In fact, He was so interesting that miles and time suddenly past and they were home.

But it appeared that Jesus was going on, further.

They invited this unrecognized Stranger to stay. And as they sat at table, Jesus took bread and He served them. And it was at this moment that suddenly they recognized Jesus and St. Luke tells us, He vanished.

They were still all psyched up from their experience, when suddenly they weren't tired anymore. They decided to go back, re-trace their steps, return to Jerusalem, and share the good news, this strange feeling, this strange visitor. They wanted to share this news with their friends in Jerusalem.

There they were met by their friends who confirmed what they already knew that Jesus was alive! "It's the real thing!"

Their friends told them that He even appeared to Simon.

It was un-believable. It was exciting. Jesus was alive!

It was like the breaking of sun over their darkened horizon.

During the past forty years, faithful followers of Christ have given time, talent, and treasury to bring joy, to bring happiness, to bring culture, to bring fellowship to their parishes, to their community, and to those 'round about them.

On this day, in Milwaukee Wisconsin, we are grateful to Almighty God for having inspired the organizers and the first directors of the United Circle Choirs.

We express gratitude to God for the countless numbers of dedicated lay and clerical workers in the vineyard of our Lord, who were loyal, who were unselfish, who recognized that a walk with Christ always warms your heart and always opens your eyes.

The forty year record of the United Circle Choirs is one that we can be proud of.

The two men on the road to Emmaus hastened to share their joy after they recognized Christ.

And even though it was night, and even though it was a healthy walk back, they couldn't keep the good news to themselves.

For they knew that the Christian message is never really ours until it is shared with someone else.

Today, as we join in prayer and in song, as we lift our hearts and our minds to God, we must emphasize that the United Circle Choirs have found their measure of success because they want to share their joy in doing, in serving, and in singing.

Just as the evening walk to Emmaus changed many lives, so too the sunset of the United Circle Choirs' forty year of service to church, community, and country can be for us the dawn of even greater things that can be accomplished with the help of Almighty God.

Through the resurrection of Christ, you can become regenerated in Him.

Your lives are richer because of the Resurrection.

Personally and in our corporate ventures, you are strengthened by Christ.

Your eyes can be opened to the wonder and the wisdom of God.

And with God's blessings, you've got a lot to live, Jesus has a lot to give. Amen.

In the name of the Father, and of the Son, and the Holy Ghost. Amen.

I ask that you join me in prayer.

O Lord, we thank You for the opportunity to serve You.

When we are tired, Lord, strengthen us.

When we disagree, Lord, give us patience.

When we wander, Lord, give us sight and direction.

In all things, Lord, guide us to see the tasks You give us.

Give us wisdom to set our priorities in accordance with Your Holy Will.

Bless us, Lord, that we may know You. There's still time, Lord, and we know it. We ask Your hand in benediction over all the choirs and their members, and dedicated singers of the Polish National Catholic Church so that they may ever open avenues of worship, dedication, and unselfish love to serving You, to singing to Your honor, and to worshipping in lives dedicated to Your heavenly Father. Amen.

Further, on the occasion of the 75th anniversary of the PNC and the 40th anniversary of the United Circle Choirs Bishop Francis Rowinski, Western Diocese, issued a statement which I am sure would be of interest to my colleagues:

DEDICATED TO GOD AND PROUD OF OUR HERITAGE

The 75th Anniversary of the Polish National Catholic Church is a milestone in the history of the American Polonia and its commitments and services to Christian ideals.

The singularily noble efforts, emanating from Chicago, Buffalo, Scranton and throughout America, Canada and Poland in 1895, 1896, leading to March 14, 1897 and the last 75 years, are not only the integral part of the Polish National Catholic Church history but represent the golden thread of religious idealism that meaningly and lastingly renewed Catholicism and enriched Christianity and rejuvenated the fabric of Polonia and contributed much to the richness and diversity of the American Way of Life.

Any period of transformation of religious and social meanings has two facets: the critical one of dislodging the past and the transcendental one of providing for the future.

It behooves us therefore, not merely to pay tribute to the organizers and builders of the Polish National Catholic Church but to follow and to emulate their noble steadfastness toward the perpetuation of the legacy of service and idealism they passed on to us and to give it continuity and expanding horizons within the context of our times.

Indeed, as Polish National Catholic Church members, we are heirs to a sacred legacy. A legacy whose substance and meaning and richness does not lie dormantly in the past but is projecting itself constantly into the future as a beacon light for all generations to come. Of this we must be aware more intensely in our time of moral renewal and ethnic renaissance than ever before.

The love of pristine Christianity, devotion to freedom, adherence to the precept of democracy, deep and abiding realization of spiritual growth, civic virtue and wisdom, desire to perpetuate the Polish language, song, dance, culture and tradition, concern for the fate of Poland and a better future for Americans of Polish heritage gave birth to the Polish National Catholic Church.

In the days ahead, may we continue the implementation of the ideals of the Polish National Catholic Church throughout the United States of America, Canada and Poland. May we continue the pious traditions we inherited and find ever new ways to express our devotedness to God, our heritage and our fraternity with each other.

Thank you, Members of the United Circle Choirs of the Polish National Catholic Church for your devoted service and steadfastness in the pursuance of the objectives and goals of Christ our Shepherd, as a little flock of brothers and sisters of the same faith, the same hope and the same love, traveling to God's new society, salvation and eternity.

"MISS HOPE" OF ALLEGHENY COUNTY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. GAYDOS. Mr. Speaker, for many years the members of the American Cancer Society have waged a relentless war against this most dreaded of all diseases. They have given enormously of themselves and, thereby, earned the respect and admiration of all Americans.

I am, however, particularly proud of a young woman from my 20th Congressional District of Pennsylvania who has made her fight against cancer a full-time job. By day she works in the chemotherapy clinic at McKeesport Hospital, administering medication to cancer patients. In her free time she now will be traveling throughout Allegheny County conveying lifesaving facts about cancer to those not afflicted with the disease.

This outstanding individual is Miss Gerri Wasilisin, the daughter of Mr. and Mrs. John Wasilisin, of 1304 Maryland Ave., West Mifflin, Pa.

Early this year Gerri was named "Miss Hope" of the Allegheny County unit of the American Cancer Society. In this capacity she helped launch the local cancer crusade and throughout the year will attend meetings and functions to assist the society in its fight to conquer this disease. Recently Gerri was named the second runnerup in a contest to represent the State of Pennsylvania in this year's cancer crusade.

It seems appropriate that Gerri be given these honors, because of her close association with Americans afflicted by the disease. She expresses confidence, however, that some day a cure will be found. Many of her patients today, she explained, are leading normal lives as outpatients and others are being cured.

Gerri, it seems, was destined for nursing. As a young girl she wanted to enter the field and as a student at West Mifflin North High School she worked as a "candy striper" in Homestead Hospital. She graduated from high school in 1965 and enrolled in the McKeesport Hospital School of Nursing, receiving her degree in 1968. Even today she continues to pursue her career, studying for a bachelor's degree in nursing at the McKeesport Campus of Allegheny County Community College.

Mr. Speaker, Gerri Wasilisin is indeed an outstanding young woman. Her achievements to date reflect great credit upon herself and her family, and I am extremely proud to serve as her representative in the Congress of the United States.

ATTENDS LITTLE LEAGUE OPENING DAY CEREMONIES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WOLFF. Mr. Speaker, on Saturday, April 29, 1972, I had the pleasure of attending the Opening Day Ceremonies of the Mineola Athletic Association Little League. Many of our Nation's youngsters have learned the meaning of sportsmanship and self-sacrifice through participation on their local Little League team. Whether one is on a championship or last-place club, everyone emerges a winner from their Little League experience. The characteristics of personal pride and dignity that are developed during these formative years remain a part of each youngster's personality as he matures into adulthood.

The Mineola Athletic Association can be proud of the fact that through their hard work, Mineola was the home of the 1970 Long Island Little League Champions. Because of their dedicated service to the youth of Mineola, I would like to take this opportunity to offer my personal congratulations to the following list of officers of this fine organization:

Bill Kain, President, M.A.A.

Joe Chirachella, Vice-President, Little League.

Tim Jahn, Vice-President, Pony League.

Bob Hill, Vice-President, Colt League.

Russ Heintz, Vice-President, Inter. Town.

Len Kazdan, Treasurer, M.A.A.

Paul Ugo, Corresponding Secretary, M.A.A.

Herb Collins, Recording Secretary, M.A.A.

BOARD OF DIRECTORS

Jim Kovalsky, Mel Biagioli, Fred Cunha, and Don Tamraz.

COMMISSIONERS

Mike Moonan, Dick Osterndorf, and Walt Crosby.

TRUSTEES

Tony Gambino, Bob Gallagher, and Perry Vascellaro.

COMMITTEE MEMBERS

Russ Heintz, Stella Overton, Ted Erickson, Hal Abbott, Don Tamraz, Frank Farino, Lois De Simone, Bob Kulfan, Tippy Overton.

Dan Cellucci, Lou Dunniger, Jeff Craven, Joe Connelly, Vincent Darpino, Howard Collins, Dan Carolin, Tony Donnelly, George Dugan.

Frank Deprima, Jim Daly, John Gallager, Chris Gannon, John Gandolfo, Don Earl, Bill Jeonat, Joe Kelly, Dom Macri, Pat Murphy.

John McGlynn, John Natoli, John McHale, John Macejka, Dick Marks, Pete Palumbo, Sal Orena, Jim Symington, John Talt, Jim Travers.

Tony Teixera, Jack Sheehan, Quint Schoenberg, Mike Varrone, Perry Vascellaro, John Langan, Tony Gambino, Mary Kain.

Neva Moonan, Marge Kulfan, Agnes Chirachella, Pat Gavin, Ed Kucharski, Walter Fritz, Fred Cunha, Len Kazden, Mike Chiusano.

RETIREMENT OF MR. AND MRS. J. F. BAILEY

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. JONES of Tennessee. Mr. Speaker, later this month, two of the outstanding educators of Tennessee's Eighth Congressional District will end their careers. Mr. J. F. Bailey, longtime principal of Friendship High School in Friendship, Tenn., and his wife, Mrs. Leona Bailey, a teacher in the same school system for the same duration, will both retire at the end of the current school year. The Baileys came to Friendship in the late 1920's and have served in the educational system of that community since that time.

In the May 4, 1972, edition of the Crockett Times of Alamo, Tenn., there appeared a story which recounted the careers of the Baileys. I insert this story at this point in the RECORD.

The article follows:

TRIBUTE TO BE PAID TO LONG TIME PRINCIPAL

This year writes the closing chapter and brings down the final curtain on an era of relentless dedication in the field of education which spans forty-four years of devoted and faithful service rendered by one of it's most loyal advocates.

On Sunday, May 28, 1972 at the Friendship High School gymnasium, a tea will be given from 2 p.m. until 5 p.m., honoring Mr. and Mrs. J. F. Bailey who are both retiring from their positions with the Friendship Public School System; thus noting the ending of a career and the commemoration of a legend which has already begun.

J. F. Bailey (named in honor of his grandfather, a Baptist minister) was born on July 24, 1902 in Saltillo, Lee County, Mississippi, the son of Isham and Kitty Turnage Bailey. Along with his two brothers (now deceased) and one sister, Mrs. H. E. Wood of Selmer, Tennessee, he was reared under the guidance of a stern father who was a farmer and later a store-keeper. Mr. Bailey graduated from Saltillo High School, and by working his way through college milking cows, sweeping floors, and being a night watchman, he received his Bachelor of Arts degree from Cumberland University in Lebanon, Tennessee and his Masters degree from George Peabody

College in Nashville. During those scholastic years, Mr. Bailey was a football star, and his 245 pounds of weight and 6' 3½" height attest to this possibility. Regarding his football career, he points to his leg which reflects an old injury that causes a slight limp and says "They fixed them right back in those days."

His teaching career began in the field of science and mathematics in Mansfield, Ark. in 1925 and it was here that fate bestowed upon him the privilege of finding quite by accident, the future Mrs. Bailey.

In order to attend services at his Baptist church in Mansfield, Ark., Mr. Bailey had to go past the Methodist Church enroute from his home. On a stormy Sunday evening with the rain pouring down, he decided to sit through services at the Methodist church rather than continue in the rain to his own church.

Home from college for a visit and singing in the Methodist Choir was Miss Leona Bailey. As he looked upon her face in the choir, he says he thought to himself, "My what a pretty girl." In the summer of 1929 they were married. Endless pages could be written with regard to courtship, love and marriage, but from the summer of 1929 until the summer of 1972 is a period of forty-three years of togetherness.

Mr. Bailey taught in Mansfield, Ark. from 1925 until 1928 when he was offered a position as coach, math and science teacher at Friendship, which he accepted. Mrs. Bailey came to Friendship when they were married in 1929 and has taught in the Elementary School from then until the present and served as principal for most of those years. As she recalls the earlier years, she remembers how she earned sixty dollars a month salary and from that was able to buy groceries, pay board and help educate her sister. Times were so bad and money so scarce that four or five months would lapse sometimes before she received her teachers check. Mrs. Bailey is presently a member of the Friendship Book Club, the Delta Kappa Gamma (an honorary society of which she is a past president), the Crockett County Teachers Association (past president), the Tennessee State Teachers Association and the Friendship Methodist Church.

During the early years at Friendship, Mr. Bailey served under the superintendency of Mr. W. B. Simpson and Mr. A. S. Andrews. When Mr. Andrews resigned in the late thirties, Mr. Bailey was appointed principal of Friendship High School and has remained in that capacity until now.

In his forty-four year career, Mr. Bailey has taught children and grandchildren of former students, and one of his most enjoyable pleasures is to be visited by a graduate of former years. A hard worker who won't admit being tired. Mr. Bailey likes to take drives in the country just to see and enjoy nature. He is an avid reader of newspapers, science books, and books on include gardening, azalea raising, clock collecting and fishing. He sometimes reads catalogues on azaleas for relaxation before going to sleep. Mr. Bailey is an active member of the Friendship Baptist Church, having served as Sunday School Superintendent for thirty consecutive years, and a member of the Masonic Lodge. He has held numerous offices in various educational organizations. He loves children, animals, and nature. He is a staunch advocate of the simpler things and readily admits he chooses dried blackeyed peas, cornbread and sweet milk in preference to an elaborate banquet.

The passage of time erases from our minds many memories, but forever instilled in thoughts of yesterday will be incidents and situations of our school years. Each of us who had the distinct privilege of receiving our education under the guidance of Mr. Bailey will have a memory of something outstanding that is prominent in our mind and will probably differ from that of anyone else, but regardless of what the individual memory may be, it will remind each of us that attention to school work and devotion to the welfare of the student was always primary in his every endeavor.

The Friendship School System will have lost two educators but will have gained a standard of administrative excellence. They leave our school system, but they don't leave our hearts, and they never will. Happiness for them in their retirement and the very best of everything is our sincere wish. The debt we owe them for what they have given to us all can never be paid, but then they don't feel that there is one, because their joy came from this giving.

In the future, when evening comes and darkness shrouds our town, we wonder if, just before bed time, Mr. Bailey will drive around and check on the school buildings. We think perhaps he will—just as he has every night for the last forty-four years.

THE HIDE CRISIS—OR HOW TO STUDY AN INDUSTRY TO DEATH

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BURKE of Massachusetts. Mr. Speaker, I rise today to call the attention of Members of this House to the fact that the hide supply situation in this country is still wreaking havoc with the footwear industry situation. A few weeks ago this seemed to be one of the big issues, with considerable coverage in the press and no small amount of attention being given to it in various committees on the Hill and impromptu meetings with administration officials. However, like far too many things in this city, after a round of meetings and the exercise of some exertion, things have a way of slacking off and other issues come along to occupy one's attention. Certainly the situation in Vietnam is enough to occupy anyone's full attention at the moment. However, the hide situation has not materially improved and I feel I ought to inform Members of this. Since our meetings, all that has happened is the Commerce Department has devoted further time and effort to studying the situation. This has to be one of the most studious administrations we have ever had in this city. All kinds of economic decisions are being postponed and problems are being studied to death. Just yesterday I received an interim report of sorts from the Under Secretary of Commerce on my request for action to assist the footwear industry. Apparently the Commerce Department is still not convinced there is any connection between exports and the record increases in prices for hides and consequently shoes. Consumers are being penalized every day that the Commerce Department hesitates to take action and perhaps even worse, some plants just will not survive these moments of indecision. Consequently, I found it necessary to reply to the Under Secretary, Mr. Lynn, and represent the situation to the Commerce Department in hopes that we can get this thing off dead center. The following is what I wrote to the Under Secretary yesterday afternoon:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 10, 1972.

Hon. JAMES T. LYNN,
The Under Secretary of Commerce, Department of Commerce, Washington, D.C.

DEAR MR. LYNN: I want to thank you for giving me your interim report on the current status of the studies being conducted by the Commerce Department on the cattlehide situation, particularly as to the influence of exports on the domestic price for cattlehides. I have gone over in great detail the information you have furnished, including the various charts and graphs you so kindly provided.

Perhaps the best thing for everyone concerned in this situation is to go back to the beginning and determine just what it was that we were concerned about and just what we were hoping the Commerce Department could do to alleviate our problem. My concern from the outset has been the rising cost of hides and/or the availability of these hides to the domestic tanneries and shoe manufacturers. The simple facts I started from and which are still before me as I write today are that there are firms in my District whose future operations are threatened because they just cannot obtain hides. As I understand it, originally it was felt that the price controls on the price of hides to domestic consumers was at least in part responsible. Then the point was made that even with price exemptions there was a problem. Prices were rising to such heights that the whole shoe industry was going to suffer a further disadvantage against foreign shoe manufacturers' exports to this country. In any event, my concern from the outset has been to see what steps are open to the government to assure this industry of an adequate supply of hides.

Understandably, from the outset I have been engaged in a controversy as to whether exports are at the root of the problem or not. Your statistics I assume, were furnished to me to show me that exports have not increased that much and consequently, do not seem to be an important factor in the price increases. I wonder, however, if this is not to miss the point of my original concern. Perhaps exports have not contributed materially to the price increases, but I still think it is undeniable that insofar as we are exporting, there is that much less available to our domestic industry.

It has been my experience that when you come down to it, the economists invariably can trace any marked increases such as the footwear industry has experienced lately to scarcity somewhere along the line. It is my understanding that the purpose of the Export Control Act of 1969 was to protect the domestic economy from the excessive drain of scarce materials and to reduce the serious inflationary impact of abnormal foreign demand. When cattlehide prices have increased up to as much as 115% in the past six months and shoes, at retail have increased from 35–40%, then it does seem to me that we have a very serious inflationary situation, that we do in fact have a material in scarce supply and that the only relief would appear to be to divert hides slated for export to the domestic market. In the end, what we seem to be quibbling about and spending valuable weeks studying, while some firms are in danger of closing in my District (and I am sure others), is the word "abnormal."

This nation's balance of trade performance of late, I need not remind you, has made far from happy reading. The last thing I think we need as a nation is more imbalance of trade. I am genuinely concerned about what is left of the shoe industry in this country. It does appear to me that there is room for action under the terms of the Export Control Act of 1969; stricter phrases than this have been given broad interpretations to meet critical economic situations in this nation's history. I would have thought that it would not have been too difficult to interpret the

virtual withdrawal from the world market of Argentine hides as an unusual, even abnormal, export situation. Foreign demand, previously satisfied at least in part by Argentine hides must look elsewhere and some pressure on the price for American-supplied hides must inevitably result, even if exports in your opinion for the past two months do not show any marked increase. Furthermore, have any studies been made of the imports that previously came into this country from Argentina, if any? The sudden drying up of these imports obviously would have an impact on our domestic hide market. If I thought one could ride out this crisis without any further loss of jobs, I might sympathize with your desire to study the situation further before acting; however, with an unemployment rate of 9.8%, the last thing the City of Brockton, Massachusetts needs now is more plant closings and more unemployment. With the state unemployment rate of 7.9% well above the national average, the last thing the Commonwealth of Massachusetts needs is more plant closings and more unemployment.

Failing all else, and should the Administration decide to proceed on a very strict and narrow interpretation of its power under the Export Control Act of 1969, there are still several other options open to it which would go a long way toward relieving the serious plight facing the American footwear industry. As I understand it, the Administration could introduce a validated licensing system to limit the export of hides or could initiate a plan for hide exporters to file export declarations, thereby enabling the Commerce Department to keep a closer look at the domestic hide supply. I would appreciate your reaction to both these proposals.

Sincerely,

JAMES A. BURKE,
Member of Congress.

NATIONAL INSTITUTE FOR ARTHRITIS AND METABOLIC DISEASES

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SYMINGTON. Mr. Speaker, I want to call attention to the administration's recommendation for the National Institute for Arthritis and Metabolic Diseases for fiscal year 1973. The recommendation for $159 million—less than $6 million over the amount appropriated by the Congress last year is plainly inadequate. Since the administration itself has admitted that the cost of the medical research rises at a rate of about 10 percent a year the fiscal 1973 recommendation is, in reality, a cut. This Institute encompasses some of the most common and disabling illnesses in the United States today. For example, arthritis and rheumatic diseases head the list of chronic diseases in the United States in 1972. Arthritis alone afflicts some 17 million Americans at a cost to the economy of $2 billion a year.

Mr. Speaker, I am most interested in the Institute's mandate in the field of the so-called digestive diseases. Into this category fall such disorders as peptic ulcer which afflicts one in every 10 American adults; cirrhosis of the liver, the fourth most common cause of death of adults in this country; gallbladder diseases and a whole host of additional digestive diseases. Such disorders comprise major or contributing causes of hospitalization for more than 5 million Americans each year and cost the national economy an estimated $8 billion.

I am pleased that the Institute has recently designated an assistant director for digestive diseases. This is a step in the right direction, but it is not enough. In addition to this development, the current Congress has passed legislation to change the name of the National Institute of Arthritis and Metabolic Diseases to the National Institute of Arthritis, Metabolism, and Digestive Diseases. In doing so, we placed greater emphasis upon this whole host of digestive diseases which kill and cripple so many Americans today.

Only the research advances of the last decades have admitted light to this dark corner of the Nation's health. The control of gout is but one of a number of significant achievements. Ongoing research has uncovered promising new departures. Continuation of momentum at this point is essential for exploiting opportunities to deal positively with the Nation's major chronic and debilitating diseases. Therefore, increased funding for this National Institute is needed to expand the fight against these diseases.

HELPING THOSE WHO HELP THEMSELVES

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CHAPPELL. Mr. Speaker, there is an old Chinese saying:

If you give a man a fish, he lives for a day. If you teach a man how to fish, he takes care of himself all the days of his life.

In a time when we hear so much about guaranteed income, rising welfare rolls, people refusing to work and demands by welfare recipients for increased benefits, it is indeed refreshing to find a locally financed community service program successfully operating on the premise of helping those who help themselves.

The Neighborhood Center of West Volusia in DeLand is a good example in point. In a unique way it brings together the human and financial resources of a community to help needy people help themselves and others in need. The individuals who receive help for themselves in turn give their services to help others. The result is a chain reaction, enabling the center to help more than 25,000 people in a year's time—with only one paid employee.

Neighborhood Center, which receives no Federal money, makes the Federal poverty programs look pale and weak by comparison. While taxpayers pour millions into salaries for Federal antipoverty workers, the center accomplishes more with volunteers.

It raises its $15,000 budget locally—from $5 monthly pledges from individuals and regular support from churches and civic groups. It stretches the dollar.

The center functions as an information clearing house, utilizing the services of existing agencies and trying to fill the gaps where its limited resources permit.

The center's volunteers drive several thousand miles each month taking children and adults to Daytona, Gainesville, and Orlando for special medical care. Six qualified counselors work with clients on marriage, drugs, juvenile delinquency, and teenage problems. Classes on birth control and nutrition are frequently scheduled. Volunteers teach people how to read and write. A clothing bank is maintained with the Volunteers sorting, repairing, and labeling clothes.

In cooperation with the jaycees, the center distributes food and toys at Christmas. Throughout the year, volunteers repair and paint the toys and dress the dolls. Volunteers have been actively involved in the distribution of surplus commodities. Now they are assisting qualified persons in making legitimate applications for food stamps and holding classes in how to use the stamps properly and economically.

As the center has grown and expanded from its humble beginnings in a vacant grocery store 3 years ago, the concept of helping those who help themselves has attracted the attention of the West Volusia community. Civic groups, churches, retirees, high school and college students have come to the center to volunteer their time and money. The clients—60 percent are white and 40 percent black—take pride in the center and help to keep it clean and in good repair.

This is true community involvement. The citizens of Deland and West Volusia County are proud of the neighborhood center. I applaud its work because it encourages people to depend on their own initiative, their own talents, and their own hard work.

An individual really never begins to help himself until he turns his mirror into a window—and looks to the plight of others, realizing he, too, can help. This is neighborhood center in action.

Mrs. Norah Hagman, the one paid employee whose enthusiasm and love for people has sparked the center's development, has related so many instances where individuals have found a new pride, a new hope, a new sense of achievement and thus have become a stronger link in the chain of our free America.

On a recent visit, I was amazed to see volunteers at work repairing toys, answering telephones, coordinating transportation schedules, and counseling. These people have been helped by the center and are now giving of themselves in return.

The neighborhood center truly proves what a community can do on the grassroots level. With this kind of involvement, wasteful and extravagant Federal programs can be eliminated.

Concerned citizens with a proper approach can build pride and lift people up. It does not take a lot of money. It takes concern.

I commend a program of this kind to any community as a positive means of returning to the concept of individual pride and achievement. The success or failure of this basic American concept may ultimately determine whether or not we survive as a free nation.

AN AWARD FOR THE OUTSTANDING ACHIEVEMENTS OF THE MAYFIELD CITY SCHOOL DISTRICT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. VANIK. Mr. Speaker, the National Educational Association of the United States has awarded the Mayfield City School District an award for the accomplishments of their board of education. This outstanding school board has made many decisions of extraordinary vision and foresight, but none so outstanding as the acceptance of a request to provide a site, construct a building, and operate an exemplary program for hearing-impaired children of the Cleveland area.

The obstacles to this task were many and varied. The board members of this outstanding city, through their calm consideration of facts and effective decisions, their sound judgments, their deep commitments to the welfare of all students, their enthusiasm for hard work in the interest of the schools, and their overall leadership posture overcame each obstacle leading to the construction of Millridge Center for the Hearing Impaired. This school, the only one of its kind in Ohio, was built in 1969 by the Mayfield board in cooperation with 14 other school districts who shared in its costs and now share its facilities.

Prior to the construction of the new center, the students had been part of the East Cleveland Program for the Hearing Impaired. The growing enrollment in the East Cleveland School District had created a need for more space for the program. Early in 1966, at the request of the east Cleveland system, a series of meetings was held to determine the future of the hearing impaired program. Involved in these discussions were superintendents, parents, board of education members, other administrative personnel and selected community organizations. A major issue of the discussions centered around the advisability of maintaining a program integrated with a regular elementary school or sending the youngsters to a completely separate school. The desire to keep the youngsters in a regular school, to help them learn with and associate with the children in the public school environment predominated.

By late 1967, Mayfield, under the leadership of the late Mr. Joseph L. Baird, and an enthusiastic board of education, had accepted the responsibility for chairmanship of the project. The decision of the other school districts to look to Mayfield for leadership reflects the esteem in which the district and its board of education are held by their contemporaries.

The cost of this project made it impossible for any one district to finance the entire project. State law in Ohio forbid school districts to combine for jointure and expenditure of capital funds. Under the leadership of the Mayfield board, enabling legislation, S.B. 303, was introduced and passed by the Ohio Legislature. This legislation became section 3313.92 of the Ohio revised code and now serves as a model for all similar arrangements through the State.

The efforts and success of the Mayfield Board of Education to provide an excellent educational opportunity to 6,092 hearing-impaired students, is a great credit to both the city of Mayfield, and the greater Cleveland community.

WAGE MINIMUM IS TOO LOW

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ZABLOCKI. Mr. Speaker, recently an article entitled "Wage Minimum Is Too Low," by Mr. John W. Schmitt, president of the Wisconsin State AFL–CIO was featured in the comment column of the Milwaukee Journal.

This is a lucid, persuasive, and factual presentation on the need for an increase in the Federal minimum wage. As Congress considers an increase in the Federal minimum wage, I believe his remarks are most timely and I respectfully call the statement to the attention of my colleagues:

WAGE MINIMUM IS TOO LOW

(By John W. Schmitt)

One of the most ridiculous and inhumane arguments being advanced by the Nixon administration and some newspaper editorialists these days is that an increase in the federal minimum wage requirement would create more inflation and unemployment.

These arguments have been popping up as a result of the bill currently before Congress to modernize the Fair Labor Standards Act by raising the minimum wage from the 1966 level of $1.60 an hour to $2 and extending coverage of the minimum to some 17 million workers who still lack even this protection.

Typical of the statements that have been made on this subject recently was an editorial in The Milwaukee Sentinel on April 2 that stated:

"The proposed 25% or greater increase in the basic minimum wage would knock the foundation out from under the 5.5% annual pay increase guideline set by the (Nixon) Pay Board."

This is a phony argument. You don't have to be a learned economist to know that there is certainly no inflationary threat in assuring the lowest paid workers in the nation a bare, subsistence wage.

That is all that the proposed $2 an hour could possibly provide in today's high cost of living economy. At the $2 rate, a full time, year round worker would earn approximately $4,000. This isn't much above the government defined poverty level of $3,900 for a family of four on the basis of 1970 living costs, and living costs have continued to skyrocket in the year and a half since then.

WOULD REDUCE WELFARE BURDEN

To present the proposed increase as a 25% boost is also the rankest kind of statistical distortion. The Pay Board guideline of 5.5% is for annual increases, while the proposed minimum wage increase is to cover the period of more than four years since the $1.60 rate took effect on Feb. 1, 1968.

Rather than being a cause of inflation, the proposed minimum wage increase is absolutely essential to restoring the purchasing power of those workers at the very bottom of our national economic ladder. For the population generally, an up to date and realistic minimum wage is also the best solution available for reducing the growing welfare burden.

A great deal of the welfare burden of our local communities stems directly from the below subsistence wages of workers who are paid the present minimum, or even less if they are not covered by the present law.

Government studies on poverty in 1968 showed that more than half of our families in the poverty category—over seven million—were headed by a man or woman who worked full time through the year, but for earnings below the subsistence level. Nearly 11 million full time, year round workers earned less than $4,000 in 1968.

The charge that an increase in the minimum wage rate will increase unemployment (particularly among young people and blacks) is equally phony. It has been completely refuted by past experience. Employment in this country has expanded rather than decline after each previous increase in the minimum wage dating back to the passage of the first minimum wage law in 1938.

The Nixon administration's Secretary of Labor Hodgson admitted this last year when he reported on the findings of a 1970 Labor Department study to determine the impact of minimum wages on youth unemployment. He said:

"A significant finding was that it was difficult to prove any direct relationship between minimum wages and employment effects on young workers."

Despite these conclusions from their own study, however, the Nixon administration and Secretary Hodgson are now seeking to modify and water down the proposed minimum wage bill by creating a special and lower sub-minimum for teenage employes.

The AFL–CIO is concerned about the high level of teenage unemployment, as we are concerned about all unemployment. However, we are unalterably opposed to a subminimum wage for youth or for any other category of worker. We believe that the minimum wage represents a floor under wages, and that no one—young or old, black or white, male, or female—should be asked to work for less.

Low wages do not create additional jobs. In the long run they actually reduce the number of jobs by cutting into the purchasing power of the people who must spend all they make. The real problem today is that the economy under Nixon administration policies is generating too few jobs for all workers, old as well as young.

The answer is the creation of more jobs through intelligent and progressive national economic policies—not in the creation of a subminimum wage pool of young workers who can be exploited by businesses and industries that are already earning substantial profits.

BUSINESS PROFITS PERMITTED TO SOAR

There are a variety of causes of unemployment, but the minimum wage is definitely not one of them. If President Nixon is sincerely interested in the answers to unemployment, I suggest that he begin by looking into the probusiness, antiworker economic policies of his administration. He has done more to reduce jobs in America than any president since Herbert Hoover.

Nixon economic policies and programs are encouraging huge American multinational conglomerates to move plants, technology and jobs to low wage foreign countries. The tight money, high interest strategy of his first economic game plan nearly doubled unemployment in the nation. His new, pre-election game plan has placed a curb on wages while permitting business profits to soar into outer space.

These are some of the reasons why the current propaganda campaign of the Nixon administration and its editorial yes-men

against modernization of the minimum wage law are so ridiculous and phony. Their arguments don't make sense from any standpoint—economic, humanitarian or otherwise.

The workers and families affected by the minimum wage need and deserve a higher rate for the simple reason that the existing minimum has long been outdated by rising living costs. Our communities need it because they can't afford the earnings and tax loss of having 20% of our working population subsisting below the poverty level.

Finally, our nation needs it because people purchasing power has been the single most important factor in our national economic growth and progress to date. In this respect, a realistic minimum wage covering all workers is one sound way to stimulate the economy.

PROJECT SANGUINE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. OBEY. Mr. Speaker, for the past 3 years the Navy has been conducting tests in northern Wisconsin on a massive underground communications system commonly known as Project Sanguine. That system is designed to allow us to communicate with nuclear submarines at operational depths during times of nuclear attack. Obviously, it is a system of great importance to all citizens of this country.

While research on a Sanguine system has been going on for a decade, many questions about it still remain—its ultimate size, its ultimate costs, its effect on the environment, its final location and whether or not a system of this type is essential to the defense posture of this Nation.

An absolutely basic question which many of us believe still remains to be answered is this: As now proposed, will Sanguine work?

Some scientists believe that it will. Others assert strongly that it will not. But as a well-thought-out guest editorial recently published in the Marshfield News Herald said:

(That) answer should be obtained before many more millions of dollars are authorized for the project.

Mr. Speaker, since this project is important to all our citizens, and because this Congress must decide whether it wants to significantly increase money in this year's defense appropriation bill for Project Sanguine, I am hopeful my colleagues will take the opportunity to familiarize themselves with this project and the questions surrounding it by reading the editorial which appears below:

PROJECT SANGUINE

The purpose of Project Sanguine, whether it is carried out in Wisconsin, Texas, or any other state, is to provide a communications system that could not be disrupted by a nuclear attack.

Navy officials argue that the proposed system is needed so that the President would have a sure method of authorizing the use of nuclear weapons to retaliate against such an attack. They argue that under the present system the depth, speed and maneuverability of nuclear armed submarines and other craft is restricted because the existing radio systems are grossly inadequate. The high antenna towers and radio relay links are susceptible to jamming and atmospheric and ionopheric disturbances. If a message fails to get through, the system is of no value.

Because of opposition emanating from Wisconsin residents, the word was circulated last week that Project Sanguine may be moved to Texas. However, some research would be continued in northern Wisconsin, the first choice of the Navy because the underground rock formations there would make an efficient base for the system's cable and antenna.

But the question remains as to whether the proposed underground communications system would do what it is supposed to do. Senator Gaylord Nelson, who doubts that it would be worthwhile, met Monday with Admiral Elmo Zumwalt, chief of naval operations, to further express his opposition. Rep. David Obey of Wausau said last week that he is not ready to concede the system ought to be built at all, whether in Wisconsin or elsewhere.

Senator Nelson inserted in the Congressional Record a week ago a detailed report by Charles W. Harrison Jr., a physicist at Albuquerque, N.M., questioning whether Sanguine would work. About the same time a University of Wisconsin scientific team which has been studying the technical feasibility of Sanguine issued a second adverse report on the subject. The second report said that additional information obtained from the Navy and independent research "confirms very strongly our original position that the system would need an unrealistic amount of power or be an extremely slow method of communication."

The reasoning of the U.W. team is that the Navy would need a large increase either in the network's power supply or the size of the antenna grid compared to the system as presently proposed. Under present plans, at least 6,400 square miles would be covered with a transmitting antenna consisting of up to 1,000 miles of criss-crossing cable buried 6 feet deep. Enlarging such a system would mean far greater effect on the environment than originally indicated.

Further studies are called for in view of the adverse reports that have been received. While we recognize that much experimental work has been done in the past few years, no one can be sure that the system, no matter what its size, will work. The answer should be obtained before many more millions of dollars are authorized for the project, the cost of which has been estimated at somewhere between $500 million and several billion dollars.

FOOD STAMPS

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RONCALIO. Mr. Speaker, for several months now I have been corresponding with Mr. Harold G. Korfanta, social work supervisor in Lander, Wyo. Mr. Korfanta has provided me with extensive, firsthand information on the operation of the food stamp program in Wyoming. The following is a statement of Mr. Korfanta's feelings on the food stamp program:

It is my belief that the Members of Congress are operating under a dangerous form of self-deception in believing all poor people are "basically different" from the rest of us. The Food Stamp Program smacks of discrimination against all poor people. The whole program tells me that the Members of Congress believe poor poeple are not to be trusted—that poor people are cheats and almost criminal because they are poor. They are considered to be "not quite All-American". If they have, somehow, survived to adulthood with any dignity intact, the Food Stamp Program is designed to destroy what may be left. I challenge any Member of Congress to take himself to the nearest Welfare office, and in disguise, go through a Food Stamp certification. I guarantee he will go away knowing he lost some of his own dignity. I cannot believe that is what we want for poor Americans.

COMMODORE URIAH PHILLIPS LEVY

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WHITEHURST. Mr. Speaker, the personnel of the Armed Forces have served this country extremely well. One unsually thinks of our military in relation to military circumstances. However, there are many instances of service to country beyond that called for by title of office. One of the most exemplary is Commodore Uriah Phillips Levy. His service to the United States changed and improved not only the military, but indeed the whole country.

I was privileged recently to recall his history in a speech given at the dedication of a commemorative plaque at the Levy Chapel on the Norfolk Naval Station. The dedication and selfless acts of Commodore Levy may prove to be an inspiration to others. I ask that the text of the speech be printed at this point in the RECORD. The text follows:

REMARKS OF THE HON. G. WILLIAM WHITEHURST, DEDICATION OF MEMORIAL TO COMMODORE URIAH PHILLIPS LEVY

One of the interesting aspects of history is the fact that conditions of a particular time are so foreign to our own experience as to make that time seem even more remote from us. The institution of slavery, for example, is barely five generations removed from us, not really a long time in the chronicle of man. And yet, in a day of sweeping social changes and views, it is almost unthinkable that the great-grandfather of any of us could have been a slave-owner.

Dramatic change always seems to affect us in this way.

The United States has recently embarked upon an effort to create an all-volunteer military force. In an attempt to achieve this, a number of superficial moves and a few fundamental steps have been initiated to make the armed services more attractive to young men. This has been underscored in the Navy by a series of orders by the new Chief of Naval Operations, Admiral Elmo Zumwalt.

Many of these orders affect dress, as well as living conditions ashore and aboard ship for enlisted personnel. Someone coined a phrase for Admiral Zumwalt's directives, and the phrase has caught on. They're called *Z-grams*. We don't know yet whether or not longer hair styles, beards, or beer in barracks will do the trick, but it is certain that the Z-gram will be regarded as a milestone in the new Navy.

When I read the life of the man we are honoring today, I could not help but contrast the American Navy of the 19th century with the one today. The phrase then was "Iron men and wooden ships," an overstatement perhaps, but not by much.

When Britain was at war, impressment threatened every American seaman. Life at sea was difficult, and dangerous beyond imagination. Discipline was often brutal. In retrospect, it seems incredible that any young man would choose a naval career in those days, yet Uriah Levy did, and he would change the conditions of the day, pioneer in a fight for humane treatment of Navy seamen, and leave a matchless record of devotion to America that merits the tribute in bronze which has been placed here in his memory.

In a time when birth status counted for something, Uriah was a Philadelphia Levy. George Washington had attended his grandparents' wedding. His great-great-grandfather had been personal physician to the King of Portugal. Rich in heritage but less so in worldly goods, the Levys saw their 14-year-old son go to sea as a cabin boy in 1806.

We will never know exactly what prompted him to embark upon a naval career, although some of the signs show later in his life. He loved his country, and he was consumed by a drive to serve it and to make his mark in the naval service. Both of these characteristics are commendable, but the second reflected a determination in the face of formidable odds. No Jew had ever been a United States naval officer, and in those times it was unthinkable that one should ever wish or try to be.

Stephen Birmingham, in his brief biographical sketch of Levy in *The Grandees*, puts it well. He says that Levy "had chosen for his arena the institution of American life where the Jew's role had always been weakest, the most capitulating, where Jews had traditionally been given the least power and the meanest jobs."

There is no time here to review in detail the life of Uriah Levy. One can only touch upon the highlights. What emerges is the picture of a man of enormous personal and moral courage. Picture if you will the young Levy, not yet 20, confronted by a British press gang in Philadelphia in 1809: the challenge to produce his papers to show he was an American; the scornful remark that he didn't look like an American, that he looked like a Jew; the cool reply with pride, "I am an American and a Jew;" the insulting reply of the British marine followed by the solid blow to the jaw by the enraged young Levy, a blow which landed him aboard a British warship as an impressed seaman. There he saw life at its worst.

He returned to his native country in time to participate in the War of 1812, where he wore for the first time the coveted dark blue uniform of his nation's naval service.

It is the post-war career of Uriah Levy that deserves our attention, however. He was confronted with the deep-seated prejudice that faces all ethnic and religious minorities from time to time, but more important to Levy, he encountered the conditions of naval service that he felt should be altered.

In a day of exaggerated emphasis on honor, he was compelled to fight a duel in defense of his resistance to insult over his faith, a duel which could have ended his career. Additional incidents tested him, and yet he struck it out.

But his main battle was not in his own defense. It was against the barbarous practice of flogging, which he witnessed in the American Navy aboard the ship *United States*. The range of offenses for which flogging could be administered was so wide as to be entirely within the purview of the captain of the ship. The severity of the flogging enjoyed the same latitude. After watching a crewman receive 30 lashes, from which he never took his eyes, the young officer determined that he would see an end to it.

When he broached the subject in the wardroom, his fellow officers were incensed. In their narrow view, he was not only a Jew, he was subversive to boot because he questioned Navy discipline.

It was to be a long and bitter battle. His grit led him to other confrontations and even a short forced separation from service, which was reversed only by the action of President Monroe.

Promotion came slowly but surely. His first command, the sloop *Vandalia*, was a sorry hulk. The crew reflected the ship's condition, but Levy refurbished both. There was no flogging.

Forced out of the Navy again briefly on trumped-up charges, Levy was again vindicated by a President, this time Tyler. Still, he never let personal considerations or anger at the Navy stop him from his continual assault on inhumane discipline. The man was a perpetual gadfly.

It paid off. Uriah Levy wrote pamphlets and letters denouncing flogging. He enlisted the support of Senator John Hale of New Hampshire, and in 1850 an anti-flogging rider was attached to the Naval Appropriations Bill, as shrewd a move in that day as it would be in this. Even the lash wasn't worth a delay in funds.

But the Navy kept Levy in limbo. Not until the age of 63 did he return to active service as commander of the ship *Macedonian*, with the rank of Commodore. It took a show trial of considerable proportions to achieve it.

By this time, Uriah Levy's career was nearing its end. A few years later, the Civil War broke out, and the old Navy rebel stirred with excitement at the thought that he might at last serve his country in defense of the Union. Fate, however, deemed otherwise, and he passed away in 1862, after nearly 70 years of struggle against religious prejudice that would have sapped the energy of most of us. He had won not only his right to serve and command, but he could count as a lasting achievement the death of the heinous practice of flogging.

Indeed, he left instructions that the inscription over his grave should read: "Uriah P. Levy, Captain of the United States Navy, Father of the law for the abolition of the barbarous practise of corporal punishment in the Navy of the United States." He could take pride in his own epitaph. It was deserved.

Finally, Levy's appreciation for America's heritage is reflected in his purchase of Monticello so that the memory of Jefferson might be preserved for our people. It was no chance affair. It reinforces the image of a man whose horizon of patriotism extended beyond the limits of his oath of military service.

It is therefore proper that this contribution should be recognized on this commemorative plaque.

I think that we have placed the proper emphasis in the life of this man. In a day when devotion to one's country is sometimes confused with chauvinism, Uriah Levy's love for his native land remains refreshing and exemplary. Harassed by six courts-martial throughout his career by Navy men who resented him as a Jew and as a crusader, he never once compromised on his religion or his humanitarian convictions, and more amazingly, he never ceased to embrace the Navy he loved so well. Time and justice rewarded him, and a Navy more attuned to religious tolerance and human decency at last accorded him his proper place in Naval annals.

This afternoon, we do him this additional honor. God bless you, Commodore Levy, for your courage and what you represented. Every Navy man is in your debt. You pushed through the first and most important of all the Z-grams.

THE NIXON ADMINISTRATION

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. HELSTOSKI. Mr. Speaker, as an alumnus of Montclair State College, I was asked to prepare an article for the Montclair Alumni Forum in which I would explain my reasons for opposing the reelection of Richard M. Nixon. Since I feel that the American public should be made aware of the distressing record of the Nixon administration, I wish to share the article with my colleagues at this time:

SHOULD OUR NATION ENDURE 4 MORE YEARS WITH RICHARD NIXON IN THE WHITE HOUSE?

It is with dismay and deep concern that I recount the sorry record of 3½ years of the Nixon Administration. Although there are times when President Nixon and his appointees have told the people what they wanted to hear, the Administration has all too frequently done the opposite of what was promised.

There are five key areas in which I feel his actions have demonstrated Mr. Nixon's failure to live up to the responsibilities of his office; education, environmental protection, health care, economic policy, and foreign policy.

EDUCATION

Mr. Nixon's promises:

The one area we can't short-change is education. . . . When you cut exependitures for education, what you are doing is short-changing the American future.—Statement, Hillsboro, N.H., 1968

Money will be needed, and this Administration is prepared to commit itself to substantial increases in federal aid to education—to place this among the highest priorities in our budget.—Message to Congress, March 3, 1970

The American electorate has been misled. The President of the National Education Association, Mrs. Helen Bain, cogently described the Administration's actual attitude toward education:

"A lion's share of the nation's ills, frustrations, and failures must be placed at the doorstep of Richard Nixon. . . . By definition, Mr. Nixon is an under-achiever. . . . This is the most anti-education administration this country has had in many years. . . . Any president who vetoes educational funds and calls them inflationary, and fights for obsolete weapons systems and calls them progress, should be held accountable. Mr. Nixon has called for our accountability for over 30 months. In November of 1972, we shall call for his."

Despite Mr. Nixon's promises, he fought three times with Congress over the extra money we felt compelled to add to his education budget. When he took office in January, 1969, he cut the fiscal 1970 budget recommendation of the previous Democratic Administration, omitting funds for school libraries, textbooks, instructional equipment, guidance, and testing. He cut 85% from the amount authorized for handicapped children, 75% from the amount authorized for bilingual education, and 61% of the amount authorized for educationally-deprived children. The Democratic Congress restored over $1 billion for this Department of Health, Education and Welfare appropriation.

Mr. Nixon reacted by vetoing the bill on television, calling it inflationary spending. He neglected to mention that Congress had cut almost $7 billion from his proposed Pentagon and foreign aid expenditures. Extreme

White House pressure prevented the Congress from overriding his veto.

This scenario was repeated in August, 1970, when the President vetoed the Education Appropriations bill, referring to it as "the kind of big spending that is wrong for all Americans." Clearly, Congress believed the contrary, because this time the bill garnered the strong bipartisan support necessary for two-thirds of the House and Senate to override his veto.

Undaunted, Mr. Nixon tried to undercut education a third time, proposing a drop of $50 million from fiscal 1971 appropriations. Congress reinstated the slashed funds and added $400 million to Nixon's request.

ENVIRONMENTAL PROTECTION

Mr. Nixon's promises:

In order to maintain a high quality for our environment and conserve natural resources, the federal government must provide strong leadership to coordinate an integrated program which will include all levels of government, private industry, and individuals throughout the country.—October 15, 1968

We must have action to meet the needs of today if we would have the kind of environment the nation demands tomorrow.—February 8, 1971

What did he do? Mr. Nixon's proposal to combat air pollution called for less than half of the funds he was willing to spend on the environmentally detrimental SST. Again, he refused to spend millions of dollars already authorized by Congress for environmental protection programs. He has consistently given into the wishes of the large industrial polluters who finance his campaigns.

The Nixon Administration reacted to the unanimous Senate vote in November, 1971 in favor of the Federal Water Pollution Control Act by waging an intensive lobbying campaign to dilute its tough provisions.

In fiscal year 1971, Nixon refused to spend $882 million of the funds authorized for waste treatment facilities construction.

In August, 1970, Mr. Nixon vetoed the Department of Housing and Urban Development appropriations bill, which included $350 million for water and sewer facilities. A week after he vetoed the measure, the Bureau of Water Hygiene reported that 5% of the population may be drinking water that would prove hazardous to the health of our citizens—a situation which the funds would be used to correct.

Although approximately 34,000 towns with populations under 5,500 lack adequate water systems and more than 44,000 lack adequate waste disposal facilities, Mr. Nixon in fiscal year 1971 announced that he would spend considerably less than half of the money Congress had appropriated to remedy this situation. This refusal forced some 800 communities to postpone their development of water and sewer systems.

In July, 1971, the Nixon Administration reinstated 14 oil and gas leases in California's Santa Barbara Channel, the location of the 1969 oil spill. The Administration also gave permission for the construction of two new drilling platforms. In passing, I might add that Mr. Nixon's fondness for the oil industry was again obvious recently when he told industry magnates in Texas last month that he feels the oil depletion allowance, which causes a great loss in potential tax revenues for the federal government from those who could most easily afford to pay, should be increased to encourage new exploration. Meanwhile, the oil quota system limits the importation of inexpensive foreign oil, and our utilities payments are sky-high. The Nixon Administration has also failed to enforce existing laws which hold private corporations responsible for oil spills caused by their negligence.

Finally, in the face of vehement opposition by the automobile industry and the White House, Congress acted to require a 90% reduction in automotive pollution by 1975. In this regard, it is important to point out that automobile exhaust fumes account for 60% of the air pollution in the United States. The Nixon Administration is doing everything possible to postpone the implementation of this requirement of the Celan Air Act passed in 1970.

HEALTH CARE

We face a massive crisis in this area (health care) and unless action is taken both administratively and legislatively to meet that crisis within the next two or three years, we will have a breakdown in our medical care system which could have consequences affecting millions of people throughout the country.—President Nixon, mid-1969 press conference.

What did Mr. Nixon do to fend off this impending crisis? He vetoed the Hill-Burton Hospital Construction bill in June, 1970, calling it "a long step down the road to fiscal irresponsibility." This legislation had been passed by Congress without a single dissenting vote, and the veto was later overridden by a vote of 279 to 98 in the House and 76 to 19 in the Senate.

In December of that year, Mr. Nixon pocket-vetoed the Family Practice of Medicine Act, which was designed to assist hospitals and medical schools in the training of desperately needed family physicians for the 30 million Americans who have no access to a family doctor. This measure, too, had the overwhelming support of the House (347 to 2) and the Senate (64 to 1) when it was approved by Congress.

And, as in so many other areas, the Nixon Administration has refused to spend millions of dollars appropriated by Congress for health care. Mr. Nixon, after promising adequate health care for every American, has opted instead to subsidize the private health care industry.

In addition to the above vetoes, President Nixon made the following moves which clearly indicate his lack of interest in the health needs of our citizens:

(1) Opposed the expansion of federal treatment programs for the mentally retarded, prompting the government's chief mental health officer to charge the Administration with "abandonment of the mentally ill;"

(2) Impounded $34.5 million during fiscal 1971 for the Regional Medical Program;

(3) Proposed cuts of $26.4 million from the fiscal 1971 budget affecting heart disease, arthritis, and chronic and metabolic disease research;

(4) Sought only ⅛ of the Congressional authorization for fiscal 1972 to combat childhood lead poisoning, which afflicts 250,000 to 400,000 children under the age of seven each year; and

(5) Cut $400,000 from research and treatment funds for venereal disease despite the current epidemic.

In sum, as Dr. Roger O. Egeberg, then Assistant Secretary for Health Policy, was quoted as saying, "The White House doesn't appreciate, doesn't know what is going on in the health field." In the Nixon Administration, it seems, forthright comment does not pay, for Dr. Egeberg was demoted last May to a quieter post in the Department of Health, Education, and Welfare.

ECONOMIC POLICY

When President Nixon took office, the unemployment rate was 3.3%—the lowest in 20 years. Two years later, it had risen to 6.2%.

Mr. Nixon promises:

Reduction of the unemployment rate to 4% in 1972 is our goal.—January 4, 1971

What did he do? The previous month, President Nixon had vetoed the manpower training and employment bill, which would have provided 360,000 public service jobs by 1974.

On January 11, 1971, the Nixon Administration announced a major liberalization of tax depreciation regulations to encourage investment in new industrial equipment. This program, which cost the Treasury several billion dollars in corporate revenues for 1971, was designed to increase productive capacity at a time when 25% of the equipment then owned by corporations lay idle.

On June, 1971, the President again indicated his lack of concern for the unemployed when he vetoed the accelerated public works bill which included a $2 billion jobs program.

On August 15, 1971, the President announced his New Economic Policy. He froze wages and prices, and instituted a series of conflicting rent guidelines. In fact, however, only the incomes of wage earners were frozen—the rich and the corporate interests fared well by comparison. There was no legal limit proposed on corporate profits in Phase I, nor any limit on interest rates, corporate dividends, incomes of land speculators, or stock market players. By a stroke of a pen, the President abrogated contracts legally and solemnly entered into by Americans, causing unfair treatment of many of our nation's teachers, whose raises were to go into effect in September.

Mr. Nixon reports:

1971 was in many ways a good economic year. Total employment, total output, output per person, real hourly earnings, and real income after tax per person all reached new highs.—Economic Report of the President, January, 1971

What did Mr. Nixon forget to mention? 1971 was the year that unemployment reached a 10-year high, the balance of payments deficit was the largest in our history, the United States experienced its first balance of trade deficit since 1893, and the dollar was devalued for the first time since the Great Depression.

Although the Republican Party is always quick to accuse the Democrats of dangerous "big spending," Mr. Nixon's economic mismanagement and poor judgment have run up a federal deficit of $87.3 billion in 3 years—$30 billion more than in the 8 previous years with Democrats in the White House.

What does Nixon want to do now? He wants to institute a Value-Added Tax. This tax is nothing but a national sales tax—the most regressive form of taxation—which taxes the overburdened consumer at the same rate whether rich or poor.

Pragmatic political expediency wreaks havoc on any nation's economy. Yet Mr. Nixon has consistently leaped from crisis to crisis with makeshift policies and empty promises.

FOREIGN POLICY

In 1968, Candidate Nixon pledged that he had a "secret plan" to end the war in Vietnam. His secret plan turned out to be an improvised policy which proved a complete failure. Its name: Vietnamization. This plan to wind down the war led to the expansion of the war into Cambodia and Laos. In lieu of negotiating seriously for peace and the return of our POW/MIA's, Mr. Nixon gradually withdrew American troops, replacing them with American bombs. While Mr. Nixon has refused "to be the first American President to lose a war," 20,000 Americans have died in Vietnam and more than 100,000 have been wounded.

While many of us in Congress were advocating complete withdrawal by a date as early as June, 1971, the Administration responded by implementing a "peace plan" which resulted in the raining of more bombs in its three years of existence than in the three years previous to the initiation of the plan. In seeking "peace" in 1971, Commander-in-Chief Nixon ordered half as many tons of bombs dropped on Southeast Asia as

the United States dropped in all of World War II.

On May 8th, President Nixon came before the American people to announce his latest, most reckless escalation of the war. He told us that he had offered "peace terms" to the Viet Cong and the North Vietnamese which were similar to those Congressional opponents of the war had advocated for several years. Why did it take 3½ years for Nixon to adopt a peace proposal which many of us told him years ago was the only realistic way to end the war?

On May 8th, he told us that he had to protect the lives of 60,000 Americans still in Vietnam—the 60,000 Americans he has refused to withdraw. His statement was a tacit admission that Vietnamization has failed to halt the advances of Viet Cong and North Vietnamese troops. He termed the North Vietnamese "international outlaws" because they rejected his offer. It is impossible in any objective analysis to see why a faction engaged in what it regards as a civil war should bend to foreign pressures when it is succeeding in attaining a goal it has sought for 26 years.

President Nixon's military actions have also seriously damaged the chances for early agreement on the limitation of strategic nuclear arms, an agreement which the Chairman of the Senate Armed Services Committee believes to be "more important than Vietnam." It was thought that this goal of the SALT talks in Helsinki would be realized at the Soviet summit meeting President Nixon is scheduled to attend on May 22nd. It is now highly questionable whether this meeting will take place. In mining the harbors of North Vietnam, disclaimers to the contrary, Mr. Nixon has almost certainly forced a confrontation with the Soviets. This action is the most flagrant abuse of Presidential powers in the 20th Century.

He was also forcing a confrontation with the People's Republic of China, effectively negating the improvement in relations since his visit there earlier this year. For North Vietnam has received an estimated 90% of its supplies over land from China. North Vietnam has not been anxious to be taken into the sphere of either China or the Soviet Union, but Mr. Nixon is forcing them into the arms of the Chinese. In view of the Sino-Soviet rift, the Chinese would be glad to gain such influence in North Vietnam.

In addition, the President's cynical support of the dictatorship in Pakistan in the war for the independence of Bangladesh led to increased influence for the Soviets in the Indian subcontinent. The Chinese will no doubt take advantage of the opportunity President Nixon has afforded them to counter Soviet gains in that area and the rest of the Third World developing nations.

Little noticed, but of strategic significance, has been Mr. Nixon's dealings with other major powers. He neglected to forewarn West Germany and Japan of the import surcharge, and Japan has not recovered from this shock that almost toppled the Sato government. What did the Nixon Administration do? The illustrious Henry Kissinger, with his anachronistic dedication to Metternichian diplomacy in a nuclear age, has cancelled for the third time his plans to visit Japan—a trip aimed at a reconciliation with the Japanese. To say that such a move would be regarded as an insult in an Asian culture constitutes an understatement of considerable magnitude.

At this writing, the outcome of Mr. Nixon's provacative re-escalation of the war is difficult to predict. Yet, to escalate international tensions and to risk another World War rather than to admit the ineptness of a particular policy are political pragmatism and brinkmanship in their most dangerous and most unconscionable manifestations.

In conclusion, if the American electorate is made aware of the mismanagement, corporate favoritism, and contempt of domestic priorities which have characterized the Nixon Administration, I believe the voters will decide to make Mr. Nixon a one-term President.

ROBERTS BUICK—PACESETTERS IN CUSTOMER RELATIONS AND QUALITY CONTROL

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. COLLINS of Texas. Mr. Speaker, in Dallas we are all very impressed and proud of the service rendered to our community by Melvin Roberts, who heads up Roberts Buick. Roberts this week won National recognition as winner of the 1972 "Performance Improvement Award," given by the American Society for Performance Improvement—the first retail automobile dealer ever to receive this honor.

Roberts earned the prestigious award for the unique quality control system in operation at Roberts Buick. This system includes 175 human, electronic, and mechanical checks made on each new car before delivery. Roberts was also cited in award ceremonies today at the Washington-Hilton for "a prevailing environment of genuine customer concern by all employees."

Roberts Buick is one of 1,200 members of ASPI, formerly known as American Society for Zero Defects, which includes members in industry, service fields, and the military. The society was founded in 1966 to provide an organization for communicating the concept and techniques of performance improvement-type programs.

Roberts' program, oriented toward the delivery of new Buicks and Opels, is called zero defects for safety, performance, and economy. It is the result of 5 years of research in automobile servicing by Roberts, and will be even further expanded, the dealer said. The aim of the plan is simply to produce satisfied customers the first time.

Internal communications and a common goal helped Roberts achieve the new honor. A customer relations department, with separate staff and facilities from the dealership itself, was initiated to audit customers' reactions and satisfaction from their auto servicing. A detailed system of followups continues Roberts' surveillance system. Customers' comments are recorded on daily worksheets, with adverse comments being transferred to a special form and routed to the customer relations manager. Department managers are contacted about the individual critiques.

After reviewing a particular file, the manager re-contacts the customer to resolve the problem. Following the solution of an individual problem, the department manager is required to detail all the steps that were taken. This disposition is returned to the customer relations manager. Besides telephone contact, a series of postage-paid mailers are also used to survey customers' opinions.

Records are also kept for each employee, regardless of their work area, for their percentage of satisfactory performance in dealing with the public. Each work area has a blackboard revealing all employees' percentage figures for the previous week. If, for instance, a mechanic serviced 20 cars in a week and one customer was not satisfied, the mechanic achieved a 95 percent satisfaction score. Competition is keen among Roberts' employees, for the winners in each category receive a dinner for two at the company's expense and the top percentage winner for the month receives a $25 gift certificate. Weekly rankings are provided to all employees.

Mr. Speaker, all America can take the message from the progress Roberts Buick has shown in customer relations and quality control. Dallas and all Texas salute Melvin Roberts and his colleagues for their fine work and we look for outstanding achievements in the years to come.

TRANSPORTATION IS IMPORTANT TO ECONOMY OF MONTANA

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, the State of Montana is greatly dependent upon transportation services for its economy and well-being. Many of my constituents are concerned about the relationship between transportation services and costs, and the competitive marketing problems that Montana shippers, producers, and merchandisers must deal with on a region and national basis.

Recently one of the most knowledgeable experts in transportation wrote to me about improving the knowledge and expertise in that field. His letter and statement, which describes in my opinion a very realistic and needed approach, is submitted for the consideration of my colleagues here in the House of Representatives and for those in Montana who agree that something like this needs to be done:

APRIL 7, 1972.

Congressman DICK SHOUP,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SHOUP: This is in response to your letter of March 10 concerning any additional thoughts that I might have on the importance of transportation to the economy of Montana. Enclosed is a copy of some remarks that I presented at a meeting of people interested in transportation which was held in Helena in February. These remarks are, at best, only rough comments, but they begin to identify some of my opinions about the significance of transportation in Montana. In addition, I expressed other opinions to Robert Barrett of your staff when he was here in December visiting about the transportation situation in Montana.

The significance of transportation to Montana shippers, producers, and merchandisers in terms of marketing and their competitive position with other states and areas has been mentioned several times. A primarily rural state such as ours depends heavily on an efficient carrier system to transport inputs

for production and for marketing the products produced.

Added emphasis and need for transportation expertise in Montana could fall basically into two categories: 1. Added attention, I think should be given to State Government action. 2. Developing basic information for the people about the problem of shippers and carriers.

Let me define in greater detail what I visualize as needed in these two areas.

Added attention at the State Government level should be focused on the Department of Agriculture and the Railroad and Public Service Commission. The duties of the Railroad and Public Service Commission allow them to initiate action on rate adjustments. They are the starting point for all efforts and actions that are made concerning carriers. The State Department of Agriculture has had experience in preparing verified statements and acting as witnesses. They are particularly appropriate because of their association with the Montana Crop and Livestock Reporting Service which develops much of our statistical data that is used in any presentation for agricultural rate adjustments.

The other major effort, I would argue, should be added attention to developing basic information and education for the people of Montana and this should be developed at the land grant university. The land grant university is a research-oriented institution and it has the Cooperative Extension Service, its informational arm, reaching out to the entire state. In addition, Montana State University has had some experience within the last five years in this area, particularly working on grain transportation problems in which I participated. This is particularly important to agriculture. The engineering school is experimenting with transporting wood chips through a pipeline.

Agriculture, our number one industry in the state, also has the largest transportation problem or discrepancy in the state.

I think that such an added transportation emphasis in Montana could provide a combination of activities that would assure a more fair and equitable treatment to our Montana shippers, consumers, and carriers.

The various information gathering and dissemination programs suggested above would be a step towards providing the producers of the state with what is needed for a unified approach to our transportation problems. Added emphasis at the State Government level would provide long overdue action that apparently is necessary in Montana transportation issues. Added emphasis could ultimately lead to more input and concern about a transportation policy for rural areas.

I apologize for the length of this letter, but I feel that these two points needed some clarification and I strongly feel that such a combination of effort would do much for the people of Montana. Your support is undoubtedly essential.

If you would like, I would appreciate the opportunity to visit with you at greater length on this subject. Perhaps we could get together on one of your visits to the state of Montana.

Sincerely,

CHARLES H. RUST,
Program Coordinator.

WHICH WAY TRANSPORTATION IN MONTANA?

(By Charles Rust)

It has been said if one stands long enough in Times Square in New York City, sooner or later just about everyone in the world will pass by.

Times Square is one of the crossroads of the world. People congregate there and around them can be found almost every imaginable type of merchandise, service, and transportation. To the New York resident, this is pretty much an abstract concern for he only needs to go a few blocks to find anything he wants.

Not so in the rural areas of the nation and particularly the state of Montana where people can live seven to eleven hundred miles from major population centers such as the twin cities of Minneapolis-St. Paul or the urban areas of Seattle, Washington, or Portland, Oregon.

A person can stand on a street corner in Eastern Montana and see very little traffic at all. Much of what does see will be heading away, toward the population centers or "times squares" of the nation.

Transportation in Montana is not an abstract—it is a reality that our very lives depend upon. If we can improve our transportation, we can improve our economic position. If we can improve that, we can begin to sustain our population and reduce the numbers of people that we are exporting to the cities where they continue to contribute to the urban crisis.

Our commerce in Montana is agriculturally based. As such, we deal in bulk cargoes of wheat, barley, cattle, and hogs—ideal products for rail transportation. In addition, some of our coal reserves and lumber products also lend themselves to railroad transportation.

Transportation is one of the most vital problems to be solved by those of us who are concerned with economic growth.

SIGNIFICANCE OF AGRICULTURE

The bulk of the cash receipts in agriculture comes from the sale of livestock, livestock products, wheat and barley. Our calf crop last year was 1.6 million head. We shipped out of Montana live cattle totaling about 1.5 million head.

The latest information available suggests that 65 percent of Montana's out-of-state cattle shipments are made by truck. An average shipment is slightly over 700 miles, with an average number of 50 head per truckload. This means that between 19 and 20 thousand truckloads of cattle were transported on Montana highways destined for out-of-state markets. Cattle moving out-of-state by rail generally are trucked to the rail head and probably add at least another ten thousand truckloads of cattle from ranch to rail head. As for intra-state shipments, these are difficult to estimate. They include trucking to summer range, to and from auction markets, feed lots and packing plants. These would probably exceed even the number of interstate hauls.

Our wheat production last year exceeded one hundred twelve million bushel. I have not gotten the latest estimates from Mr. Eldon Fastrup on the 1971 movements, but if we look at the 1970 data, we find that over 92 million bushel of wheat and barley were shipped by rail to out-of-state markets. This is equivalent to over 28 thousand hopper cars that hold 3,300 bushel each, or about 562 trainloads of 50 cars each. On the other hand, it would require over 80,000 super trucks (1,150 bushel units) to haul this same quantity.

In 1970, 34 million bushel of wheat and barley were hauled by truck—which would require over 30,000 super trucks to haul this quantity of barley and wheat.

A NEED FOR ADDED EMPHASIS IN TRANSPORTATION FOR MONTANA

Emphasis on added transportation by the public sector in Montana could result in:

1. Lower freight and handling costs for farm supplies and farm products, resulting in higher net income to the farm producer.

2. Enhancement of Montana's competitive position in area, state, regional, national and international markets.

3. Lower consumer prices of agricultural products.

4. A transportation system for Montana which is efficient and which has the degree of economic viability needed if the residents of this sparsely populated area are to fully participate in our society.

Basic changes in the organization and technology of agricultural production and marketing are resulting in increased burden on transportation. These changes include:

1. Bypassing many traditional markets for more direct movement of livestock, grain, and other agricultural commodities.

2. Increased regional specialization in production and marketing.

3. Use of bulk handling equipment to reduce handling and terminal costs.

In addition, a multiplicity of changes are taking place in the transportation sector. Application of new technology in containerization and coordinated transport (piggy-back, fishy-back, and birdy-back) will result in lower relative costs and a more advantageous competitive position for the adapter. The rent-a-train concept, the use of jumbo hopper cars and multiple units, and the further development of pipeline and inland water-way transport at greatly reduced volume rates will alter facility locations, local assembly and distribution handling, and competitive transport pricing and marketing prices. Jet aircraft with increased cargo capacity and the resulting lower cost of air transport could open up new markets and alter existing competitive relationships—changes in assembly, physical handling and delivery operations have generated rising costs of agri-business firms. Opportunities for lowering other costs exist through the application of sophisticated management tools including data processing, operations analysis, warehousing, truck routing and scheduling, and inventory management and control systems.

Montana's agricultural economy needs to interpret and adjust to these critical organizational trends and changes in transportation. Because transportation is not Montana's primary business, we have limited capabilities in this field. Transportation economists can assist by identifying changes, analyzing transportation opportunities, and pointing out the likely consequences of alternatives.

POSSIBLE DIRECTIONS IN MONTANA TRANSPORTATION

Montana, resting at the distance it does from bulk markets and basically a captive of one major rail carrier, finds itself in a situation where competitive modes of transportation, in this case truck, find it difficult to compete on the longer haul and the waterway is nonexistent. However, many hope that with the opening of the Port of Lewiston in 1975 another alternative will be provided for Montana. Possible truck-barge combinations could prove to be very effective in moving grain to market. It is also interesting to speculate on what combinations there could be between rail and water. The president of the Souix City Barge Co., at a western meeting a couple of years ago, indicated that he felt that we should have large terminal facilities on the water with the rail bringing it to the river heads in the Pacific Northwest or on the Upper Missouri and Mississippi Rivers for transport by barge traffic down into the ocean-going vessels, using some of the LASH concept for reducing costs.

Another interesting transport item to speculate is the research that William Hunt is doing on transporting of wood chips via pipeline. This could present some excellent opportunities for commodities such as wood chips and coal.

There has been much rhetoric on the needs in transportation expertise within the state but only limited action. Traditionally *research* has developed basic data.

The sector that seemed to be receiving the most transportation abuse in our preliminary research investigations a few years ago was the grain sector. Research has developed

some basic movement information and transferred this to its logical home with the State Department of Agriculture and Statistical Reporting Service so that we continue to get information on the direction of grain shipments by carrier from the state of Montana.

Some other areas need to be further defined. The Department of Ag Economics at MSU has done some work on costs of transporting grain, I'm sure Dr. McConnen will refer to the work done by George St. George in this area. We need to explore further the truck-rail combinations and how to price these on a cost basis.

A person with transportation expertise could address himself to some policy adjustments or considerations such as—if rails are the most efficient method for moving the bulk cargoes that we have over our long distances, then how come trucks now have over one-fourth of the grain shipments? This could be due to rails having a combination of unfair government regulations, archaic work rules, and unwillingness by management to really work at the business of running the railroads.

If tariff regulations put rails at an unfair competitive advantage, then we should work towards changing them.

If the work rules are in fact archaic and need to be changed, then there should be some work in this area.

Freight rates also work to our disadvantage. They need to be adjusted, if the state of Montana is to compete successfully. We find it necessary to pay too much for the miles that lie between us and our markets. This alone is a powerful persuasion for industry to remain in the large urban areas.

If it is impossible for commerce to exist in a reasonable volume in this isolated state without air travel because our distances are extremely great and the time loss to travel is high, then perhaps there is a legitimate reason (if government is serious about equalizing growth and reversing rural outmigration) to subsidize air travel on commerical carriers to a greater extent than it now does in Montana.

A transportation policy which makes possible the rapid flow of people and goods and which places urban and rural people on a somewhat equal basis is one major way of stemming the out-migration from rural areas as well as keeping our production sector competitive with those nearer markets.

And lastly, transportation expertise could continue to analyze alternative systems of transport and develop a program that would be helpful in arriving at decisions that will result in a viable *Transport System* for Montana.

You ask which way transportation in Montana. You might say, we have no way to go but up since it couldn't be much worse than it was a couple of years ago. As far as some of the changes of the last year in adjusting transportation of grain by reducing some of the out-moded practices appears to be the first step and the first real breakthrough and opportunity for Montana's to work with carriers in an attempt to develop an adjusted transportation and marketing system that will increase the income to all Montanans and make Montana a much better place to work and live.

TRANSPORTATION'S LONG-RANGE OBJECTIVES

We might say, then, that the basic long-range objectives of transportation expertise in Montana would be:

1. To provide information to market firms, producers, and other shippers that will help them to understand their current transportation situation.

2. To provide information that will demonstrate to market firms, producers and other shippers how the transportation and marketing system can be changed to benefit Montana.

3. To improve market firms, producers, and other shippers understanding of the needs and requirements for an effective transportation system in Montana.

4. To develop and distribute information that suggests alternatives that could be of benefit to carriers and shippers alike.

5. Give special attention to wheat and other grains in an effort to determine the effects of trends in transportation on grain pricing methods and grain marketing institutions in Montana.

6. Develop a Transport Policy that makes possible the rapid flow of people and goods and which places rural and urban people on a somewhat equal basis.

NATIONAL TIME OF MOURNING AND REPENTANCE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. EDWARDS of California. Mr. Speaker, this morning I received the petition—which follows—from a group of American citizens as distressed and outraged by our country's actions in Indochina as I and many other Members of this body.

The newest escalation of the war in Indochina not only continues to threaten the people of Indochina, but now has brought the threat of world war III very much closer to all of us. I urgently urge the House to act, and act swiftly, to end this war and bring some form of sanity to an increasingly grave international situation.

The petition follows:

A PLEA FOR NATIONAL REPENTANCE AND A PETITION TO THE CONGRESS OF THE UNITED STATES

Whereas, millions of Vietnamese, Cambodians and Laotians have been maimed and uprooted from their homes and more than one-half million killed;

Whereas, more than 50,000 Americans have been killed in Indo-China and 300,000 have suffered casualties;

Whereas, the lands and cities of Vietnam, Cambodia, and Laos have been devastated by napalm, defoliants, bombs and all the vast arsenal of the automated air war;

Whereas, the lives of United States prisoners held by the North Vietnamese are now threatened by the further escalation of the war;

Whereas, the war waged by the United States in Indo-China wastes our human and material resources and weakens our security rather than insuring it;

Whereas, the United States armed forces continue to impose upon the people of Vietnam the Thieu government dictatorship, thus depriving the Vietnamese people the inalienable right of freedom;

Whereas, the peace of the whole world is threatened by the recent escalation of the war by the United States, including the mining of Vietnam harbors, thus risking the beginning of World War III;

We, the undersigned citizens of the United States repent of our own complicity in this sin against the Providence of God and this crime against humanity; and we call for a national time of mourning and repentance.

We petition the Congress of the United States to take its proper responsibility for ending participation by the United States in the war in Indo-China by cutting off funds used for the prosecution of the war, that sanity and justice may be restored in the foreign relations of the United States government.

THE TERRORS OF THE EARTH

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WOLFF. Mr. Speaker, much has already been said relative to the President's decision of Monday night to mine the ports and harbors of North Vietnam. But nothing said or written thus far is quite comparable to the column written by Mary McGrory which appeared in Wednesday's Washington Star.

Nothing that I can say will add to Miss McGrory's eloquence. She is one of this city's most prescient individuals. I think that every Member of this House, including those who belong to the opposition, would benefit greatly from reading what this gifted lady has written:

AS NIXON WIELDS "THE TERRORS OF THE EARTH"

When King Lear, Shakespeare's self-starting disaster-maker, finally confronts the reality that his two elder daughters despise him, he turns on them with these words:

I'll have such revenge on you both
That all the world shall—
I shall do such things
What they are yet
I know not, but they shall be
The terrors of the earth.

So it is now with Richard Nixon, another insecure and compulsive man who manufactured his own distress and wants the world to pay.

If he were the leader of a small nation, trying to dictate terms to a victorious enemy, he would be ludicrous. But he has "the terrors of the earth" at his command, and the world is quaking in its boots.

It is odd that a man who required six months to summon the stomach to fire Wally Hickel to his face, would plunge, almost casually, to the brink of World War III.

But perhaps it is not so surprising. He laboriously traps himself into his own obsessions, and when his formulas blow up in his face, immediately concludes that someone else is to blame.

In this case, it is the Russians, his old familiar, comfortable devils, to whom he has passed the buck for preserving world peace.

He has walled off the real world, surrounded himself with men who would agree with him if he said the earth was flat, and even imported his own preachers lest any breath of criticism about the morality of his conduct jar his ears.

Lyndon Johnson, after the Tet offensive, heard the Joint Chiefs of Staff tell him that with 200,000 more troops and two years more, he could finish the job.

Enter Dean Acheson, the former Secretary of State. "With all due respect, Mr. President, the Joint Chiefs don't know what they are talking about."

In his remarkable and disturbing book, "The Roots of War," Richard J. Barnet notes that "It took a senior statesman of established reputation for toughness and with no further career ambitions in government to talk honestly to the President."

There is no Dean Acheson in the Republican Party. There is no George Ball, Johnson's pet dissenter, in the White House councils. After each springtime cataclysm, Secretary of Defense Melvin R Laird lets it be known that he had opposed the decision. Private dissent is about as useful as a fan in hell when the Commander-in-Chief is translating his wounded vanity into national pride. Nobody has yet sacrificed a

White House car on the altar of conscience. None is likely to.

Did anyone, as the President was dusting off Barry Goldwater's bloodcurdling old scheme of mining Haiphong, ask him what he thought he was doing? Did anyone ask him what he thought America stands for in the world?

Dr. Henry Kissinger, who was assigned the task of hawking the Goldwater escalation to the press, would not say. The debonair doctor was distraught, looking over at Ron Ziegler frequently, as if pleading with him to tell the boss how forcefully he had presented the new madness. Official favor is all that is left to him. The professor's reputation of detachment and reason is one of the many casualties of the spring offensive, one of the few that does not bleed.

The president knew from the moment he laid his hand on the Bible over three years ago that he was heading for collapse now crowding in on him unless he began immediately to end the war. It would be over by now, the "nightmare of recrimination" the "bloodbath," all the horrors he conjured up when he could have been rationally reconverting a national tragedy into a mistake.

While he babbled on about Vietnamization, and dropped a bomb a minute the North Vietnamese got the impression, widely shared in this country, that once safely reelected, he would proceed with no political pressure to stay him to the total devastation of the "small country" that resisted his game plan for a generation of peace.

They watched him add and subtract negotiating terms like some capricious mathematician. For a while he protested that all he wanted was the prisoners. When a year ago, Hanoi offered to negotiate on them, he hastily added the "reasonable chance" of survival of the South Vietnamese government. Currently he has dropped Thieu, but if there's a howl from Saigon, he will probably be reinstated. So the North Vietnamese attack.

No, the problem began with the president's grim conviction that he could not trust his countrymen to accept him as "the first American president to lose a war."

Now the unthinkable has befallen him, he will not think about it. He will instead threaten "the terror of the earth" so the world will "respect" him.

THE END OF AN ERA

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BELL. Mr. Speaker, I wish to join my colleagues and fellow citizens in mourning the death of a great American.

It is very difficult to eulogize J. Edgar Hoover; whatever I say will, in fact, be redundant since so many have expressed similar sentiments. His admirers are countless and even those with whom he disagreed—often bitterly—on policy matters, have acknowledged their profound respect for his outstanding accomplishments.

Only an individual with his vigor, vision, and devotion could have transformed the Federal Bureau of Investigation from a foundering, corrupt, incompetent agency into the most sophisticated, professional, and respected police force in the world.

His record of modernization and innovation was extraordinary; many of these measures were effected during his first decade of tenure. The centralized fingerprint file—1925—the total of which passed the 200 million mark this year—and the crime laboratory—1932—are landmarks in the gradual application of science to police work. The National Police Academy—1935—has trained the leadership elite of local forces throughout the country. His achievements are further enhanced by the fact that he took over the agency at an enterprising 29 years of age.

When then Attorney General Harlan Fiske Stone appointed him in 1924, Stone accurately appraised Hoover's youth as an asset because as he said, "apparently he hasn't learned to be afraid of politics." And much to Mr. Hoover's credit, he never did. He scrupulously kept the agency above politics, making it as indomitable and incorruptible as himself.

Mr. Hoover personified integrity, courage, dedication, and patriotism. The most appropriate tribute the country and the Bureau can pay him is to emulate these qualities. While there will probably not be another Director like him, as a legend, his sustaining presence will live on.

CUBA—ONCE A FREE NATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DERWINSKI. Mr. Speaker, Saturday will be the 70th anniversary of the formal withdrawal of the United States from Cuba. It was on May 20, 1902, that the American military authorities turned the government of the island over to the newly established administration. Tomas Estrada Palma was inaugurated as the first President of the island republic the same day.

Cuban independence resulted from the short but exciting Spanish-American War, in which American soldiers and sailors fought bravely and carried the Stars and Stripes to victory. Although the United States could have retained possession of Cuba indefinitely as a territory, it chose instead to make it a free nation after a short transition period.

The seven decades that followed American withdrawal from the island were sometimes years of peace and prosperity, but they were all too often periods of revolutionary turmoil. Cuba has, since January 1959, been a captive nation, nominally presided over by Fidel Castro, but actually run by the Soviet Union.

The usual Communist "reforms" followed Castro's assumption of power as a stooge of the Kremlin. Banks and industry, cattle, and tobacco lands, and education have all been nationalized. Many Cubans have been imprisoned in concentration camps or murdered by the Castro regime.

One of the most eloquent indictments of the Communist administration of Cuba has been the mass flight of people from the island. More than half a million Cubans have voted with their feet by fleeing, most of them having settled in the United States. The land that brought freedom to their father and grandfathers has thus provided freedom to many of Castro's victims.

Mr. Speaker, May 20 will not be a happy anniversary for those who still live in Cuba. It will be just another day of oppression for those who, for various reasons are forced to remain prisoners of Castro. Let us hope and pray that it will not be too long before Cuba and the Cubans will once again be free.

DEPARTING HONORS TO THE SECRETARY OF THE NAVY, HON. JOHN H. CHAFEE

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. O'KONSKI. Mr. Speaker, last Thursday, May 4, 1972, ceremonies were held at the Marine Barracks in Washington, D.C., to render departing honors to the Secretary of the Navy, Hon. John H. Chafee.

During these trying times, it was most important that the Department of the Navy be lead by a man with the ability, foresight, and courage to tackle the job of modernizing our Navy to counter the ever growing threat of the Soviet fleet. Secretary Chafee has served the Navy and the Nation with distinction and we on the Armed Services Committee will miss his sound counsel.

At this point, I would like to insert into the RECORD the remarks of the Honorable Melvin R. Laird, the Secretary of Defense, upon presenting to Secretary Chafee the Distinguished Public Service Medal:

REMARKS BY MELVIN R. LAIRD, THE SECRETARY OF DEFENSE AT THE CEREMONY TO RENDER DEPARTING HONORS TO SECRETARY OF THE NAVY, JOHN H. CHAFEE

Those of us who have worked closely with Secretary Chafee these past three and one-half years know that the award which he has just received is richly deserved.

This ceremony marks the end of John Chafee's distinguished tour as Secretary of the Navy. Through I am sad to see him go, he can be proud of the record of achievement that he leaves behind.

His record is one that reflects initiative and leadership tempered by prudence and sound judgment. He understands how to get things done in Washington. His accomplishments are too lengthy to catalogue in full here though the citation for his award reflected some of them. The citation also reflects the two themes that stand out as most representative of his accomplishments: the quest for a more flexible, modern Navy and the quest to improve the quality of service life for the men and women of our Navy.

In both of these areas significant advances have been made. Secretary Chafee would be the last to claim individual credit for all of them, because he understands and encouraged the teamwork that enhances progress, but his influence was most significant and many times critical to their accomplishment. These accomplishments include fleet modernization programs to develop the flexible, modern Navy that is one of the requisites of the Nixon Doctrine and the Strategy of

Realistic Deterrence. We are closer to a goal of a modern balanced force as a result of Secretary Chafee's leadership and the Department of the Navy's team efforts. In addition, under John Chafee the quality of service life has been improved by initiatives in many areas. These include: significant pay increases, additional housing both temporary and permanent, increased opportunities to minorities that resulted in such milestones as the first black Admiral and a substantial increase in the number of black naval officers.

And, I would certainly be remiss if I neglected to mention Secretary Chafee's initiatives to improve the quality of life for women in our Navy. For example, women are now eligible to participate in the NROTC Program, and the first woman Admiral has been nominated by our Commander-in-Chief, President Nixon, upon the recommendation of the Navy and with my full support.

We thank John Chafee for his many contributions to our Navy and to our nation. He has demonstrated enthusiasm, thoughtfulness, wisdom, and determination.

He now returns to Rhode Island—but not, I suspect, for retirement. I wish him well in his next career—whatever it may turn out to be. It is most appropriate, I think, to close my remarks with the traditional naval farewell—"May you always have fair winds and a following sea."

JUDGE THOMAS B. FINAN

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BYRON. Mr. Speaker, last Saturday with the sudden death of Judge Thomas B. Finan, the State of Maryland lost one of its most distinguished and capable citizens. It was my pleasure to know Judge Finan for many years. He was a man of great integrity who was admired and respected in his hometown of Cumberland and throughout the State.

I feel the editorial in the Baltimore Sun published this week best describes Judge Finan and his many achievements, and I would like to share it with my colleagues:

THOMAS B. FINAN

Judge Thomas B. Finan's untimely death at 57 leaves a gaping hole on Maryland's Court of Appeals. He was a kind and friendly jurist whose impish smile masked a strong, even-handed approach to his work. In his demanding job, Judge Finan reviewed numerous cases and, like the other judges of the court, produced about 50 opinions annually. It was not surprising that death caught him at his desk in Cumberland reviewing briefs during the current recess.

A native Western Marylander, Tom Finan stepped upon Maryland's political stage in 1959 as Governor Millard Tawes's secretary of state. Two years later the Governor named him Maryland attorney general which, during the turbulent early 1960's, was one of the most sensitive posts in state government. Mr. Finan interpreted laws dealing with racial relations, reapportionment, school prayers and the rapidly changing police powers over criminal suspects. Oftimes he dutifully went to court to argue the state's position. Always he presented his case with justice, understanding and aplomb, even when he lost.

In 1966 he ran for Governor in the Democratic primary. Party dissension worked against him. He managed in defeat, however, to retain his grace, and it wasn't surprising that he was named to the Court of Appeals. He was considered a natural successor to the chief judgeship upon the retirement of Hall Hammond, May 18.

The court now has two vacancies instead of one. For Governor Mandel, the job of replacing Judges Hammond and Finan will be difficult indeed.

METRO AIR INDUSTRY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. MURPHY of New York. Mr. Speaker, as a member of the Transportation and Aeronautics Subcommittee of the House Interstate and Foreign Commerce Committee, I am aware of the vital importance of air transportation to commerce in this country, but too few of us are aware of the direct economic contribution the air transportation industry makes to our own communities.

Recently the Air Transport Association of America made public a study on the economic impact of this industry on Metropolitan New York.

I found the study as reported in the following article from the Long Island Press to be very enlightening. I commend it to the attention of my colleagues:

METRO AIR INDUSTRY PUT AT $7 BILLION

(By Richard Schill)

The air transport industry contributes $7 billion annually to the economy of the metropolitan area and provides nearly 78,000 jobs, a study released by the Air Transport Association states.

And, according to the report, a significant amount of that money finds its way into the Long Island economy either as wages paid employes, landing and rental fees at Kennedy and LaGuardia Airports or money by tourists who use the airports.

According to ATA President Stuart G. Tipton, the direct employment by the air transport industry of 77,800 people in jobs makes it the fifth largest employer in the New York metropolitan area. This figure, he said, did not include those employed in related airport industries near Kennedy and LaGuardia, but the New York City Economic Development Administration estimates these "support industry" jobs total nearly 23,000.

The report indicated that 73 per cent of the 77,800 airline employes in the metropolitan area lived in New York state, earning a total of $514.5 million. A further breakdown showed 33,367 of the employes living on Long Island and earning a total wage of $391 million.

Flushing, which borders on LaGuardia Airport, had the highest concentration of airline employes with Hicksville second, Jamaica—whose post office area includes Kennedy Airport—third and Mineola fourth.

There are 9,028 airline employes living in Flushing, the report indicated, who earn a total of $90,361,000—an average income of $10,009 each. Hicksville has a total of 8,540 airline employes who earn in excess of $129 million, an average of $15,141 per employe.

There are 4,575 airline employes living in Jamaica, the report showed, earning an average of $9,671 each, and 4,331 people in Mineola are employed by the airlines, earning a total of $55,856,000.

According to the report, most of the money earned by the airline employes, totaling more than $965-million, is spent locally, adding to the economy of the area. The average $243 weekly wage of metropolitan area airline employes compares with an average of $148 in all nonagricultural industries and $197 in all transportation industries.

The report also indicates that 75 per cent of the 16 million tourists who came to New York in 1971 came by airplane; that airline spent $540 million in 1971 to purchase fuel, materials, equipment and services from the local area merchants, as well as $80 million in landing rental fees at the airports and that the three metropolitan airports serve as places of work for 55,612 people. An additional 22,188 airline employes work at locations other than the airports.

In announcing the findings of the report, which he said was designed to show the huge economic affect an airport has on the economy of a metropolitan area. Tipton also urged against a curfew on night flights and suggested that Newark and Kennedy Airports be expanded as a temporary solution to the problems of a fourth jetport.

"I hope that a curfew in the New York area will never be taken seriously," the ATA president said. "It would have a severe economic impact."

Tipton said an informal survey indicated that a curfew would force the lay-offs of 10 per cent of the employes of a major trunk airlines operating in New York. The largest all-freight airline, he said, estimated they would lay-off 60 per cent of their New York staff if night flights were banned.

He said that ATA opposed converting Stewart Airport near upstate Newburgh into a commercial jetport at least until transportation facilities to the site could be improved. Noting the trip to Stewart was 82 miles by road from New York, Tipton said "that is too far to ask the passenger to travel."

He also stated the association was "disturbed and concerned" about either Stewart or an off shore site as the location for the fourth jetport. The association, he said, did not like the wetport concept because of "astronomical costs" which would be involved in building such a facility.

OSHA MUST BE CHANGED

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ABOUREZK. Mr. Speaker, although I was not a Member of the 91st Congress which enacted the Occupational Safety and Health Act, I cannot believe that it was the intention of my colleagues at the time this bill was passed to permit the harassment of small businessmen to the point where some of them may even be forced to close their doors.

Clearly safety is a matter which concerns us all. It does the employer no good to have his employees off the job because of accidents that could have been prevented. However, at the same time it does the employee no good to lose his job because the employer cannot afford to stay open and meet the requirements of this law. One way to make sure a man does not get hurt on the job is to take his job away from him by bankrupting his employer. But I rather doubt that is the kind of safety Congress had in mind when it passed the Occupational Safety Act.

There has been no other issue since I became a Member of Congress that

has generated so much spontaneous concern on the part of my fellow South Dakotans. There has been only one other issue that has so shaken the faith of Americans in the wisdom of their Government. It is time that the Members of the 92d Congress took action to correct the worst features of this law.

I, along with many of my colleagues, have introduced amendments which would change some of the problem areas that implementation of the law has revealed. I would strongly urge the appropriate committees to conduct hearings on these proposals so that Americans can again have faith that their Government is listening to their concerns and not merely handing down unreasonable, burdensome regulations that threaten their capacity to earn a living.

BICENTENNIAL COMMISSION

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SCHWENGEL. Mr. Speaker, as an evidence of continuing interest in some program or some effort to get the Bicentennial Commission to acknowledge and recognize their responsibility more to history, and to recognize the tremendous potential that is ours if we properly commemorate the bicentennial of our country, I am presenting for the perusal and pondering of all Members and all people interested, an editorial published in the History News. This is a publication of the American Association for State and Local History.

Mr. Speaker, this is an organization that is completely and utterly dedicated to State and local history and whose members are very sensitive to the importance of history, its proper recognition, and its evaluation. They understand, as all should, that the more we look into our history, ponder on it, and learn from it, the better we can accept the challenge of our time as we prepare our country for a difficult and hopefully glorious future.

It is my hope that every Member of Congress and reader of the CONGRESSIONAL RECORD may read with avid interest the editorial which follows:

EDITORIAL

Frankly, we're discouraged!

For the past four years we have waited—patiently and hopefully—for the American Revolution Bicentennial Commission to get something started for the two hundredth birthday of the nation. As historians we have wished for a substantive program, something that might unite Americans in a meaningful commemoration. But we have about given up that hope.

We admit to a prejudice. We rather think that bicentennial should be concerned with the ideas and ideals of the founding fathers about such things as human dignity, individual liberty, and responsive government. We think the commemoration ought to help Americans understand the principles of the founding fathers, and of the Declaration of Independence, and the part those principles have played in the development of the nation. But this kind of approach is as absent from present federal Bicentennial Plans as Valley Forge snow from the Bicentennial City of Miami.

The latest newsletter of the ARBC is largely devoted to a much-heralded proposal to create a nationwide network of Bicentennial Parks. These parks, which are to be built on surplus federal land donated for the purpose, will have, in addition to a state historical exhibit hall, such features as botanical gardens, ecology centers. "Snack Kiosks," craft demonstrations, and recreational and other facilities. The newsletter also announces ARBC endorsement of a campaign to eradicate sickle cell anemia, appointment of "youth, women, and minorities" representatives to the ARBC philatelic advisory committee, and plans for 14 commemorative medals.

We don't oppose these projects, even though we personally think $15–25 million dollars per park is a lot to spend on single facilities remote from most of the people. We suppose we could even learn to tolerate the prototype park pavilion, despite its resemblance to a lobster pot. But where is history? Where are the substantive plans for programs to help Americans in every state gain a better understanding of the nation's heritage? Will the bicentennial be an excuse for all kinds of programs that have little to do with our history, or will we at least approach the solid accomplishments of the Canadian centennial?

Time is running out.

BREAKING THE HOUSING BARRIERS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BADILLO. Mr. Speaker, I am reintroducing today, with cosponsors a bill aimed at removing the barriers to development of low- and moderate-income housing outside the core cities. This bill is identical to H.R. 14471, which I introduced on April 19.

As I explained then, this bill has two main thrusts: It establishes a Federal prohibition against the use of zoning subdivision controls, or building codes to prevent development of low- and moderate-income housing outside the core cities, and it directs the Department of Housing and Urban Development and other Federal agencies to give top priority in awarding Federal grants and loans to those communities having comprehensive development plans for such housing.

Cosponsoring this legislation with me today are Congressman EDWARD KOCH, of New York; Congressman PARREN MITCHELL, of Maryland; Congresswoman BELLA ABZUG, of New York; Congressman CHARLES RANGEL, of New York; Congressman WILLIAM F. RYAN, of New York; Congressman DON EDWARDS, of California; Congressman JEROME WALDIE, of California; Congressman AUGUSTUS HAWKINS, of California; Congressman RONALD DELLUMS of California; Congressman ROBERT NIX, of Pennsylvania; Congressman RALPH METCALFE, of Illinois, Congressman PHILLIP BURTON, of California; Congresswoman SHIRLEY CHISHOLM, of New York; Congressman WILLIAM CLAY, of Missouri; Congressman JOHN CONYERS, Jr., of Michigan; Congressman WALTER FAUNTROY, of the District of Columbia; Congressman MICHAEL HARRINGTON, of Massachusetts; Congressman ABNER MIKVA, of Illinois; Congressman LOUIS STOKES, of Ohio; Congressman CHARLES DIGGS, Jr., of Michigan.

With the furor over busing still raging in and out of Congress, it is vital that this legislation be brought to a record vote, either on its own or as an amendment to the housing bill that will come before the House later this month or next month. It is vital in two respects: First, so that the Nation can see once and for all whether issues of race are involved in the busing issue, for if they are not, those who have opposed busing will support this bill as a means of integrating our schools; and second, because without this legislation, the poor, the black, the Spanish-speaking minorities will continue to be trapped in urban ghettos, unable to follow the flight of industry and jobs to the suburbs and unable to realize the dream of equal opportunity which has been written into our laws but never implemented.

I present for inclusion with my remarks the text of a column by Tom Wicker which appeared in the April 23 New York Times:

THE NEIGHBORHOOD NOSTRUM

(By Tom Wicker)

WASHINGTON.—One of the arguments blandly put forward by opponents of busing is that it would be better to integrate neighborhoods so that neighborhood schools would be naturally integrated. Of course it would, but most of those who make this argument know that integration of the white suburbs of America is about as far in the future as passenger service to the moon.

That is to say, the suburbs are not going to be integrated any time soon unless there is vigorous action, Federal, state, local and private, to see that it is done. Now those in Congress who oppose busing but who say they favor integrated neighborhoods and schools will have a chance to vote for the kind of action that might lead to such an ideal situation. Fat chance!

Representative Herman Badillo of New York has introduced a bill that would prohibit the use of zoning, subdivision controls or building codes to prevent development of low- and moderate-income housing in suburbs or anywhere outside the core cities. The bill also directs the Housing and Urban Development Department to give top priority to communities with comprehensive development plans that include such housing.

Mr. Badillo knows his politics too well to believe that this measure has any more chance than, say, George Wallace to be "Man of the Year" in the N.A.A.C.P. He is offering it instead as a "direct challenge" to those who support President Nixon's proposed moratorium on school busing.

"If they really believe in integrated education and oppose busing on other grounds," Mr. Badillo said, "then they should support this bill because it will remove those housing barriers that have prevented the integration of our schools." A vote on his bill, he added pointedly, would "demonstrate to the American people and to the nations of the world whether or not racism is involved in the busing dispute, whether or not the Congress intends to keep the poor locked into urban ghettoes . . ."

Mr. Badillo will offer his bill as an amendment to the Nixon moratorium bill, and while the result may not be as graphic as he suggests it ought to help expose the "integrated neighborhood" argument for the

sham that it is. The Senate, for example, already has had a chance to do something specific about racial barriers in the suburbs. Fat chance!

Senator Abe Ribicoff of Connecticut has been proposing, for more than a year, a measure that would do something about the common situation in which an industry or business moves from the city to the suburbs and leaves behind its low-to-moderate-income employes, many of them black, who cannot find housing in the new location.

The Ribicoff bill would require communities where new Federal or state facilities, or installations of Federal contractors, are to be built to provide (with Federal assistance) adequate housing for low-to-moderate-income employes.

But the Senate has twice rejected this plan, even though it also is designed to reduce the busing that otherwise would be required to integrate the city and suburban schools of a metropolitan area, if that should ever be required by the courts (as it already has been, pending appeal, in Richmond, Va.). Desegregating the suburbs, in short, is not much more than a pot of gold at the end of a rainbow.

This is an important point because on the question of desegregating American schools, particularly in the major American cities, the choices come down primarily to busing or neighborhood integration. As Governor Askew of Florida put it in a speech last summer, "broad community desegregation and cooperation" ultimately would make unnecessary the "artificial and inadequate instrument" of busing. In this way only," he said, "will we stop massive busing [and] put the divisive and self-defeating issue of race behind us once and for all."

But if busing is now to be stopped, and if neighborhood integration is as far in the future as the evidence suggests—President Nixon has twice denounced "forced integration of the suburbs" and pledged that his Administration "will not seek to impose economic integration upon an existing local jurisdiction"—then the nation is going to have heavily segregated schools for a long time to come.

That is what the vote on Mr. Badillo's bill should help to make clear. Mr. Nixon and others contend they can provide quality education to neighborhood schools as they now exist; but even if that dubious proposition is accepted, most of the schools they are talking about will be *segregated schools*. If that is what the nation wants, it is ignoble to pretend otherwise.

J. EDGAR HOOVER

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DERWINSKI. Mr. Speaker, WBBM, channel 2, CBS network in Chicago, in their editorial of May 2, emphasizes the honesty and integrity of FBI Director J. Edgar Hoover. The editorial makes its own point very properly and I, therefore, insert it into the RECORD:

J. EDGAR HOOVER

We have spoken a great deal about credibility in government. One of the few men in government who was totally credible was J. Edgar Hoover.

The Federal Bureau of Investigation was a haven for political hacks when he was appointed director in 1924. Through iron control and rigid discipline, he made the Bureau a symbol of integrity. He became so powerful no president dared replace him.

In Mr. Hoover's late years many believe he had become irascible and unyielding. And, perhaps he had. It was said that his men were overzealous in wire tapping, including the phones of congressmen. Others believed he exceeded his authority in the field of civilian surveillance.

Yet, his strongest critics do not question his honesty or the honesty of his department. It is unheard of that an FBI man would fix a case, defraud the taxpayer, or sell out his country. TV-2 believes his successor must be of equal caliber, and, having had the oppportunity to meet him on more than one occasion, we hope there will be some of J. Edgar Hoover in the new director.

THE WORKINGMAN'S STAKE IN A UNITED STATES-SOVIET TRADE AGREEMENT

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. KEMP. Mr. Speaker, the tremendous regard which labor union leadership holds for this country was manifested last Sunday in a meeting which I was privileged to attend under the sponsorship of the St. Joseph's Guild, an organization dedicated to sound trade unionism, the fostering of industrial peace and the dignity of American workers.

At the 21st annual Communion Breakfast at the Buffalo Athletic Club, cochaired by Kenneth C. Carlucci, business manager of the Painter District Council, and Jan D. Pierce, area director of the Communications Workers of America, AFL-CIO, it was both inspiring and fruitful to participate in a program which dramatically demonstrated the labor-management, bipartisan and spiritual concern for the good of all American workers, job opportunities and freedom, among other cherished values in our Nation.

Appropriately at Mass at St. Joseph's Cathedral, the Reverend Monsignor James A. Healy, chaplain of the St. Joseph Guild, referred to the American flag, presented by my distinguished colleague, the Honorable THADDEUS J. DULSKI, as the great symbol of opportunity for all who labor.

Dedicated to the late Charles D. Phillips of Buffalo, who faithfully served his fellow workers, his community and country as secretary-treasurer of Local 27, Printing Pressmen and Assistants Union, before his death last December 2, the breakfast meeting and the preceding Communion service at St. Joseph's Old Cathedral was capped by an outstanding speech delivered by Thomas W. Teddy Gleason, the president of the International Longshoremen's Association, AFL-CIO and a real American stand-up guy.

Mr. Gleason's address was particularly timely, in that it expressed his union's concern with possible United States-Soviet trade agreements which may result from President Nixon's planned trip to Russia later this month.

Mr. Gleason won sustained applause when he reported his union has informed the administration that longshoremen will "gladly" work Soviet ships, "if for every ship we work, they will release three prisoners of war."

Thus, this leader of dockworkers joined our President in linking a North Vietnamese Communist response to Soviet influence.

Mr. Gleason also reported that our President was aware of a similar ILA stance when he visited China.

Mr. Gleason declared: "We are not going to work those Communist ships unless we can buy something for our people."

I believe, as Mr. Gleason does, that the workers and all the people of this country should obtain the fullest, possible benefits from this trade.

I also support the ILU's effort to win an agreement to ship surplus commodities overseas on "a 50–50 basis," that is 50 percent of the grain and other commodities on ships carrying the American flag and 50 percent on ships carrying flags of other nations.

I shall urge our President to win such a 50–50 agreement which not only would benefit the American longshoremen and shippers in western New York but longshoremen and shippers throughout the United States.

I am convinced, that Mr. Gleason hit the nail on the head, when he said "We in the labor movement have our own problems and we have this country to watch out for" and that his astute observation is fully in accord with my own belief that we must "Ship American, Buy American and Sell American" at every opportunity.

Mr. Speaker, I also wish to pay tribute to my other distinguished colleague, the Honorable HENRY SMITH, who participated with Mr. DULSKI and myself at the guild gathering; guild president Russell Devans; Mr. George Wessel, president of the Buffalo AFL-CIO; Mrs. Joseph Taibbi, president of Local 1347, Buffalo Waitresses Alliance and daughter of the late Charles D. Phillips; Mr. Phillips' other daughters, Mrs. Vincent V. Totara and Mrs. Nicholas Pierre; City Court Judge M. Dolores Denman who served as toastmaster; David M. Connors, international vice president of the ILA and Pat Sullivan, secretary-treasurer of the Great Lake District, ILA.

Finally, I wish to salute the St. Joseph's Guild which not only promotes sound trades unionism based on the principles of the papal encyclicals on labor but which also:

Educates workers to live according to the moral law as applied to economic matters; trains leaders to help put these truths into practice; fosters industrial peace by encouraging labor and management to work together and provides for the spiritual needs of the organized workers in the Buffalo Diocese.

The guild's accomplishments include the holding of 21 annual masses and communion-breakfasts with noted speakers; annual men's closed retreats; eight annual women's closed retreats; 8 days of recollection; the maintenance of a speaker's bureau on the benefits of unionization; the training of teachers for the Diocesan Labor School and support of the school's activities; participation in numerous community discussions, panels and forums on the subject of labor; as-

sistance in the liberation of Communist and racket-dominated unions; promoted observance of the annual Labor Day Mass and the annual Union Father of the Year Award; presented an annual scholarship to a union member's child and sponsored the Diocesan Social Action Conference and the Conference on Community Living.

THE 1970 OCCUPATIONAL SAFETY AND HEALTH ACT

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, across this country small businessmen and their employees are strongly united on one very critical item, the current implementation of the 1970 Occupational Safety and Health Act. Nobody likes it.

The act, passed in the 91st Congress, prior to my election, was one bathed in high hopes for improvement in working conditions and through that improved safety and health. Though both management and labor viewed it with guarded optimism, it was acknowledged that improvements in industrial hygiene and safety were badly needed.

What was hoped for and what has actually occurred are, unfortunately completely opposite. I have received a great deal of correspondence from my constituents criticizing the act, and for just cause. Because of the involved problems generated by the act, I have introduced a bill to amend the present law into a decent one governing occupational health, rather than the present statute that serves only to harass businesses who try to comply, and fails to adequately guard against worker injury through unsafe and unhealthy working conditions.

What has happened, Mr. Speaker, is that the Department of Labor, charged with carrying out provisions of the act, has sent inspectors into the field to insure compliance; inspectors so hung up on the letter of the regulations, they have on numerous occasions cited businesses for trivial violations. Those include not having the required "coat-hangers on the coatrack," or for not providing toilet facilities to a single worker working alone in the middle of an alfalfa field. The problem with the act is that it is not elastic enough to fit special situations, and the enforcers are doing nothing more than harassing businessmen who want to comply. In fact, by the requirements of the act, if a small businessman wanting to comply, asks the Government to come in and help him make improvements, the inspectors fine him if they find anything that is in violation. The result is that no small businessman in his right mind will ask for help, not when asking for that help will most assuredly cost him a substantial fine. The man would not ask for help if he knew he was in compliance. He should at least be allowed to correct deficiencies before being fined.

The way in which the act is being enforced is beyond being absurd, it is serving to make thousands of people, workers and managers alike, very perturbed at big government; with inspectors running around searching out minute infractions while overlooking the important ones. After all, when an inspector is ordered to be sure to check to see if notification of the Occupational Safety and Health Act being in force is posted on the wall, and that there are sufficient toilet facilities, how can the man be expected to notice anything like open conveyor belts, flammable materials stockpiled in the work area, or inadequate ventilation? What is more, rather than using a small amount of public relations and taking a manager around showing him the things that are wrong, the inspectors are writing out citations like meter maids writing parking tickets.

Under the act, each employer is required to furnish his employees a place to work, free of hazards that might cause serious injury or death. Employers are to comply with specific safety and health standards issued by the Department of Labor. Workers, in turn, are responsible for complying with the rules and regulations regarding their conduct. The principle of the act is fine, but the application is reaching the ridiculous.

The basic purpose of the act, somehow, has been overlooked in the zeal of the Department of Labor to write a lot of citations against small businesses which cannot afford them. These small businesses employ a lot of people, and if they go out of business because of this bureaucratic nightmare, there go the jobs—down the drain. I guess that is one way to make sure there are not any work hazards, eliminate the jobs, but I do not think that is the right way.

Some of the "major" violations being cited include:

First. No coat hangar on coat rack.

Second. Every sunburn must be reported as an injury, subject to penalty of up to $1,000 per incident. Evidently, this includes anyone who works outside and gets a bit sunburned on his arms when he changes from winter long-sleeved shirts, to summer short-sleeved ones.

Third. Toilet facilities must be furnished each employee even if a man is working alone in the middle of a farm field, while other workers are working somewhere else.

I could take the time to cite a dozen more examples of the kind of trivial application of the Occupational Safety and Health Act being carried out across this country, but I think my point is made. It is my feeling that the most unreasonable requirements apply to farmers who do not even have any hired help. They are subject to the act if they are helped out by their neighbor. In most rural areas, in places like western Montana which I represent, ranchers and farmers help each other out during planting, harvesting, and roundup. Yet, under the act now in effect, that neighborly help of one man to another, brings the farmer under the act and makes him liable for any of the trivial violations that simply do not fit farm and ranch work.

Mr. Speaker, I do not believe that the amendments offered thus far strike at the heart of the problem. Good points have been made but they represent piecemeal reaction to inequities rather than constructive, remedial legislation.

I am introducing a bill which would result in a number of improvements. First, it would defer implementation of certain provisions of the act until the Secretary has in fact established that they are reasonable. It would require the Secretary to determine applicability of standards to the various classes of concerns within the business, industrial, and agricultural communities. This would serve to correct such inequities as application of identical standards to heavy construction and to the homebuilder.

The act, as interpreted by the Labor Department, considers a rancher helping his neighbor in the same light as any employee. I maintain that employees covered by the act must be those who receive monetary compensation for their services and I spell this out in my bill.

The Federal Government should not involve itself in areas where State and local government can do the job. My bill would bring an end to the Federal involvement where States have adequate occupational safety and health standards of their own.

The amendments offered thus far seek exemption of firms and farms employing no more than 25 persons. I agree that resturants with 25 employees can reasonably be considered small businesses. A ranch, however that employs 25 people on a year around basis, is a big operation. I move this arbitrary number down to 15 as it applies to agriculture. This is closer to my idea of a "small farmer."

In my legislation, I ask that department inspectors cease their issuance of citations, and for 1 year following enactment serve as consultants to those who in good conscience are trying to correct their problems.

I would compensate employers for extradordinary expenses resulting from compliance and would insure that administrative procedures are followed before firms can be cited for noncompliance.

My bill would assure that penalties would not be imposed when an employer can prove that the requirement he is alleged to have violated would not in fact have constituted an improvement of the health and safety of his employees.

This bill would relieve the employer from the absolute liability provisions of the act where there is involved negligence on the part of employees.

I would make the Secretary of Labor responsible for initial medical examinations for employees and for followup examinations at periodic intervals.

Mr. Speaker, I have tried to view this problem through the eyes of the reasonable man. Ths bill is introduced in an attempt to bring reason to chaos, and to truly bring safety and health to the workers of America.

Mr. Speaker, I ask that my bill to amend the Occupational Safety and Health Act be printed in the RECORD at this time in its entirety.

The bill follows:

A BILL TO AMEND THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act Amendments of 1972."

SEC. 2. (a) Section 3(5) of the Occupational Safety and Health Act of 1970 is amended to read as follows:

"(5) The term 'employer' means a person engaged in a business affecting commerce who has employees but does not include the United States, any State or political subdivision of a State, any nonagricultural employer who employed no more than twenty-five employees at any time during the preceding calendar year, or a small farmer."

(b) "Section 3(6) of such Act is amended by inserting after "Commerce" the following: "and receives monetary compensation for his services."

(c) Section 3 of such Act is amended by adding at the end thereof the following new paragraph:

"(15) The term 'small farmer' means a person who owns or operates a farm who, it can reasonably be predicted on the basis of criteria prescribed by the Secretary, will not employ during the next twelve-month period more than fifteen man-years of agricultural labor for which compensation is paid."

SEC. 3. Section 5 of the Occupational Safety and Health Act of 1970 is amended by adding at the end thereof the following new subsection:

"(c) Notwithstanding any provision of the National Labor Relations Act, an employer may appoint, establish, and maintain a safety committee for the purposes of this Act without violating any provision of section 8 of the National Labor Relations Act."

SEC. 4. Section 6 of the Occupational Safety and Health Act of 1970 is amended by adding at the end thereof the following new subsections:

"(h) The Secretary shall evaluate as soon as practicable after the date of enactment of the Occupational Safety and Health Act Amendments of 1972 existing standards established pursuant to subsection (a) or (b) of this section in order to determine the applicability of each such standard to each class of business concern within each industry or form of business. After such evaluation, the Secretary shall determine as a part of each standard, the class or classes of employers to which that standard is applicable and any class of employers to be excluded from the application of that standard, after a determination that the inclusion of any such class would be unreasonable. Such evaluation and determination shall be a part of the establishment of all standards after the effective date of the Occupational Safety and Health Act Amendments of 1972.

"(j) The Secretary shall prescribe, as soon as practicable after the date of enactment of the Occupational Safety and Health Act Amendments of 1972, as part of each existing standard adopted under the Occupational Safety and Health Act of 1970, the estimated average and maximum cost per unit to the average employer who is subject to that standard for compliance with the conditions, practices, means, methods, operation, or process used or proposed to be used by that employer under that standard and must find within such period that it is, in fact, possible for such employers to meet such standard including, but not limited to, availability of required devices, and possibility of performance of required procedures. If the Secretary cannot find that it is possible to comply, he shall rescind the standard, or fail to establish it in the event of a standard proposed to be established. The requirements of this subsection shall be a part of the establishment of all standards after the effective date of the Occupational Safety and Health Act Amendments of 1972.

"(k) Failure of an employer or employee to comply with an occupational safety and health standard which has been adopted or promulgated without compliance with the procedures of chapter 5, title 5, United States Code, shall not in itself be used in any civil action or proceeding as evidence of negligence, or wrong-doing, on the part of said employer or employee, or give rise to a presumption, or inference thereof. This provision shall not, however, be interpreted to imply the contrary is provided by this Act even though there was compliance with said chapter 5, title 5, United States Code, with respect to a standard."

(1) Section 6(k) shall not be applicable in actions brought by, or against, the Secretary pertaining to the enforcement of this Act.

SEC. 5. Section 8(c)(2) of the Occupational Safety and Health Act of 1970 is amended by adding the following at the end thereof:

"In furtherance of the effectiveness of this provision and this Act, the regulations of the Secretary may require, or otherwise provide for, appropriate physical examinations of employees upon the inception of their employment in a particular activity, or the effective date of the regulation, as to those who are employed in such activities on that date. In prescribing such regulations, the Secretary shall take into account the type of activity, or industry, the hazardous nature of the particular employment and the benefits in connection with the purpose of the Act which may accrue by requiring such examinations. Records of examinations made pursuant to this provision shall be maintained by the employer and be available to the Secretary in performing his duties under this Act, pursuant to the regulations of the Secretary."

SEC. 6. The third sentence of section 9 of the Occupational Safety and Health Act of 1970 is amended by inserting before the period a comma and the following: "and the action that is necessary to be taken by the employer for such abatement of the violation".

SEC. 7. Section 10 of the Occupational Safety and Health Act of 1970 is amended by—

(1) striking out subsection (a),

(2) redesignating subsection (b) as subsection (a),

(3) striking out "or (b)" where it appears in subsection (a) as so redesignated.

SEC. 8. Section 11 of such Act is amended by striking out "(c)" in the first sentence of subsection (a) and inserting "(b)", and by striking out "or (b)" in the third sentence of subsection (b).

SEC. 9. Section 17 of such Act is amended by striking out subsections (b), (c), and (k), redesignating subsections (d) through (j) as subsections (b) through (h), respectively, and by redesignating subsection (1) as subsection (i).

SEC. 10. The Occupational Safety and Health Act of 1970 is amended by adding after section 17 thereof the following new headings and sections as sections 18 and 19 and by the renumbering of subsequent sections:

AFFIRMATIVE DEFENSES

"SEC. 18. (a) It shall be an affirmative defense to any proceeding under this Act that—

"(1) the employer furnished adequate notice and exerted all reasonable efforts, pursuant to such regulations as the Secretary may prescribe, to obtain the compliance of his employees and the violation of the Act was attributable to such employees and the employer could not otherwise have reasonably prevented the violation;

"(2) the employer did not receive at least thirty days' prior actual notice of a standard not adopted pursuant to title 5, chapter 5, United States Code, when the violation charged relates to such a standard; and

"(3) the standard which is the subject of the violation charged would not have effectively constituted an improvement of occupational safety and health in the circumstances under which the charge is brought.

"(4) any nonmanufacturing business, having twenty-five or less employees shall be exempt from the rules and regulations pursuant to the provisions of this Act, providing that the State in which they reside has adequate occupational safety and health standards governing their businesses. For the purpose of this subsection, the term "business" means any individual business whose major business activity is nonmanufacturing."

COMPLIANCE AGREEMENT

"SEC. 19. (a) Section 10 of the Occupational Safety and Health Act of 1972 is amended by adding at the end thereof the following new subsection:

"'(d) At any time the Secretary determines the purposes of this Act will be best served by so doing, he shall have the authority to enter into an agreement with an employer believed to be in violation of an occupational health and safety standard whereby enforcement and penalty provisions are waived or deferred upon condition the said employer will voluntarily comply with said standard upon such terms and conditions as the Secretary determines appropriate in the circumstances. Failure of an employer to abide by such an agreement, however, may be taken into account in resulting enforcement and penalty procedures.'"

SEC. 11. (a) The heading of section 23 of the Occuptional Safety and Health Act of 1970 is amended to read as follows:

"ASSISTANCE TO SMALL BUSINESSES"

(b) Section 28 of such Act is amended by adding at the end thereof the following new subsections:

"(e) (1) Whenever it appears to the Secretary that it is necessary to assist employers with less than one hundred employees during the preceding calendar year to comply with the applicable standards promulgated pursuant to section 6 of this Act, the Secretary shall provide technical advice, assistance, and consultation, either directly or by way of a grant, to such employers to assist them in so complying.

"(2) The assistance provided by this subsection shall not include the actual cost of devices or procedures required by this Act.

"(f) Upon the application of an affected employer, the Secretary shall make a grant to him for the cost incurred by him in complying with a standard adopted or promulgated without compliance with title 5, chapter 5, United States Code, if that standard was replaced by the Secretary with a standard which could have reasonably been adopted at the time the replaced standard was adopted or promulgated and the said employer was required to comply with the later standard. The said grant to the employer shall be equal to the costs incurred by said employer which he would not have incurred if the later standard had been adopted or promulgated initially. For the purpose of making such grants, the Secretary is authorized to adopt schedules based upon average cost of data."

SEC. 12. Section 16 of such Act is amended by adding at the end thereof the following new subsection:

"(b) Notwithstanding any other provision of this Act, no standard promulgated or adopted hereunder prior to the enactment of this subsection shall be applicable until one year after the enactment of this subsection

to any employer who in the calendar year preceding enactment of this subsection had fewer than one hundred employees. This subsection shall not be applicable to new businesses established after the date of its enactment, or to any business having more than one hundred employees in the calendar year prior to its enactment. The Secretary shall adopt the necessary regulations to effect the provisions of this subsection.

SEC. 13. The amendments made by this Act shall take effect on the first day of the month beginning sixty days after the date of enactment of this Act.

STUDIES CLAIM WAGE LAWS PROMOTE POVERTY

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BOW. Mr. Speaker, with regard to the minimum wage, as with many other facets of our national fie, we seem to be slow to detect the flaws in programs that have an outward appearance of desirability.

I have long felt that we need a serious study of the actual effects of the minimum wage. Instead, we are still talking about it in the hackneyed cliches of 20 years ago.

For this reason, I was delighted to find in the Columbus (Ohio) Dispatch the following article by Prof. Alfred Eckes in support of my position. I include in the RECORD, following the professor's article, my own comments in my constituent newsletter last week:

STUDIES CLAIM WAGE LAWS PROMOTE POVERTY

(By Alfred Eckes)

Federal minimum wage laws promote joblessness and poverty among the very people they are designed to help.

This conclusion, derived from a number of careful studies of the effects of government wage legislation, challenges the basic assumptions of government labor policy for the past generation.

And it helps to explain why a growing number of liberal and conservative economists oppose pressures to boost the federal minimum wage from $1.60 to $2 an hour.

Since 1938, when President Franklin Roosevelt signed the Fair Labor Standards Act, both Republicans and Democrats have generally accepted the argument that the federal government should establish a wage floor for workers. Over the years the wage minimum has slowly increased from 25 cents to $1.60. Also, Congress has provided coverage under the minimum wage provisions to approximately 46 million workers.

Last year, at the urging of organized labor and other groups, Congress considered boosting the minimum wage to $2 an hour and extending coverage to approximately five million federal, state, and local government employes. That bill also would have covered 1.4 million domestic workers not now eligible for minimum wage protection.

In 1971 Secretary of Labor James Hodgson, speaking for the Nixon administration, endorsed an increase in the minimum wage, though he proposed exempting teenage, workers. Noting that joblessness for workers under age 18 was between four and five times the unemployment rate for adults, Hodgson urged Congress to hold the minimum wage for teenage workers at $1.60.

But, William Colmer, the aging Mississippi representative who chaired the powerful House Rules Committee, successfully opposed the combined support of organized labor and the administration.

Now supporters are preparing what they hope will be a more successful campaign to legislate an increase.

Basically, proponents of the $2 minimum argue that a higher wage floor is the best way to improve the living standards of 25 million Americans living in poverty. The current $1.60 minimum, they say, provides a worker with only about $3300 annually, a figure that falls below the government poverty line.

In 1970 Washington estimated that a nonfarm family with four persons needed at least $3,968 to meet basic requirements.

Because critics are often denounced as antilabor, anti-American, and insensitive to poverty, there is a tendency for political leaders to favor a higher minimum wage without considering the economic effects.

Now a number of professional economists are challenging the conventional idea because they believe minimum wage laws cause more harm than good.

Conservative Milton Friedman denounces the Fair Labor Standards Act as "The most anti-Negro law on our statute books."

Nobel Prize winner Paul Samuelson claims these laws "often hurt those they are designed to help."

Belton Fleisher, an Ohio State University authority on labor economics, agrees.

"There is little evidence," he says, "that minimum wage laws improve the standard of living for the poor." While workers who keep their jobs obviously benefit from higher wages, Fleisher indicates these benefits are more than offset by the income lost to workers who lose their positions.

The adverse effects of minimum wage laws are documented by a number of scholarly studies that show minimum wage increases force plants to close or to substitute machinery for manpower.

Federal Reserve Board chairman Arthur Burns found evidence in 1966 that unemployment rates were invariably higher during the six months after an increase than during the six months before.

Many of the studies, including one by John Peterson of the Arkansas employment Security Division, show that federal laws have created serious unemployment problems among unskilled workers, particularly teenagers, nonwhites, and women.

Recent Labor Department figures indicate these groups face the highest levels of joblessness. Last year, while the unemployment rate for married men was 3.2 per cent, it was 5.7 for adult women, 16.9 for teenagers, and 9.9 for nonwhites.

Black teenagers had the most difficult time of all. Their unemployment rate was a staggering 34.9 per cent.

If increments in the minimum wage increase unemployment, why does organized labor push for a higher minimum?

Labor economists explain that unions are most anxious to protect the incomes of their members. Federal minimum wage laws support this objective by shielding organized workers from low-wage competition. As a result, union leaders can take stronger stands in wage negotiations with employers.

An increasing number of economists believe removal or reduction of minimum wage laws would ease the employment problems of unskilled workers. It would provide, they believe, at least a partial solution to the employment difficulties of blacks, teenagers, and women. To assist families who still fall below the minimum standard of living, some economists favor the so-called negative income tax, under which poor people would receive money from the U.S. Treasury rather than pay income tax.

Such a drastic change in federal programs may be an idea that will win acceptance in the future. According to Fleisher it has many advantages including a better utilization of American manpower, a reduction in the federal bureaucracy that supervises minimum wage legislation, and a decline in the "political immorality" of a system that benefits organized workers at the expense of the unskilled.

The proposal has at least one disadvantage, however. It would erase the need for an army of 4000 Labor Department administrators, earning average salaries of $14,080, who supervise minimum wage legislation.

YOUR CONGRESSMAN REPORTS FROM WASHINGTON

(By FRANK T. BOW, Member of Congress)

WASHINGTON.—It takes a kind of Alice-in-Wonderland thinking to argue that increasing the minimum wage to $2 will help young people, old people, poor people, or those with few skills.

These are precisely the people who make up the ranks of the unemployed today. They are the people who have few opportunities because they lack training or physical dexterity. Increasing the minimum to $2 will make it harder for them to find work and will result almost immediately in the loss of work for others.

The experts say it isn't so; that it has not happened before. I know better, and so do most businessmen and farmers in the country. They operate on narrow profits. Some jobs that might be worth $1.50 will simply not be done if they cost $2. Small businessmen will retrench and try to do the work themselves.

This is only the worst of the inconsistencies in the present minimum wage bill. In addition, it seems extremely foolish to enact increases as high as 25 percent in the minimum when we are trying to hold all wage increases within 5.5 percent.

Increasing the minimum always exerts pressure for wage increases all the way to the top. If the $2 foreman sees his $1.60 helper raised to $2, he wants an equal boost, and so does his supervisor, and the next supervisor and so on. It is a reasonable and natural and proper reaction. And it will destroy our efforts to fight inflation.

If we wished to be realistic and maintain a minimum consistent with the average hourly wage in the country, we could raise the minimum now from $1.60 to $1.70, and to $1.80 in another year to 18 months. Perhaps the way to take politics out of minimum wages would be to harness the minimum to the average hourly wage in a permanent percentage relationship.

The pending bill is a cruel hoax, threatening the welfare of the very people whom its sponsors claim to help.

LIFE SCOUT HENRI W. ZAJIC

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ADDABBO. Mr. Speaker, a young man from Flushing, N.Y., Henri W. Zajic has undertaken a most interesting project in connection with his service requirements as a Life Scout with Troop 358. This 13-year-old Life Scout attends St. Ann's School in Flushing and has been in Scouting for the past 5 years.

Henri has written about his special project in his own words and I believe my colleagues in the House will find his article most informative. The project involves the collection of reading material for the patients at St. Albans Naval Hospital in Queens, N.Y.

I place Henri's article in the RECORD at this point.

EAGLE SCOUT SERVICE PROJECT SERVES A NAVAL HOSPITAL

Eagle Scout Service Projects are one of the many requirements a Life Scout must satisfactorily complete before he is eligible for consideration by a Eagle Scout Board of Review. The purpose of the requirement is to let a Life Scout demonstrate by doing that he can select, plan, develop, and complete a meaningful community service project. This doesn't mean that you have to work alone—you may, in fact it is encouraged, involve Scouts or others in the project. Whomever the project is for, you must first learn what is wanted, and then develop your plans accordingly—at the same time gaining experience in cooperation.

My biggest problem was selecting a project. A project that would have meaning. Many ideas crossed my mind but it wasn't till I came upon my present project that I was convinced that I really had a project with a real purpose.

The project that I selected is to provide reading material for the St. Albans Naval Hospital, St. Albans, New York. Reading material in the form of either hardback or paperback, but not magazines. The theme of the project is to provide a community service to those who served our nation.

Before the project was kicked off I discussed and received the permission of Lt. Cmdr. A. Fink, U.S. Navy of St. Albans. The commander put me in touch with a Ensign W. Joseph; and it has been through Mr. Joseph that I now do all my hospital activity. Mr. Joseph told me how to prepare the books for immediate Navy use. He is a real nice chap and a regular guy to work with.

Once I had the U.S. Navy approval for my proposed project, then I obtained my Scoutmasters permission to proceed with the project. Mr. V Sansone, Jr. my Scoutmaster not only gave me permission to proceed, but he also has been enthusiatic about helping me get other Scouts involved.

The project is an awful lot of fun and very rewarding. My original goal was to collect, repair, or mend, index, catalog, and deliver to the St. Albans Naval Hospital five hundred ready for use books. The delivery to be made at four times during the year (i.e. January 72, April 72, July 72, and October 72). Recently I revised my original goal from five hundred books up to three thousand. I made the revision based on my results up to date and the delivery made in January 72 (Five hundred forty books were delivered).

To say that I've accomplished the initial delivery alone would be untrue. I've been very fortunate and have had the help of many boys. The help has come from not only Scouts, but it has come from all walks of life. It ranged from Scouts and Scouters to Congressman. Some helped by mending and repairing while others by their giving of books. Congressman Joseph P. Addabbo has sent me a letter of encouragement and some books all the way from Washington, D.C.

Attached here is a flyer that I drew up and distributed at several Scout meetings, and at my school. As a result of the flyer or a small talk or a plea that I'd make at the Scout Roundtable various people would call me about available books. These books, either I or one of the boys helping me, would then pick up.

Next we'd repair or mend the books. Thank goodness for Masking Tape, Scotch Tape, and for what I learned while obtaining my Boy Scout Merit Badge for Book Binding. As a result of completing the requirements for the merit badge I've learned some good tips about rebinding. Now while I rebind or show someone else how to rebind the other chaps are either cleaning or mending pages.

As the books start to look presentable we place withdrawal cards and the card pockets onto the inside of each rear cover. One of the last jobs now left as the book nears the day it will get on a shelf or be used, is to classify the book. We classify the books according to the Dewey Decimal System; and stamp the book. Don't let me mislead you, not all the books that we have received have to be mended; some come to us as if they came direct from the publisher.

Bundling the books by category and making the delivery to the hospital is the easiest and most pleasant task. You realize at this point that the last three months have been worth it all. It made me feel very good when Ensign Joseph thanked me on behalf of all the patients for the books. The best part is that I'll be able to make at least three more such deliveries as part of this project.

TRANSPORTATION

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BEGICH. Mr. Speaker, because of the vital importance of transportation to the State of Alaska, I would like to submit into the RECORD a copy of the proclamation made by Alaska's Gov. William A. Eagan designating May 19, 1972, as National Defense Transportation Day and the week beginning May 14, 1972, as National Transportation Week:

PROCLAMATION: DEFENSE TRANSPORTATION DAY AND TRANSPORTATION WEEK, 1972

The United States truly became one Nation with the physical linkage of its cities and its citizens through an interconnected, diversified transportation network. Its commerce prospered from the ever-increasing proximity of its markets; its citizens from the availability and accessibility of the great productive wealth of this Nation. There can be no doubt about the importance of our Nation's transportation system.

In Alaska, where the Federal highway program has not supplied a network of roads into and throughout our State to the extent it has in the other States, we recognize and are dependent upon varying alternate methods of transportation. For much of Alaska's rugged terrain, air travel is the only method of transportation available. Our citizens in the coastal areas rely upon the Alaska Marine Highway to supply the goods they need and vital transportation. In the Interior and the Northern Regions the snowmobile is not looked upon as a recreational vehicle, but as a necessity.

The transportation challenge that our Nation and our State face today is the establishment of a truly balanced transportation system—a system that provides all our citizens with the ability to choose the most efficient means of transportation at the least possible cost to them and to the environment.

In recognition of the importance of transportation in this State, and to spotlight the challenge which it now faces, I, William A. Eagan, Governor of Alaska, do hereby designate Friday, May 19, 1972, as National Defense Transportation Day, and the week beginning May 14, 1972, as National Transportation Week, and ask that the citizens of Alaska join the Federal Department of Transportation and our local transportation officials in reevaluating our goals and reaffirming our commitment to a balanced transportation system for this State and this Nation.

Dated this 20th day of March, 1972.

WILLIAM A. EAGAN,
Governor.

AEC COMMISSIONER RAMEY CALLS FOR BALANCE BETWEEN PRESERVATION OF ENVIRONMENT AND ELECTRIC POWER NEEDS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. EVINS of Tennessee. Mr. Speaker, Commissioner James T. Ramey of the Atomic Energy Commission in a recent article in Public Utilities Fortnightly declared:

The problem of striking a proper balance between the need for electric energy and the need to protect and enhance our environment is one of the most serious and urgent ones presently facing the Executive Branch, the Congress our regulatory agencies, the electric utilities, and the American people.

Because of the interest of my colleagues and the American people in this most important matter, I insert the article in the RECORD:

DELAYS IN NULCEAR PLANT LICENSING: CAUSES AND POSSIBLE SOLUTIONS

(By The Honorable James T. Ramey)

Electric power plants—especially nuclear—have become a focal point of concern in our environmental crisis. It is unfortunate, though, that we tend to overlook another crisis—that of meeting our growing demand for electricity. Legislation aimed at striking a proper balance between our energy demands and preserving and enhancing the environment is urgently needed and the author offers some solutions.

During the past several years, electric power plants—and nuclear power plants in particular—have become a focal point of concern in the environmental crisis facing our nation.

That there is an environmental crisis is readily apparent to anyone who listens to television, reads a newspaper—or, for that matter—even looks around. The signals are everywhere.

It is unfortunate, however, that in our newfound concern regarding this long-developing environmental crisis, we all too frequently tend to overlook another crisis which is almost upon us, that of meeting our nation's rapidly growing demand for electrical energy. The symptoms of this crisis have already begun to manifest themselves—electric blackouts and brownouts, rapidly rising prices and shortages of supplies of coal, oil, and gas, threats of oil shipment embargoes by Near East nations, delays in operation of electric power plants, and the need of some utilities to resort to curtailment of electric power usage through "load shedding."

The problem of striking a proper balance between the need for electrical energy and the the need to protect and enhance our environment is one of the most serious and urgent ones presently facing the Executive branch, the Congress, our regulatory agencies, the electric utilities, and the American people.

This article focuses on some of the more significant reasons why, in my view, the nation is not now striking the proper environment-energy balance in the licensing and regulation of powerplants—and, in particular, nuclear plants—and how this is resulting in precarious delays in meeting our energy demands. Having reviewed some of the problems, I will then discuss some possible solutions to this dilemma.

ENERGY—THE DIMENSIONS OF THE CRISIS

The critical dimensions of our energy needs are made obvious by the amounts of electrical generating capacity needed in the next two decades, as estimated by the Federal Power Commission. As of 1970, the electrical

generating capacity of the United States was about 340 million kilowatts. The projected 1980 electrical generating capacity is 665 million kilowatts, or almost double the 1970 capacity, and the projected 1990 electrical generating capacity is more than one billion kilowatts, over three and a half times the 1970 capacity.

It is estimated that 150 new sites for steam-electric power plants of 500,000 kilowatts or more will be needed by 1980, and another 150 more sites by 1990. It is also recognized that a significant share of these anticipated plants will be nuclear powered. Even now, 23 nuclear power plants are in operation and over 100 plants are under construction or on order.

By the end of 1980, it is expected that nuclear electric generating capacity will reach some 130 to 170 million kilowatts, representing between 20 and 25 per cent of our total power capacity at that time, and by 1990 nuclear power will represent about 40 per cent.

A PERSPECTIVE ON DELAY

Unfortunately, even with the promise of nuclear energy and our ability to manage its environmental effects, the projections for power requirements cited above are still accompanied by projections of increased delays in placing generating plants in service.

Of a total of 114 steam-electric generating plants, predominantly fossil-fueled, of 300,000 kilowatts or more installed from 1966 through 1970, service from 83 was delayed. Several factors contributed toward these delays, including technical problems associated with bringing the new larger power plants on line, and regulatory processes which reportedly caused delays for eight plants. Looking ahead, of a total of 230 similar plants scheduled for service during 1971 through 1977, 53 plants are already reported as being delayed, with various regulatory processes now reported as the cause in about 50 per cent of the cases (27 plants).

The cost of such delays can run on the order of $50,000 to $100,000 per day. These costs involve such items as interest on construction loans, loss of revenue, and perhaps the extra cost of purchasing outside power to meet demands. Nor, can we overlook the human costs that might result from the delayed operation of these plants, the inconveniences and dangers inherent in brownouts or blackouts, and economic hardships on a community which may result from the need for cutbacks.

The seriousness of this delay situation has been clearly pointed out in a report issued February, 1972, by the National Electric Reliability Council on "The Impact of a 12-month Delay of New Nuclear and Fossil-fuel Fired Steam Generating Units on the Adequacy of Electric Power Supply in the United States."

While technical problems continue to be a factor, experience suggests that current regulatory processes themselves are becoming the predominant factor in this overall "delays problem." It is to these processes—involved in the siting, construction, and operation of electric power plants, particularly at the federal level, and some proposed reforms intended to facilitate a balanced approach—to which the remainder of this article is devoted.

THE REGULATORY PROCESSES

The regulatory patchwork

An examination of the regulatory processes themselves reveals a largely unco-ordinated and often overlapping patchwork of regulatory programs with respect to the siting of electric power plants at the federal, state, and local level that also becomes a source of problems leading to delay.

Until fairly recently, problems regarding the siting, construction, and operation of electric power plants have been primarily regarded as problems of land use to be dealt with at the state and local level. Such plants commonly require state permits for water use, for sewage or waste disposal, for construction in or alteration of streams, and for discharge of air pollutants. In addition, they are generally subject to local zoning ordinances and building permit requirements.

In the past several years, the federal role in this area has increased with the result that, at present, a complicated system of federal regulatory processes is superimposed upon the regulatory processes at the state and local level.

At the federal level the regulatory processes associated with electric power plant siting, construction, and operation are centered around five basic statutes, the Federal Power Act, the Atomic Energy Act of 1954, the Rivers and Harbors Act of 1899, the Federal Water Pollution Control Act, the Clean Air Act, and the National Environmental Policy Act of 1969.

Nuclear powerplant licensing

The Atomic Energy Act of 1954 and its amendments vest the Atomic Energy Commission with licensing authority over the construction and operation of nuclear power plants. Until fairly recently, this authority was confined essentially to matters affecting radiological health and safety and the common defense and security. However, the National Environmental Policy Act of 1969 has been construed as enlarging the Atomic Energy Commission's substantive regulatory authority so as to require full consideration of all environmental matters as well as possible alternatives. The states are without authority to license or regulate nuclear power plants from the standpoint of radiological health and safety or common defense and security, but similar restrictions are not placed on the exercise of state authority over other aspects of nuclear power plant construction and operation.

The procedures for licensing nuclear power plants are themselves extremely rigorous. Utilities proposing to build plants first submit a comprehensive safety analysis which is evaluated by technical specialists on the AEC's regulatory staff and by the AEC Advisory Committee on Reactor Safeguards—an independent panel of scientists and engineers established by Congress. Next, a public hearing is conducted by an Atomic Safety and Licensing Board. Only after a review of the hearing record by a Licensing Appeals Board—or the AEC commissioners—is a construction permit granted.

The utility must also apply for an operating license from the AEC. Reviews similar to those for the construction permit take place, although a public hearing is not always held. While the AEC conducts the reviews as expeditiously as possible, consistent with the obligations to protect the environment and the health and safety of the public, some procedural delay does occur. In recent years, the period required to obtain a construction permit has grown from an average of about ten months to in excess of twenty-one months. The Calvert Cliffs decision in July, 1971, has further complicated this situation, in addition to providing a basis for broader and more time-consuming hearing.

REGULATORY PROBLEMS

Inherent in the regulatory processes just described are several aspects which have become very prominent in increasing delays in meeting our energy needs. These problems are: the asymmetry in the regulation and licensing of the various types of power plants; the effects of new environmental legislation and the transition to its implementation; the matter of calculated legal delays and extra costs imposed on nuclear plants—what has been called "nuclear blackmail"; and the problems associated with state-federal co-ordination in matters such as siting, water quality, and areas where states purport to set standards, the responsibility for which has been pre-empted by the federal government.

Asymmetry

An examination of the existing regulatory processes associated with siting, construction, and operation of electric power plants and the proposed legislative reforms in this area suggest that all types of electric power plants are not evaluated and judged equally as to their environmental impact.

For example, under the present statutory scheme, the overall environmental impact of fossil-fired plants is not reviewed at the federal level, and existing regulations purport to exempt the effluents from such plants from the requirements of the National Environmental Policy Act.[1]

Any regulatory asymmetry between nuclear and fossil-fired plants, or indeed between any types of plants, should be eliminated. Opportunities for citizen participation in the selection of electric power plant sites, and the scope of issues that must be considered in connection with regulatory site approval or disapproval, should be relatively equivalent for all types of plants. Otherwise, an artificial element—the desire to take the path of least resistance through the regulatory processes—enters into a utility's selection of the type of power plant to build. This will improve neither our environmental nor our energy situation in the long run.

Effects of new environmental legislation

The implementation of new environmental legislation, necessary as it may be, is an extremely complex matter in the licensing and regulation of nuclear power paints. Such plants require water quality certification in accordance with the Federal Water Pollution Control Act, and may need an effluent discharge permit from the Corps of Engineers.

Under the National Environmental Policy Act of 1969, the AEC is required to *evaluate independently all the environmental effects* of the construction and operation of each nuclear plant applying for a license. In addition, NEPA states that a "detailed statement" of environmental considerations must be prepared by the federal licensing agency for all "major federal actions significantly affecting the quality of the human environment."

The "detailed statement" was already causing a significant increase in the time required for review of applications, when a decision was rendered in Calvert Cliffs' Coordinating Committte, Inc. v Atomic Energy Commission,[2] largely invalidating AEC's then effective regulations for implementation of that act. That decision directly affected at least 63 licensing applications involving 91 nuclear power reactors, as well as five nuclear power reactors for which operating licenses had been issued. Unfortunately, NEPA did not foresee the need to provide any guidance or transitional measures to be used in regard to plants already in operation, under construction, or whose construction was scheduled to commence in the near future. This fact and the development of such procedures have contributed to the delays problem.

NEPA and the Calvert Cliffs decision further highlighted the fact that the federal, state, and local regulatory processes are characterized by a certain amount of overkill and duplication. They also have made it painfully clear that these same regulatory processes are subject to increasing strain as concerned citizens and citizens' groups seek public forums for the resolution of the complicated environmental, technical, and social

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[1] The regulations referred to were struck down by the district court in Kalur v Resor. The case is currently on appeal to the U.S. court of appeals for the D.C. circuit.

[2] 91 PUR3d 12.

questions involved in siting, construction, and operation of electric power plants.

"Nuclear blackmail"

The ability to use the requirements and complexities of the new environmental legislation to forestall indefinitely the licensing and operation of a nuclear plant is a growing problem being faced by utilities. Some have referred to it as "nuclear blackmail," although such tactics may have also affected other types of power plants.

It is now possible for counsel for a determined intervener to use delaying tactics, particularly at the operating stage, to obtain concessions from the utilities. These concessions are often in the form of additional "environmental safeguard devices" which may not actually improve environmental protection. Such tactics, pursued in the name of environmental protection, will inevitably pose an extra financial burden on the consumer.

The effect of "nuclear blackmail" is to shift decision-making responsibility to groups relatively limited in size and bearing no public accountability. Furthermore, these groups may not be present when and where the power shortages occur due to the delays they have engendered.

State-Federal relations in siting and regulation

A major problem area affecting the timely licensing and operation of nuclear plants has been that of co-ordinating state and federal regulations and activities.

The siting of power plants has characteristically been a matter of local and state concern. Today, because of a number of environmental and energy regulatory complexities, it is becoming one of growing federal involvement with many responsibilities overlapping apparent state jurisdiction. Water quality control falls into this category of overlapping concern. Although federal pre-emption of the area of control over radioactive effluents from nuclear power plants was upheld in the court of appeals. Supreme Court review of the court of appeals decision has been sought. The importance of having this matter resolved is indicated by the fact that there are already problems where states are implementing air pollution laws at twice the stringency of federal standards. Some possible relief to these problems involving federal-state relations will be discussed in the sections which follow.

SOLUTIONS THROUGH PLANNING AND LEGISLATION

Site planning

In October, 1967, at the suggestion of the author, an Interagency Power Plant Siting Study Group composed of representatives of the AEC, the Departments of Health, Education, and Welfare and Interior, the Federal Power Commission, the Rural Electrification Administration, and the Tennessee Valley Authority was formed to develop a co-ordinated approach to the siting problem. In 1968, under the sponsorship of the Energy Policy Staff of the Office of Science and Technology, the group issued a report, titled "Considerations Affecting Steam Power Plant Site Selection." The report described siting criteria, predicted future needs for electric power plant sites, and pointed to the need for striking a proper balance when questions of power plant siting develop.

In 1970, the same group, with the addition of the Council on Environmental Quality, produced the report, "Electric Power and the Environment," which proposed a four-part program for dealing with conflicts between power needs and environmental protection. Essentially, the report emphasized the need for long-range planning with public and environmental group participation from the start. In such a fashion, the attempts of those persons wishing to delay for the sake of delay could be dealt with and their attempts to "paper over" real issues of environmental quality could be minimized. Fortunately, the report's recommendation for legislation to put their plan into effect was heeded in the administration's proposed Power Plant Siting Act of 1971 (HR 5277 and S 1628), which, as is explained below, offers hope that the nation is awakening to the danger of unwarranted delays in the efforts to meet our nation's power needs.

The Power Plant Siting Act of 1971: Dealing with asymmetry

The "Power Plant Siting Act of 1971," if approved by Congress, may help alleviate many regulatory roadblocks that cause delays.

The administration's bill would largely meet the need for an across-the-board requirement for review and approval prior to siting, construction, or operation of *all* types of electric power plants. It would accomplish this by imposing a general requirement for regulatory review and approval of all power plant sites five years in advance of construction, and regulatory review and approval of detailed construction plans two years in advance of construction. The reviews would be conducted by a state or interstate certifying agency, or, in the absence of an appropriate state or interstate agency, a federal certifying agency, acting pursuant to federal guidelines. These review requirements would be applicable to all large electric power plants, except hydroelectric plants which are presently regulated by the FPC.

Early site legislation

Another important proposed piece of legislation is the AEC's "early site" legislation. This bill was introduced during the first session of the 92nd Congress as S 2152 and HR 9286. Amendments to these bills (HR 13731), including a provision dealing with interim licensing, were submitted recently by the administration. The interim licensing provision is intended to cast in a firm legislative foundation certain of AEC's regulations implementing the Calvert Cliffs decision to permit issuance of facility operating licenses on an interim basis pending completion of procedures for consideration of the full detailed environmental statement required for the full power license. The interim provision would only apply in emergency situations for plants for which applications were filed on or before September 9, 1971.

Under this proposed AEC early site legislation, activities such as site clearing and excavation could not be started, with minor exceptions, without a permit from the AEC which could only be granted after a mandatory adjudicatory hearing.

In future cases where a hearing has been held at the construction permit stage, an operating license could be issued without completion of a hearing, subject to certain conditions. It is not in the public interest to hold up the supply of scheduled electric power from a several hundred million dollar plant for a hearing where the AEC staff has already found that it meets all the requirements for an operating license. This procedure would help eliminate the "nuclear blackmail" discussed earlier, where an intervener can use delay as a bargaining club. It would be possible to complete a hearing as to further improvements in safety or environmental equipment which could be backfitted into the plant but not as a condition to obtaining the operating permit.

The intent of the early site legislation is to afford the public full opportunity to participate in the resolution of basic environmental considerations before any damage to the site environment, thus offering more opportunity for striking a proper balance in the environment/energy equation.

The Baker amendment: An answer to overlap

Congress is currently considering Senator Howard Baker's proposed amendment to the Federal Water Pollution Control Act. The Baker Amendment, if passed, would help considerably to alleviate a good bit of the overlap and duplication in water quality aspects of laws and regulations discussed above while still assuring that water quality considerations receive continued attention in the balancing of power needs against environmental quality.

If the Baker Amendment is enacted, federal licensing agencies, such as the AEC, could accept water quality certification from the appropriate state or federal agency and would be relieved of the responsibility under NEPA of going back of the state criteria to consider alternative means of dealing with water quality impact. The licensing agency, however, would still be required to take water quality into account in its overall cost-benefit analysis of environmental impact.

AEC procedural changes

The AEC is moving on several fronts—manpower, organizational changes, procedural changes, substantive rule making, and guidance to industry—to upgrade its efficiency in the overall licensing process. Specifically, the AEC is making efforts to increase the regulatory staff levels and supplement its technical assistance and environmental reviews. Recent organizational changes were initiated to strengthen the regulatory staff to provide for additional review on a functional, rather than a project basis, to provide additional support for planning and scheduling efforts, and to provide further emphasis on the development of reactor standards, codes, criteria, and guides. And while procedures for improving applications are being stressed and ways to improve the licensing process are being studied in an effort to expedite reviews, public rulemaking hearings are being sponsored as a means of moving away from case-by-case delays over basic issues such as emergency core cooling.

Managing the transitions

Any new federal power plant siting legislation must carefully address the problem of its impact on plants already in operation, under construction, or whose construction is scheduled to commence in the near future. A section of the Federal Water Pollution Control Act successfully dealt with this problem by postponing the water quality certification requirement for plants while applications were pending on the date of its enactment and for plants for which construction had lawfully commenced on the date of its enactment. The administration's siting bill postpones for two years the requirement that certifying authority approval be obtained prior to construction or operation of a bulk power supply facility, and provides for a different certification standard for plants under construction on the date of enactment. Thus, the bill would provide a basis for a more rational approach to siting problems for future plants. This is in marked contrast to NEPA which provided very little guidance as to its implementation, thus providing an opportunity for judicial interpretation.

CONCLUSION

As this article has attempted to describe, the processes for regulating the construction and operation of this nation's electric power plants are in need of reform. At a time when we are earnestly striving to meet both our environmental and our energy needs with the most modern technology possible, there is a real public need for eliminating asymmetrical, overlapping, and unnecessarily duplicative review and approval processes. This confused situation lends itself to irresponsible delaying tactics by small activist organizations and the new breed of counsel.

Remedial actions are clearly called for—and called for now. These include currently contemplated AEC actions to improve its own detailed regulatory procedures, elimination of conditions that permit the so-called "nuclear blackmail," and development of more rational legislative approaches to siting and licensing.

The most immediate needs, of course, are for the unobstructed and expedited implementation of interim licensing procedures. While the AEC's early site legislation and the Baker amendment promise some shorter-term remedy for the problems. I have discussed, the four-point program set forth in the "Electric Power and the Environment" report and embodied in the proposed "Power Plant Siting Act of 1971," appears to present a more long-range answer.

The essential elements of the program—long-range planning with public participation, early public notice, and hearings on *all* proposed power plant sites, as well as *overall* preconstruction review and approval after public hearing of the more detailed plans, and expanded research and development—offer an opportunity to strike a proper balance in our efforts to supply our energy demands while preserving and enhancing our environment. Legislation along these lines is urgently needed.

HOW THE SOVIETS BENEFIT FROM EAST-WEST TRADE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CRANE. Mr. Speaker, there is a widespread feeling in our own country and elsewhere in the Western world that the Soviet Union has altered its goal of world domination and that, since this is the case, the previous barriers to East-West trade should be removed.

The reasoning seems to be logically consistent. If the Soviet Union is no longer an enemy, is no longer ambitious in its design to communize the world, then the opposition to trade with the Soviet Union, based upon a different assessment of its goals, should also change.

Unfortunately, those who advance this view can provide little evidence to support their thesis. The evidence is largely on the other side. During the past 5 years, for example, the United States has not increased the number of land-based missiles and missile-carrying submarines, while we cut back on the number of our strategic aircraft. The Soviet Union, on the other hand, increased her arsenal of land-based missiles to numbers 50 percent greater than our own. Her missile-launching submarine fleet is nearing equality with our own Polaris-Poseidon fleet.

Beyond this, Soviet activity in the Middle East, the Mediterranean, the Caribbean, and the Indian Ocean provides no indication of any change in policy. In addition, the Soviet Union provides over 80 percent of military and other supplies to North Vietnam and is, as a result, a major contributor to the continued conflict in Indochina.

Discussing Soviet goals in today's world Joseph Gwyer, a former senior research specialist in industrial engineering with the Library of Congress and one of the foremost experts on Soviet technology and East-West trade, notes that—

It is obvious that the Soviet Union seeks to attain at any price such goals as scientific and technological as well as military superiority, improved socio-political cohesion and organizational efficiency, and higher rates of economic growth, while encouraging and seeking to control revolutionary process in the world.

At the very moment when Soviet military strength is surpassing our own, we are considering East-West trade proposal in the area of the most sophisticated machine tools, chemical processing, and electronics. These, writes Mr. Gwyer, "should be carefully scrutinized, since our conflict with communism is economic as well as political. We have little if anything to gain in this struggle by helping the Soviet Union to fill gaps in her technology."

To provide the Soviet Union with the very sophisticated technology it needs to surpass us, while not demanding any concessions in return, is a one-sided policy designed solely to our own detriment. Mr. Gwyer points out that—

The Soviets use trade as a weapon of political as well as economic warfare. The Soviets clamor for trade with the West and then they campaign to disrupt world markets. They use the innocent bait of commerce to entice unsuspecting or perhaps naive nations into their political web.

This fact is made clear by Soviet spokesmen themselves. A. P. Chervyakov, a Soviet authority on foreign trade, wrote that—

Due to the basic antagonism between communism and capitalism, trade between the East and West will always be influenced, if not dominated, by political considerations and motivations. The USSR's foreign trade policy is an integral part of its foreign policy.

Mr. Gwyer declares that—

If President Nixon decides not to cancel the $1.4 billion package of licenses for the export of our technology to the Soviet Union, and does authorize Export-Import Bank credits to finance these sales, the Soviet Union will construe these actions or lack of actions as proof that we are unprepared psychologically to face a confrontation and that even before the opening of negotiations we already surrendered our trump card—namely trade.

Those who advocate increased trade with the Soviet Union without necessary concessions on the part of the Communist leadership, and those who believe that somehow the cold war is over and that Soviet ambitions differ from those of the past, should carefully read Mr. Gwyer's analysis.

I wish to share his article, which appeared in Human Events of April 22, 1972, with my colleagues and insert it into the RECORD at this time:

HOW THE SOVIETS BENEFIT FROM EAST-WEST TRADE

(By Joseph A. Gwyer)

(NOTE.—A former senior research specialist in industrial engineering with the Library of Congress, Joseph Gwyer is recognized both nationally and internationally as one of the foremost experts on Soviet technology and East-West trade. He has long urged the United States to use trade as a weapon to gain diplomatic and military concessions from the Soviet Union, a strategy Mr. Gwyer feels is not being used by the present Administration. Mr. Gwyer delivered this speech on April 1 before a chapter of the American Society for Quality Control in Akron, Ohio.)

In little more than five weeks, President Nixon will be visiting the Soviet Union in quest of his often repeated goal: a generation of peace. All of us agree no doubt that if a generation of peace is to be realized, nothing is more important than the relationship between the two world super-powers: the United States and the Soviet Union.

Not too long ago Washington foreign policy makers released a report on the Soviet Union's attitudes on peace and related matters. The Soviet Union, the report relates, is more amenable to meaningful negotiations than at any time since 1945 because of "important historical changes." These include the breakup of the Communist monolith and Moscow's differences with other Communist countries, including Red China.

The failure of the Communist system to solve its economic problems is also mentioned and suggestion was made that the Soviet Union has come to realize the limits of its physical strength and ideological fervor. "There are . . . openings in negotiations with the Soviet Union that simply did not exist even 10 years ago," the report concludes.

Let's look at the Soviet Union's amenability today on the eve of President Nixon's departure for Moscow.

Are the following actions on her part sufficient proof of reasonable behavior?

We cannot ignore the fact that while during the past five years we have not increased the number of our land-based missiles and missile-carrying submarines, while we cut back on the number of our strategic aircraft, the Soviet Union augmented her arsenal of land-based missiles to numbers 50 percent greater than ours and her missile-launching submarine fleet is nearing equality with our own Polaris-Poseidon fleet.

We cannot discount the worldwide expansion of Soviet maritime activity. Their fleet of major combat surface ships now numbers 215 units, of which 30 percent were built within the past five years. Their attack submarine fleet consists of more than 250 units, of which 20 percent are nuclear-powered. Their merchant fleet consists of some 1,700 ships with aggregate capacity of 14 million tons. Seventy-five percent of these are less than 10 years old.

We cannot shut our eyes to Soviet military presence and involvement in the Middle East, the Mediterranean, the Caribbean and the Indian Ocean.

We cannot ignore the presence of large and well-equipped Soviet land forces in Europe which they use to exert constant political pressure against both Western and Eastern Europe.

We cannot shut our eyes to the fact that the Soviet Union provides over 80 percent of military and other supplies to North Viet Nam and is thereby a major contributor to the continued conflict in Indochina. While we have been scaling down our involvement in Indochina, the Soviet Union in 1971 and 1972 stepped up her deliveries of war materiel to North Viet Nam. In 1971 alone some 340 Soviet ocean-going vessels called on North Vietnamese ports bringing in trucks, machine tools, and obviously military supplies.

We cannot ignore Soviet espionage and subversive activities exposed recently in Great Britain, Belgium and Bolivia.

It is obvious that the Soviet Union seeks to attain at any price such goals as scientific and technological as well as military superiority, improved socio-political cohesion and organizational efficiency, and higher rates of economic growth, while encouraging and seeking to control revolutionary process in the world.

To facilitate attaining these ends the Soviet Union attempts to dissolve or neutralize Western alliances, to weaken and disarm the United States, to subvert its legal and political base, and to encourage diversionary expenditure of United States resources.

Judging from what has been officially published in this country on the subject of the U.S.-USSR military balance, there is an element of uncertainty about the effectiveness of our "Strategy of Realistic Deterrence" in

a second strike because of the possibility of Soviet qualitative superiority in key weapons. This places a definite political advantage in the hands of the Soviet Union because the crises resulting from Soviet initiatives may be resolved in their favor not because of their first-strike effectiveness but because of a comparatively greater concern on our part about our own ability to retaliate effectively.

Having attained this advantage the Soviet Union today is trying to fill in the gaps in her over-all scientific and technological base caused by an excessive drain of both manpower and resources by the demands of military priorities.

Current Soviet East-West trade proposals, particularly in the area of most sophisticated machine tools, chemical processing, electronics, etc., should be carefully scrutinized, since our conflict with communism is economic as well as political. We have little if anything to gain in this struggle by helping the Soviet Union to fill gaps in her technology.

The claim that we should either scrap or relax our restrictions on trade with the Communist bloc because our Western European allies are providing them with everything they desire is refuted by the Soviets themselves who repeatedly clamor for sophisticated American technology.

CONFLICTING STATEMENTS

According to former Secretary of Commerce Maurice H. Stans, interviewed by *U.S. News & World Report* (Dec. 20, 1971), "Premier Kosygin made quite plain to me his view that the Soviet Union could buy elsewhere anything that it needed for the purpose of building its economy." Kosygin's statement does not dovetail with statements made by the Russians to W. Kent Mathias, chairman of Cincinnati Milacron Co., who had the opportunity to visit the Soviet Union this past fall.

According to the *Metalworking News* (Oct. 25, 1972), Mr. Mathias remarked: "They are very well-informed people. They read everything printed in the U.S. but they want to talk of nothing but sophisticated machines." Mr. Mathias said he asked why the interest in U.S.-built equipment when counterparts can be gotten from European plants of U.S. builders. He said the Russians feel U.S. builders do not build their latest designs in overseas plants and because of the U.S. expertise for mass production.

The United States and Western Europe have helped significantly in building the industrial might of the USSR which today is challenging our military supremacy and is actively seeking world domination. It would be proper at this time to recall a statement made by Lenin in 1920 before the eighth all-Russian Congress of the Soviets.

In referring to trade with foreign countries, he said that in order to obtain all sorts of equipment, it will be necessary to bribe the capitalist nations with the bait of profit. The variety of equipment which the Soviets will thus obtain will permit them to raise themselves to their feet and then defeat these capitalist nations in an economic war.

This statement of intentions was successfully carried out during the '20s and '30s and is being carried out with considerable success today. In the early '20s by granting mineral concessions, the Soviet Union obtained from the United States and from Western Europe key types of industrial equipment plus trucks and tractors for their agriculture.

The services rendered by the French industry in the early days of Soviet aviation were great. French manufacturers shared with Americans the credit of helping the Soviet Union to build her air power. The Italians provided the Soviets with Fiat cars, airplane engines, dock yard equipment and ships. Germany, to a large extent, became responsible for building up the Soviet machine tool industry. The first Soviet watch factory began functioning with the machinery purchased from the United States.

Americans were also busy developing one of the largest Soviet iron and steel centers at Magnitogorsk. They also were instrumental in organizing and supervising the work and equipping the largest (at that time) hydro-electric power dam in Europe on the Dnieper River. The American know-how and equipment were largely responsible for erecting the largest Soviet auto plant at Gor'kiy. These are but a few examples where Western interests contributed greatly to the growth of Soviet industrial potential.

Conservative estimates show that the transfer of Western technology to the Soviet Union during the pre-World War II years accounted for 60 to 80 per cent of newly installed capacities in the following industries:

	Percent
Oil extracting and processing	80
Ferrous metallurgy	60–80
Nonferrous metallurgy	80
Locomotive manufacture	60
Machine tool building	60–80
Manufacture of bearings	80
Electrical equipment industry	80
Chemical processing equipment	80
Aircraft manufacture	80
Ordnance (artillery & ammo, tanks, armored cars)	80

During World War II, the almost unlimited aid extended by the United States to the Soviet Union, involved besides supplies of purely military character, equipment of industrial nature. It is estimated that of the approximately $11 billion worth of aid shipped to the Soviet Union up until 1947, industrial equipment amounted to *one-third* of the aggregate Soviet pre-war industrial output.

This infusion of technology permitted the Soviets to wind up the war with greater industrial capacity, in spite of all the war damage, than they had in 1940. The magnitude of our lend-lease aid may be judged from the tonnage of supplies delivered. Some 17.5 million long tons, carried by some 2,800 ships, wound up in the Soviet Union during World War II. The total tonnage nearly matches the 22 million long tons of supplies landed on the continent of Europe for the American forces between January 1942 and May 1945. The deliveries through the Persian Corridor alone were sufficient by U.S. Army standards to maintain 60 combat divisions in line.

How did the Soviet Union repay us for our almost unlimited generosity? The Soviets proceeded to annex Eastern Europe. They tried to retain their foothold in northern Iran. They instituted the Berlin blockade. They were instrumental in instigating the Korean conflict.

Their actions shattered the faith of the West, particularly that of the United States in the promises, agreements and pacts entered into with the Soviet Union and dealing with matters of paramount importance. As a consequence the United States enacted a number of legislative acts that have curtailed exports of strategic commodities to the Soviet Union and her satellites.

SOVIET APPRECIATION

Despite pressures from congressional quarters for greater enforcement, the laws intended to deny our technology to the Soviet bloc nations were gradually eroded in terms of the quality and effectiveness of their original scope largely because of our ineptitute in exploring Soviet economic shortcomings.

The Soviet Union now has a new scheme to divide the ranks of the free world. It is a trade scheme designed to appeal to the European businessman and to his North American counterpart and it shows real signs of catching hold in Western Europe and elsewhere. Soviet timing is shrewd, well chosen.

British, Japanese, West German, French and Italian businessmen are in cut-throat competition. Buying is slow. Unemployment in some industries is rising. Along comes the Soviet Union with an offer to buy computers, pipes, metal-working equipment, whole fertilizer plants, and now wheat, all of these commodities piling up for want of markets.

The plum dangled before the West's nose is very tempting but it may conceal a worm. The West has far less to gain from this trade than the Soviet Union or any of its satellites, and it has every reason to approach it with caution. Such trade may temporarily ease our balance of payments; it will certainly help perpetuate the Soviet state.

As long as the Soviet Union remains unyielding and uncooperative on the major issues that divide the world, we would be throwing away one of the few trump cards we hold by succumbing to "tempting" trade deals.

We must begin first by plugging up the leaks in the already greatly eroded international mechanism by which the free world has been restricting East-West trade in strategic goods. Only then can the free world use its economic strength to make the Soviet Union positive propositions of expanded trade in return for clear acts of political cooperation.

Are we so preoccupied with the task of "building bridges to the East" that we have almost forgotten what trade means to the Soviets? Have we forgotten that the Soviet Union's political objectives are to destroy our institutions, our system of government, our economic fiber, using all means at their disposal, including trade?

I think it would be appropriate to reexamine some of the Soviet precepts underlying their approach to East-West trade.

History points out the fact that the Soviets use trade as a weapon of political as well as economic warfare. The Soviets clamor for trade with the West and then they campaign to disrupt world markets. They use the innocent bait of commerce to entice unsuspecting or perhaps naive nations into their political web.

A. P. Chervyakov, a Soviet authority on foreign trade, wrote that ". . . due to the basic antagonism between communism and capitalism, trade between the East and West will always be influenced, if not dominated, by political considerations and motivations. The USSR's foreign trade policy is an integral part of its foreign policy . . . ."

Aleksey M. Rumyantsev, chief editor of the journal *Problemy mira i sotsializma* ("Problems of Peace and Socialism") and a member of the editorial board of the Journal *Mirovaya ekonomika i mezhdunarodnyye otnosheniya* ("World Economics and International Relations") stated the problem in an even more revealing fashion in the January 1966 issue of his journal. He writes that ". . . Socialist states consider it desirable to develop and improve economic relations with capitalist states *as long as these still do exist*."

Perhaps paraphrasing Chervyakov's statement, he also says that ". . . nothing can save the historically worn-out system [capitalism]. Not even the economic relations between capitalist and Socialist states will arrest the growth of internal contradictions within the capitalist society, contradictions that will lead it to its death [*gibel*]."

It is not a secret even to the least informed about the Soviet political and economic structure that foreign trade is a part and parcel of the economic planning system and its scope and structure are determined by the economic needs and requirements which cannot be satisfied by the domestic industry or perhaps because the domestic industry turns out goods either of substandard quality or not suitable for long-range service, and

this particularly applies to needs of industrial establishments working on goals, most likely military, accorded the highest priorities.

The visions of a plum dangled in front of American noses are tempting, especially to those encouraged by promises of monetary awards that go with expanded sales to the East. The almost repetitious refrain that the American business community should take a crack at the profits enjoyed by Western Europeans over the past decade or so is fraught with danger because of the faulty premises upon which this argument is based. B. Blagorodov, writing on the subject of "American Aid and Its Aims" in the March 1957 issue of *International Affairs* (Moscow) summed up the problem as follows:

"It is noteworthy that it is the countries which received the greatest share of aid during the 1946–56 period—Great Britain, West Germany, France and Japan—which are the most prominent among those calling for more East-West trade. They, on a number of occasions, have been bold enough to ignore American laws got around the barriers imposed by the Battle Act. *Magazine of Wall Street*, 15 October 1956, p. 105, aptly stated that "it is ironic that a good part of this trade will be financed indirectly by the United States' support of foreign economies. . . ."

Ironically, we must admit that this was the case. The United States, although in a position to stop this trade alluded to by the Soviets, failed to enforce the provisions of the Battle Act, thus opening the gates to more and more trade between Western Europe and the Communist-bloc nations. This East-West trade in the past, which we either deliberately or inadvertently permitted to flourish, is being used today as an excuse and a reason for expanded trade between the United States and the Communist nations.

QUALITY AND RELIABILITY PROBLEMS

The technological explosion of the past 20 years has made modern industry throughout the free world more dependent than ever on ultra-high precision and on instruments capable of assuring such precision, on rigid standards of quality control, on sophistication of design and painstaking workmanship. These are precisely the areas where the Soviet Union is weakest and where the Soviet system raises the greatest obstacles to progress. The continuous and unrelenting drive for quantity rather than quality has created material and technological bottlenecks which the Soviets are finding difficult if not impossible to break.

If someone could go into Soviet industrial practices today, he would find that about one-half of all of the capital funds of the metallurgical machinery and instrument manufacturing industries are being plowed into replacing substandard, unreliable parts and components. Because of the low quality and unreliable equipment manufactured by the Soviet industry today, the operational maintenance costs exceed the cost of new equipment.

About 40 percent of the steel going into the automobile industry is used for making spare parts. Every third metal-cutting tool and every fourth machine tool operated in the Soviet Union today is engaged with repairs. Soviet statistics show that there are 250,000 repairmen per one million automobiles in operation.

A comparison of the magnitude of repairs performed in the United States and the Soviet Union shows that the latter has 10 to 12 times as many repairmen per 1,000 miles of vehicle mileage as there are in the United States and the figure is only partially explained by the poor condition of Soviet roads.

These data indicate the presence of serious shortcomings and an inability to cope with early equipment failure. It points out the fact that chronic imperfections are due to the nature of the plan which can set up only a limited system of criteria for the acceptability of a given product.

In the absence of a competitive system of selection of a more usable product the Soviets have to rely on the trial and error method of establishing production targets in terms of size, weight, or shape of goods. A strict system of central planning where every minute detail of the economy is determined by planning authority cannot achieve that rapid selectivity and product improvement characteristic of the free competitive system of enterprise.

The intrinsic character of Soviet planning is playing havoc with attempts to improve the product quality. With the growing complexity of the Soviet industrial establishment, these problems are becoming more acute and today they confront the Soviet government with a crisis, the magnitude of which staggers the imagination of anyone who has grown up in a free enterprise society.

Contributing causes appear to be unrealistic planning at all administrative levels, weak organization of testing equipment prototypes, a low level of technology, and the everlasting desire by individual manufacturers to fulfill the plan even at the expense of the ultimate users.

POLITICAL CONSIDERATIONS

The existing system of Soviet production prizes crude volume rather than usefulness and quality of output. Soviet political theorists are unwilling (economists are) to substitute quality for quantity as the prevailing consideration in mapping their industrial expansion goals. They are equally reluctant to institute economic reforms that could bring about improved quality and reliability of production because these would diminish their power of control of all factors of production.

Will doctrinaire Soviet leaders allow their economic system to adopt the market mechanism principle, where customers tell manufacturers what they want, where both the customer and manufacturer cooperate on improving the designs of "reliable" equipment? It is possible but highly improbable, since it would signal the demise of the absolute power of the state and this is not what the current leaders of the Soviet Union want.

It is easy enough for us to be quietly pleased at the discomfiture of the Soviets, but the signs of reaction may be very little to cheer about if one hopes for a day the United States and USSR can coexist with some assurance of peace.

The mood of reaction in the Soviet Union reduces chances that its economic system might lead to a more peaceful relationship. It increases the chances for conflicts between the Soviet Union and such neighbors as Czechoslovakia, Poland and Hungary, where people loathe Soviet repression. There is a distinct possibility that the frustrations encountered in trying to establish an efficient consumer economy could cause Soviet leaders to focus on political adventures, reducing chances for any agreement with the United States to curtail the dangerous and economically exhausting arms race.

It would appear that the Soviet leaders have become hostages of an economic system designed by Lenin and Stalin—one that has never worked well and most likely never will.

Soviet leaders are prisoners because of their own fears of the possible political consequences of any really fundamental economic reform. As long as those fears remain, there is little hope that the people of the Soviet Union will be able to move out of their confinement into free contact with the outer world. As long as that is true, the suspicions and fears that make for dangerous relationships between the two military superpowers are not likely to diminish.

CONCLUSIONS

Just two days ago North Vietnamese troops launched major ground and artillery attacks across the DMZ. Field reports say that these troops, supported by big Soviet-made artillery pieces, Soviet tanks, large-caliber rockets, and protected by Soviet SAM's and anti-aircraft artillery, captured a number of fortified positions south of the DMZ and were pressing in the direction of Quang Tri City.

It is clear that this North Vietnamese invasion of South Viet Nam could not be possible without massive Soviet military and economic aid. Only 12 days ago, on March 20, 1972, speaking before the 15th Soviet Trade Union Congress, Leonid Brezhnev, secretary of the Communist Party of the Soviet Union, reiterated Soviet support of North Viet Nam. He said,

". . . The Soviet people fully side with the peoples of Indochina. It is our internationalist duty to help them and we will fulfill it to the end. The Soviet Union wrathfully condemns the bandit bombings of DRV [North Viet Nam] territory by American aviation and demands an end to them."

According to a Tass dispatch out of Moscow dated March 15, 1972, Timofey Guzhenko, minister of the USSR Merchant Marine, told newsmen that during 1971 some 340 Soviet ships called on North Vietnamese ports bringing in trucks, machine tools and other supplies. What he did not say is that the tanks, artillery, rockets and other munitions currently employed by the invading North Vietnamese were also brought in by these Soviet ships.

The rate of Soviet shipping coming to North Viet Nam has been increasing constantly since our involvement in Indochina. The number of Soviet ships increased from 74 in 1965, to 122 in 1966, to approximately 260 during 1968, the year of our highest troop commitment to Viet Nam. Today, the impact of the military supplies brought in by the Soviets is much greater than in 1968 because of our cessation of bombing raids over North Viet Nam, with the exception of select raids on SAM sites menacing our reconnaissance flights north of the DMZ.

There is no question that the Soviet Union is the major contributor to the continued conflict in Indochina and in the light of continuous scaling down of our own involvement the Soviet Union holds the key to peace in this hapless area of the world.

One wonders why would the Soviet Union embark on such a dangerous course by openly instigating or tacitly encouraging the North Vietnamese to pursue the goals of conquest on the eve of President Nixon's visit to Moscow.

There are several possible interrelated answers. Each, though highly speculative, has an important element of truth which should not be glossed over or ignored.

1. The Soviet Union wants to humiliate and test at the same time the President during an election year, betting that his often-repeated desire to move away from confrontation to negotiation will not sway him away from the trip to Moscow in pursuit of a "generation of peace."

2. Sensing the government-stimulated appetite of our business community for expanded trade which resulted in some $1.4 billion worth of licenses issued during the past six months for our technology to be exported to the Soviet Union, the Soviets are betting that these will not be cancelled whatever may happen in Viet Nam.

They are betting also that the President in advance of his May trip to Moscow will permit the taxpayer-financed Export-Import Bank credits to finance these purchases. They are also very much aware that Secretary of Defense Melvin R. Laird, who in the past and until recently strenuously objected to greater trade with the Soviet Union as long as the latter aids and encourages aggression in Indochina and elsewhere, was outvoted in

the "inner councils on trade with the Soviet Union" and having lost the argument against expanded trade was now backing the Administration's trade plans fully and "not sulking" about it.

They are also aware of the existence in our State Department, Department of Commerce, and the inner circles of the White House of an influential school of thought that firmly believes that the current Soviet belligerency is caused by their frustrations encountered in trying to establish an efficient consumer economy and that only by an infusion of massive economic aid may we detour the Soviet leaders away from political adventures, thus reducing the tensions and improving chances for a mutually beneficial agreement on arms reduction, etc.

3. The Soviet Union is very much aware of the data openly published in this country on the subject of the U.S.-USSR military balance and about the controversy surrounding the issue of the effectiveness of our "Strategy of Realistic Deterrence." The element of uncertainty about our second-strike effectiveness because of the possible Soviet qualitative and quantitative superiority in key weapons places a definite political advantage in the hands of the Soviet Union, since she may initiate crises all around the world which may be resolved in her favor not because of her first-strike effectiveness but because of a comparatively greater concern on our part about our own ability to retaliate effectively.

The danger of the current situation lies in the fact that if President Nixon decides not to cancel his trip to Moscow, does not cancel the $1.4-billion package of licenses for the export of our technology to the Soviet Union, and does authorize Export-Import Bank credits to finance these sales, the Soviet Union will construe these actions or lack of actions as proof that we are unprepared psychologically to face a confrontation and that even before the opening of negotiations we already surrendered our trump card—namely, trade. Leonid Brezhnev, speaking before the 15th Soviet Trade Union Congress on March 20, 1972, also said,

"We approach the forthcoming Soviet-American talks from a business-like and realistic position. . . . Without retreating from the principles of our policy . . . not at the expense of some third countries, not to be the detriment of their lawful rights and interests. Such is our invariable position."

President Nixon once said that ". . . where the Soviet Union is concerned, talking peace and acting weak does not promote peace." He also said that "They use trade as a weapon. We must recognize that trade is one of our greatest assets in this game, and we must use it in the same way."

I hope that he does not surrender this greatest asset of ours beforehand.

HAPPY BIRTHDAY TO CHAIRMAN CELLER

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1972

Mr. MIKVA. Mr. Speaker, 84 years ago last Saturday, Brooklyn gave birth to one of its most illustrious sons, the distinguished dean of the House, MANNY CELLER.

Fortunately he left Brooklyn 50 years ago and embarked upon one of the most impressive careers in public service this House has witnessed.

As a member of the Judiciary Committee, and later as its chairman, EMANUEL CELLER has helped to guide us through the critical years of rapid development of our laws and our society. He has left his indelible mark on the statute books and the Constitution of the United States.

Mr. Speaker, it is a continuing honor to serve under Chairman CELLER on the Judiciary Committee. I would like to join with my colleagues in wishing him a very happy 84th birthday.

GOLD STAR PARENTS DISCUSS AMNESTY

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WYDLER. Mr. Speaker, recently I received a letter from Mr. and Mrs. Robert Sanzone, who live in my Fourth Congressional District in New York. Mr. and Mrs. Sanzone are the parents of a son who was killed in Vietnam in 1967, and was awarded the Distinguished Service Cross.

The Sanzones were moved to write me because the issue of amnesty for draft evaders has become a major topic in our country. Although many people set themselves up as experts in this area, the position held by the Sanzones seems to me particularly appropriate as one from which to comment on this subject. I am setting forth their letter to me, together with some enclosures and a follow-up letter as well.

We can all learn from the views of these parents, and their words must be considered when we discuss this matter.

The material follows:

LEVITTOWN, N.Y., *3 March 1972.*

Hon. JOHN W. WYDLER,
Congressman, Fourth Congressional District, Mineola, N.Y.

SIR: A recent press release announced comments related to Sen. R. Taft Jr. (R. Ohio) proposed legislation that would provide amnesty to draft evaders.

"SLAIN GI'S FATHER ATTACKS AMNESTY

(By Frank Van Riper)

"WASHINGTON, February 29.—The father of an American soldier killed in Vietnam shouted at a Senate hearing today that the same politicians who 'passed laws that sent men to their deaths' in Southeast Asia are now proposing amnesty for 'draft dodgers who crawled to Canada.'

"As Chairman Edward M. Kennedy (D-Mass.) listened in silence, Martin Kelley, 48, of the Dorchester section of Boston told the senator's judiciary subcommittee that, rather than talk about amnesty, Congress should talk about building a monument to the more than 50,000 servicemen who died in Vietnam. Kelley's 20-year-old son, Daniel, was killed in the Ashau Valley in 1968.

"Kelley's testimony, at times delivered in angry shouts, came shortly after historian Henry Steele Commager said that a total amnesty was vital now to heal the 'psychological and moral wounds' of the Vietnam war.

"Amherst professor

"Commager, a professor of history at Amherst College, said at the packed hearing that, as in previous wars, the country should welcome back its men who would not fight.

"May not the deserters and evaders claim that their error is to have been ahead of public opinion and of government policy and that it should be easy to forgive this error?' Commager asked.

"Afterward, David Harris, folksinger Joan Baez' estranged husband who served nearly two years in prison for resisting the draft, said that he and others like him want an apology from the nation, not forgiveness.

"Kelley angrily answered both men when he sat down to testify. He called Harris 'a very sick, very sad animal,' and maintained that the 'stinking, empty platitudes' of the type Commager allegedly delivered were more fit for 'an upholstered outhouse' than for a congressional hearing room.

"Attacks President Kennedy

"Kelley, a Massachusetts state employe, blistered several politicians, among them the late President Kennedy.

"He contended that the late President's inaugural pledge that the United States would 'bear any burden' in the fight for liberty prompted many men to enlist and helped hasten the Vietnam war buildup.

"Now, Kelley said, Kennedy's own brother, Edward, 'has turned around' on the war and is seeking to 'imply righteousness to draft dodgers who have crawled to Canada or Sweden or wherever they could pull their holes in over them.'

"Today's testimony came in the second day of hearings into proposals for Vietnam amnesty. Sen. Robert Taft Jr. (R-Ohio), among others, has introduced legislation that would provide amnesty to draft evaders who agreed to work for a specified period of national social service. Taft's measure excludes deserters."

2. We, too, have lost a son in Viet Nam and can readily appreciate and concur with the comments of Mr. Martin Kelley to the subcommittee.

"AWARD OF THE DISTINGUISHED SERVICE CROSS

"1. TC 320. The following AWARD is announced posthumously.

"Sanzone, Robert B. [redacted] Sergeant E5 United States Army Company B, 1st Battalion, 8th Infantry, 1st Brigade, 4th Infantry Division APO 96262.

"Awarded: Distinguished Service Cross.

"Date action: 18 May 1967.

"Theater: Republic of Vietnam.

"Reason: For extraordinary heroism in connection with military operations involving conflict with an armed hostile force in the Republic of Vietnam: Sergeant Sanzone distinguished himself by exceptionally valorous actions on 18 May 1967 while serving as squad leader with a weapons platoon during a search and destroy mission in Pleiku Province. Sergeant Sanzone's platoon was sent 200 meters forward of his company to provide security for the main force. Before the men had a chance to position themselves, they received intense rifle and machine gun fire. Sergeant Sanzone was hit five or six times immediately, but ignored the pain to direct his squad in placing a base of effective fire on the Viet Cong. Five insurgents tried to attack his position, but he killed them with his rifle. Later, another ten tried to overrun his perimeter sector, and he stopped them with both grenade and rifle fire. When fellow patrol members tried to reach cover in a river bed, Sergeant Sanzone disregarded his own safety and exposed himself to the enemy to draw their fire. He continuously crawled from one friendly casualty to another to treat their wounds and to help them reach covered positions. Although weakened by his wounds, he continued to repel the insurgents. Seeing a swarm of Viet Cong storm the friendly line again, Sergeant Sanzone charged them, firing his rifle on full automatic. He was mortally wounded in this valiant attempt to protect his comrades. Sergeant Sanzone's extraordinary heroism and devotion to duty, at the cost of his life, were in keeping with the highest traditions of the military service and reflect great credit upon

himself, his unit, and the United States Army.

"Authority: By direction of the President under the provisions of the Act of Congress, approved 25 July 1963, and Department of the Army message 782774, dated 19 September 1966."

3. At the time we received the infamous telegram stating that the U.S. Government regrets to announce—etc. etc. we received condolences from a long list of prominent people from both Military and Political positions, who stated that they shared our grief and offered their personal assistance. We accepted the loss of a young man who lost his life for his God and Country and the principles for which they stand, in solitude, knowing that no one knew any words or could take any action to help.

4. Senator Taft's proposal, however, creates an atmosphere which can only be satisfied by taking a maximum effort to stand up and be counted, to turn down such an unthinkable, unforgiveable action.

5. As our representative, your personal attention is hereby requested to take whatever action is necessary to oppose this "amnesty" and by release of this letter, "Now is the time for all those prominent Military and Political figures who so kindly offered their help in our time of need to give us their support to oppose this legislation."

6. This matter is most disturbing and we sincerely hope that we will be rewarded with a favorable reply.

Very truly yours,

ROSLYN AND ROBERT SANZONE.

LEVITTOWN, N.Y.,
March 23, 1972.

Hon. JOHN W. WYDLER,
Congressman Fourth Congressional District, Mineola, N.Y.

SIR: We acknowledge receipt of your letter dated March 10, 1972, in reply to our pleas to oppose the suggested legislation by Senator Taft that would provide, "amnesty to draft evaders".

By copy of this letter, we hereby authorize you to reprint and publicize our letter dated 3 March 1972 and exhibits attached thereto in whatever way you choose to see fit.

At this point we feel it is fitting to quote the tribute the late President Theodore Roosevelt paid to his Son, i.e:

"Only those are fit to live who do not fear to die and none are fit to die who have shrunk from the joy of life".

Our Son, like so many others, enjoyed his life to the fullest however, when our Government called they answered the command to fall in without question, to preserve their unalienable rights of life, liberty and the pursuit of happiness.

In closing, we sincerely hope that our prayers will help to enable you to continue to uphold the intentions of our Preamble to the Constitution.

Very truly yours,

ROSLYN AND ROBERT SANZONE.

SOLIDARITY DAY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. PEYSER. Mr. Speaker, on Sunday, April 30, I joined with many thousands of people in the New York metropolitan area to once again express my concern about the plight of Soviet Jews.

The turnout for this day, Solidarity Day, was overwhelming, and much credit should go to the Greater New York Conference on Soviet Jewry and Rabbi Gilbert Klaperman for organizing this expression of concern.

It is my sincere hope that this rally and ones like it will clearly demonstrate to the Soviets and the world that there is great concern for the plight of the more than 3 million Jews who live in the Soviet Union, and that the free peoples of the world will not stand for continued harrassment of these people.

MINORITY BUSINESS DEVELOPMENT

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. DIGGS. Mr. Speaker, the problem of minority business development is one that faces every area of our country, but it is especially critical in our large urban areas. In Detroit, the Inner City Business Improvement Forum, a nationally recognized organization which seeks to increase minority business opportunities in the cities, is working on this problem. I am proud to say that I founded ICBIF in 1967. Since its foundation following the riots in the summer of that year in Detroit, ICBIF has gained national attention for its work in the expansion of existing businesses and the creation of new business opportunities for minorities.

In hearings on minority business development held by the Minority Small Business Enterprise Subcommittee of the Permanent Select Committee on Small Business on April 25–27, 1972, Mr. Walter M. McMurtry, Jr., president of ICBIF, testified on problems that face that effort.

I would like to include the text of Mr. McMurtry's remarks at this time:

TESTIMONY OF WALTER M. MCMURTRY, JR.

As a Community Development Corporation born out of the 1967 riots in Detroit, operating right in the middle of the ghettos—only a few blocks from areas that are still leveled from those days and nights of fire and destruction—we at ICBIF believe that we are particularly qualified to speak to the question of minority business development.

We believe, furthermore, that ICBIF's being entirely black-controlled and black-operated gives us a special insight into the problems that face any attempts to stimulate black and other minority-owned business through expansion of existing businesses or creation of new businesses, thus helping black inner cities become stronger economic entities, gain some degree of economic independence, and achieve self-determination.

In the four and a half years that we have been in existence, we have started the first black-owned bank in Detroit, the first black-owned lumber yard, the first black-owned stamping plant, the first black-owned large-scale food processing plant, and the first black-owned fiber-glass manufacturing operation.

Altogether, we have been instrumental in raising $4.2 million for inner city businesses. We have started or assisted 64 minority-owned businesses—providing them with $1.3 million in loans and investment capital, and helping them leverage it 3.5:1. These businesses have added $20 million in assets to the economy and 740 new jobs.

We have assisted over 450 inner city businessmen in packaging loans.

And we have provided managerial and technical assistance as well as financial assistance: We have already counseled more than 800 inner city businessmen, and our computerized accounting service has helped over 40 black businesses get on a sounder footing.

Finally, we have been responsible—directly or indirectly—for the formation of a number of other organizations that are spurring black economic development in Detroit: EDC (The Economic Development Corporation of Greater Detroit), PRIME (Pooled Resources Investing in Minority Enterprises, a MESBIC), the First Independence National Bank (now the tenth largest minority-controlled bank in the country), MC3 (Metropolitan Contractors Credit Corporation, a non-profit service corporation that provides management and technical support and financial counseling to minority contractors), and IBDF (the Independence Development Fund, a Local Development Company created under the 502 Program of the Small Business Administration Act to provide direct seed money for new minority businesses in Special Impact areas).

We have a professional staff that works overtime—and often, weekends—as a matter of course. We have a 38 man-and-woman board that puts in untold volunteer hours—a forum where every economic and political segment of the black community is represented, as well as every ideology from moderate to ultra-militant, resulting in a total community involvement in ICBIF that couples with ICBIF's total involvement with the community to become a major source of strength.

And yet—despite our achievements, despite our work—we often wonder whether ours may not very well be a futile effort, destined to eventual failure.

The fact is, only 27 businesses of the 64 we started are still in existence. And of these 27, only five show potential to become highly profitable over the next five years, with maybe another nine reaching profitability over a longer term.

When we look at the scope of our task, we find it difficult to understand why the rate of failure has not been even higher:

We are trying to build new businesses in the ghettos, not in affluent suburbs, build businesses that usually sell to a market at the lowest economic levels, a market that is still feeling the effect of a severe recession that brought it 20% unemployment—as compared to about 10% for Detroit and 6% nationwide—at the same time that it faces continuing erosion of its purchasing power . . .

The people we are training have been handicapped by historically inferior education, little opportunity to gain management experience, and a heritage that has understandably looked on business as outside its range . . .

And the lack of adequate investment capital has meant that most of the enterprises we have started have been chronically under capitalized.

We have to face the fact that the entire minority business development program is based on premises and requirements that are often completely illogical.

Example number one: The illogical premise that businesses can become immediate successes even when they are run by often-inexperienced people, they are located in blighted areas, and they are restricted to a poverty market. Yet, that is exactly what banks and government agencies seem to expect.

Banks and these agencies should realize, first, that new minority-owned businesses are usually the highest kind of risk ventures.

It might be more appropriate, then, if their

expectations followed, instead, those of sophisticated venture capital funds, whose experience seems to indicate that a ratio of one success in a portfolio of ten companies is normal.

It might be more appropriate, too, for them to use the same evaluation standards as those venture capital funds, which realize that a startup often requires three to four years to turn the corner. It is significant that when General Electric Company recently started its own venture capital fund, GE funded it for five years and gave it a free hand for that period. It realized that it would take at least that long before a proper evaluation could be made.

Example number two: The SBA's illogical requirement that there must be "reasonable" personal capital invested. Our experience has been that there is often little relationship between the chance of a business's success in the inner city and the personal capital invested by the applicant. Its success is much more likely to depend on the business's market potential, the demand for its products, the applicant's business contacts, his abilities, his ambition, and his desire to work. The sad fact is that most Black potential entrepreneurs who might meet these criteria usually do not have the capital necessary to go into business. If SBA is unwilling to allow HUD, Model Cities, and EDA funds to be used to furnish the required private share of the loans, the very people whom the program should be helping will continue to be kept out of the economic mainstream—and the only ones helped will be those who could qualify for other financing and therefore least need its help.

We should recognize the fact that minority business development is not necessarily good business investing nor sound lending. This is why banks and lending agencies have been dragging their feet. But we should *not* expect it to be, in view of the size of the task. What we are really talking about is not minority business development but community economic development, addressing ourselves to the critical problems of "dependency, chronic unemployment, and rising community tension." What we are really talking about is not safeguarding loans and investments, but saving the inner cities—and consequently our cities. And if it is our cities and the country that will be the real beneficiary, then it is really the government that should bear the risks involved, rather than the private sector.

What we need, therefore, is a realistic attitude toward what we are really trying to do and a corresponding change in approach.

Example number three: The SBA's illogical requirement that MESBICs cannot invest more than 20 percent of their capital in any single investment. In view of the limited capitalization of most MESBICs, this effectively eliminates from consideration those businesses most likely to benefit the special impact areas: large businesses that will employ significant numbers of employees. It reduces investments to smaller companies that are usually marginal.

Example number four: The SBA's illogical policy of spreading its funds over many programs. As a result, the average grant has been $1 million, a small amount in any urban area. Consequently, Special Impact programs usually have little impact on the poverty areas they are supposed to help. Furthermore, annual funding means that while a group may receive enough money to start operating, it cannot be sure of continuing to receive the funds necessary to keep on operating and eventually becoming successful.

Example number five: HUD's illogical requirement that the indigenous poor make up the bulk of the governing boards of Model Cities programs and involve themselves in its day-to-day activities. While the concept of citizen involvement and participation is admirable, it must be balanced by the fact that many of these people do not have the background or administrative experience to make major program decisions. If one of the fundamental purposes of these programs is to expand jobs and income opportunities, we should consider the proposition that success of these programs may be as important as citizen participation and involvement in them—and that the local administering agency should therefore be given greater leeway.

Example number six: OEO's illogical requirement that funds be invested only in the special impact area. Since this is a poverty area, and usually a high-crime area, it is often the worst possible area in which to locate a business. We should carefully examine the possibility that a business may serve the area more effectively by locating somewhat outside it, where it has a better chance of success, but be easily accessible to it and employ people from the area.

Altogether, we cannot help but feel that there is a lot of room for improvement in minority business development. We have touched on a few of the aspects that disturb us. We would like to mention also some of the difficulties faced by Community Development Corporations:

First, there is the availability of funds. Given the scope of the task *in each urban area*—practically equivalent to bringing an underdeveloped country to Western levels—the funds committed to minority business development are frighteningly inadequate. What we are doing is no more than trying to turn a desert into a garden with an ordinary garden hose.

Second, there is the problem of continuing funding. Being funded on an annual basis by a number of different agencies means that we have to devote an inordinate amount of time to preparing proposals for each of these agencies and justifying our performance. We recently estimated that we spend about six months of the year working on budgets and proposals, leaving only six months for activities directly connected with business development.

Third, still dealing with funding, is the fact that our uncertainties connected with renewal mean that we cannot recruit effectively. It is extremely difficult to attract the caliber of personnel required for the task when we cannot guarantee them employment past the life of our immediate funding. These same uncertainties mean that we cannot be sure that we can continue to nurture a business through its growth stages.

Fourth, there is the problem of performance and performance standards. We are breaking new ground—as are other Community Development Corporations throughout the country—yet there is no official channel through which expertise can be shared nor achievements compared. We are still being compared against unrealistic standards—conventional banking and lending experience—rather than venture capital experience. As a result we often find agencies critical, when they should be helpful and sympathetic.

Fifth, there is the multiplicity of programs. It sometimes seems to us that every government agency has its own minority business development program; its own, completely different requirements for qualifications; and its own, completely different guidelines for administering its programs—often in conflict with those of other agencies. These agencies start from differing biases—some sociological, others philosophical, still others professional. The result: Overall, an undecisive attack against a problem that becomes more critical every day.

What then is required?

The problem is too massive for us to provide a single, simple answer. We can only speak for Community Development Corporations—and, even then, only for ourselves.

But a good beginning might well be a realization that minority business development is not just the minorities' problem . . . that it is the nation's problem . . . that its importance to our future requires a commitment far, far greater than any current token approach . . . that it requires a concentrated, carefully thought-out attack, with responsibility and resources vested in just one agency . . . that change will come slowly, that successes may be rare . . . that we need cooperation and assistance, not a negative attitude—and boldness and a willingness to take risks commensurate with the stakes, not overcaution and hesistancy . . . and finally, a realization that—as in war—we cannot afford to lose, no matter the costs, and we must all work toward the same end.

THE JEWISH CHILD CARE ASSOCIATION CELEBRATES ITS 150TH ANNIVERSARY

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CELLER. Mr. Speaker, it is hard to conceive of a time in our country when there was no support for the orphaned or destitute child except the public almshouse; when private charity alone coped with human need. For today we accept without reservation the principle that it is the function of government to care for the needy, the handicapped, the ill and the helpless.

Yet it was 1875 before my own State, New York, passed the so-called children's law ordering the removal of all children over the age of 2 from the public almshouses and requiring impoverished youngsters to be placed at public expense in homes or institutions run by people of their parents' faith. And it was not until 1915 that New York passed the Child Welware Act granting allowances to widows with children under the age of 16. Widespread benefits for families and children were unknown until the 1930's—the era of the New Deal and the great depression.

One hundred and fifty years ago, however, when New York's Jewish population numbered 500, only the city's one synagogue gave help to the needy of the Jewish faith. In April 1822, therefore, a handful of concerned citizens joined together to form the Hebrew Benevolent Society to provide relief for the poor, the ill, and the orphaned. By 1860, when the society opened its first home for orphans, later known as the Hebrew Orphan Asylum, the Jewish population had multiplied and Jewish children were among the homeless "street arabs" who roamed and slept in the streets.

This began more than a century of partnership between government and the voluntary child care organizations of New York City. Almost from the beginning New York State and New York City helped to finance the agencies that today form the Jewish Child Care Association of New York because they believed the agencies were performing a public task. However, the leaders of these groups were never content merely to

spend what government gave them. The fundamental commitment of the Jewish community to charity and to the concept of excellence impelled them to attempt to provide for the orphaned and destitute what each would have desired for his own child.

As early as 1876 the noted philanthropist and commissioner of the New York State Board of Charities, William P. Letchworth noted with special approval "the thoroughness of the work being done and the zeal actuating the workers" of the Hebrew Orphan Asylum. Eldridge T. Gerry, president of the New York Society for the Prevention of Cruelty to Children, was equally enthusiastic about the quality of Jewish child care:

With all my experience in the management of institutions for the benefit of children, I have yet to find any which compare with those in charge of your people.

He wrote to the president of the Hebrew Sheltering Guardian Society:

I only wish that the example which your institution has set would be followed by others, because your system demonstrates how easily and how well children may be cared for where proper officers are selected, proper buildings procured, and a proper supervision given to the entire work by persons of intelligence and education.

Today questions are raised about the place of the voluntary agency, and especially about the sectarian agencies. To know the history of Jewish child care is to understand the vital importance of the volunteer citizen's role in protecting children, and the value of widespread volunteer participation in child welfare policymaking. Through massive waves of immigration, through wars and depressions, the civic-minded leaders who headed New York's Jewish orphanages successfully met the most difficult challenge of all—the challenge of change.

Their accomplishments were remarkable. They developed one of the first cottage plan children's institutions in the United States, the Pleasantville Cottage School in Westchester County, described in 1912 by the director of the Child Helping Department of the Russell Sage Foundation as "undoubtedly the best equipped institution for children in the world." Child care workers from Europe and America came to study it, and within 5 years three new institutions were built on identical patterns. Harvard University requested a special display of pictures and charts describing the institution and its program as a permanent exhibit in the university's Social Ethics Museum. Leading educators hailed the Pleasantville education program as "pioneering" and a "racial advance in progressive education."

Jewish child care agencies in New York City created the first child guidance clinic within a children's institution; developed foster family care; campaigned for and won widow's subsidies so that children could be maintained in their own homes; developed the small group residence as an alternative form of placement, particularly for adolescents; recognized the importance of the role of foster parents as early as 1919.

The Jewish Child Care Association has continued the pioneering traditions of its ancestor agencies. It can be fairly said that no other agency in the United States can claim a greater list of progressive experiments and innovations to serve children. The Jewish Child Care Association's administrators and board members have helped clarify to the public the need for increasingly complex and costly programs to serve today's very troubled children and families.

In 1952 the Family Day Care Service was created for care of very young children, too young for group care, whose mothers needed to work. Jointly sponsored by Eisman Day Nursery, it has become a valuable preventive service in safeguarding young children aged 6 months to 3 years from the hazards of unsupervised placement. Struggling parents have been unable to avoid recourse to welfare; families have been helped to remain together and placement has been avoided.

Within the last year two unusual residences have been opened by the association. One is Vernondale, a spacious apartment to house eight severely orthopedically handicapped children and resident houseparents. These are children who no longer need care in a hospital setting, but who have no family able to take them home. In Vernondale youngsters live in a family-like setting, attend special public school classes for the handicapped, and have the opportunity to know other children without handicaps. The residence prevents unnecessary hospitalization, which is costly in both human and in financial terms. It will, it is hoped, demonstrate that such handicapped youngsters can live useful and productive lives outside of hospitals or institutions.

A second unique residence has been opened in the East Village of New York City for young runaways. It offers counseling, medical and other services for eleven young people, aged 12 to 18, during a 2-week stay. It is designed as a preventive service to shelter youngsters from the threatening pattern of East Village street life while staff works with the runaways to facilitate a return home, or, when this is not possible, help in job finding and educational and vocational planning.

The Pleasantville Cottage School, now a residential treatment center for the emotionally disturbed, has recently initiated a day treatment program for children of the Westchester area to provide therapy for severely troubled youngsters who might otherwise require placement in a State hospital.

This year the Jewish Child Care Association of New York, led by Edward Elman, its current president, is marking the 150th anniversary of the founding of the Hebrew Benevolent Society, its oldest predecessor agency and the oldest independent Jewish philanthropic organization in the United States.

As a central feature of this sesquicentennial observance, the association is undertaking a major development campaign to expand and improve its services to the most deprived of our children—the mentally retarded and the emotionally disturbed. A $7 million building program is underway to build a completely new facility for its innovative Edenwald School for the retarded—a creatively planned new plant to rise on the association's property at Pleasantville, N.Y., which will double its capacity to serve retarded boys and girls and will also, for the first time, provide day care and treatment as well as residential treatment. The projected program also includes complete remodeling of the residential cottages of the Pleasantville Cottage School.

How the association's record of service is viewed by world leaders concerned with the welfare of children is indicated by the hundreds of messages received on the occasion of its sesquicentennial brunch on April 16 at the Hotel Pierre in New York City. I cite a few of these.

From Golda Meir, the Prime Minister of Israel:

In the 150 years that have passed since the founding of your Association, the Jewish people has undergone agonized change. Millions were uprooted and millions died in the flames of the Holocaust, among them one million children. Some of our people were more fortunate and found new opportunities in conditions of freedom, the majority in the United States and Israel.

Jewish communities rebuilt their traditional institutions, with their emphasis on human welfare. The needs of children have always been given highest priority and it was to be expected that the Jewish Child Care Association would aspire to the highest standards of quality and excellence. Their services and institutions have set patterns and influenced practice on the wider American scene, and, indeed, are in the forefront of professional interest.

We join in your pride at the satisfaction you must derive from the knowledge that, in achieving your objectives, you have helped thousands of tragic and troubled children to find happiness and self-fulfillment.

From the Honorable John V. Lindsay, Mayor of the city of New York:

I am honored to join in this celebration of the 150th anniversary of one of New York City's proudest institutions.

The Jewish Child Care Association is the product of that wonderful humanitarian tradition of the Jewish community in which the community assumes the responsibility for caring for its needy. With the founding of the Hebrew Benevolent Society in 1822, New York's Jewish community set up a mechanism to channel its resources toward people without means. Since that time the Hebrew Benevolent Society has evolved into a network of sophisticated institutions with the most up-to-date and effective social welfare programs.

The progress the Jewish Child Care Association has made in developing innovative programs for helping young people has been truly outstanding. The pressures of urban life have created a greater need than ever before for treatment of physical, emotional and psychological problems. Those working with the JCCA have made a very real contribution to making better lives for many New Yorkers by emphasizing and providing the facilities for individualized care. Many young people are now provided with the support and security necessary to return them to mental and physical health. The JCCA has thus provided an invaluable service for all of us.

From Guy de Rothschild, president, Fonds Social Juif Unifié, France:

I want to take this opportunity to tell you how much the French Jewish Community, its leaders, its professional body of social workers have appreciated and been inspired and guided by the example of your Associa-

tion, its programs, its achievements. We know what a unique task your Association has fulfilled, not only in daily practice, but in the research field as well; and by spreading thus, far out of the United States, new principles and methods in helping children and families with their problems.

As your agencies have done, we also over the years, have tried to go from child placement as an answer to all children's difficulties to preventive work with families. We too have abandoned the idea of large anonymous child care institutions for cottage-plan systems, off-campus group living, small treatment apartments for adolescents, foster home placements.

More than ever, examples of associations like your own who over 150 years have been able to adjust their programs to new needs, to new populations, in a changing society, will help us here to overcome present problems.

From W. Keith Daugherty of the Family Service Association of America:

Your agency has been at the leading edge of child welfare services in this country for a long time. May the next 150 years be as honorable and rewarding.

As a public official I believe strongly in the need for voluntary citizen participation in services to children and families. The joint endeavor by public and private sectors to better the lives of the impoverished, the handicapped, and the helpless is a precious American tradition. It has endured because it has proved its worth beyond doubt. For the voluntary agencies, by their willingness to support experiment and innovation—to look for new and better ways to help people—have often led the way to reform and to progress.

Certainly we cannot claim that we have reached a point in social welfare where there is no further need for reform or progress. The enormous human problems of our society and of our cities today challenge us to redoubled effort. It is my sincere wish that the partnership between our Government and its citizens will continue in the joint effort to find humane solutions to the problems of troubled families and children and that the Jewish Child Care Association of New York will continue to be a moving force for the next 150 years.

THE REAL MEANING OF SOCIAL JUSTICE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CRANE. Mr. Speaker, there is much discussion about what is loosely referred to as "social justice." It is said that when some men have more property than others, when some men achieve more in life than others, when anything which differentiates between men and women leaves some with a higher status than others, that "social justice" has been violated.

Discussing this concept, the Reverend Francis E. Mahaffy, long a missionary of the Orthodox Presbyterian Church in East Africa, noted that—

When the matter is examined, it is obvious that this concept of social justice is destructive of real justice. By prefixing the adjective "social" to the concept of justice the result is a destruction of proper justice and a perversion of true social concern.

The Reverend Mahaffy points out that social concern is the responsibility of individuals and voluntary associations, but that—

It loses its religious significance and changes its nature the instant it becomes a political matter. It is a human and religious duty to care for one's parents, to support the sick, and to alleviate suffering and famine. . . . The state cannot love our parents; it cannot clothe the naked and visit the fatherless and widows in their affliction. . . . All it is able to do is to use the arm of force to redistribute income.

What many have done today is to claim those in any kind of need have a "just" claim upon us and, accordingly, have a "right" to compel us to provide them with assistance. What they have suggested, in effect, is that Government perform through compulsion what charity has voluntarily performed. The Reverend Mahaffy points out that—

Political implementation of religious duty removes material assistance from the realm of love to that of force and makes a mockery of Christian charity.

Justice, and not charity, is the true province of governmental bodies. The Reverend Mahaffy expresses the view that—

Justice is blind. It guards the property and protects the life of all alike. It does not discriminate between people. . . . To use force to take from some to give to others is the very opposite of justice. Economic equality or economic redistribution cannot be effected by force apart from an unequal, and thus unjust, treatment of individual citizens.

As we hear more and more about "welfare rights" and a host of other alleged "rights" to which citizens are entitled, we would do well to consider the challenging essay, "Social Justice," by Francis E. Mahaffy, published in the Freeman of September 1963.

I share this article with my colleagues:

SOCIAL JUSTICE

(By Francis E. Mahaffy)

The advocates of what is called social justice conceive of it as relating primarily to the economic status of the individual. It is unjust, in their view, for some to have great wealth while others have only the bare essentials. It is unjust for the price, rent, or interest rate to be "too high." Profits are often accepted as necessary though it is unjust for them to be "excessive." Private property is not usually condemned in toto by these writers, though many of them class is as a necessary evil.

An excessive amount of private property, however, is generally condemned as unjust and a warrant for the increasing interventions of the welfare state.

Many people advocate social justice from religious motives. Some religious people have made the illogical jump from the need to manifest a loving concern for those in physical need to the advocacy of political means to accomplish this end. Professor Brown writes:

If any man is hungry, this is both a religious and a political concern, and out of a religious concern for one created in God's image, political means must be devised for ensuring that everyone gets enough bread—which is a suitable enough definition of the art of politics.[1]

[1] Robert McAfee Brown, *The Spirit of Protestantism* (Oxford, 1961), p. 202.

Such thinking is on a level with alchemy. Bread—meaning all the economic production by which men's creaturely needs are supplied—can be legislated into scarcity. But legislation cannot produce bread, any more than incantations can produce gold.

When the matter is examined, it is obvious that his concept of social justice is destructive of real justice. By prefixing the adjective "social" to the concept of justice the result is a destruction of proper justice and a perversion of true social concern. Social concern or fraternity is the responsibility of the individual and of voluntary associations of individuals. It often springs from religious or humanitarian motives. But it loses its religious significance and changes its nature the instant it becomes a political matter. It is a human and religious duty to care for one's parents, to support the sick, and to alleviate suffering and famine. This duty is always in the realm of private and personal relationships and can never be properly effected by impersonal political means. The state cannot love our parents; it cannot clothe the naked and visit the fatherless and widows in their affliction as commanded by Christ. All it is able to do is to use the arm of force to redistribute income.

This personal concern and sympathy that leads to material and spiritual help to the afflicted and needy is not a matter of justice; it is in the realm of the spirit, not of the law. The beggar on the streets of an Eastern city does not have a "just" claim upon our alms. The leper in an African hut does not have a "right" to the services of the medical missionary or to the medicines sent by charitable Christians. The help given lies in the realm of charity, and charity is no longer charity if it ceases to be voluntary. It is unfortunate that some Africans and Asians are unable to properly clothe and feed their children or to earn wages of more than five cents an hour, but it is not necessarily a matter of injustice.

Love and sympathy for those in need is an obligation laid upon the Christian, but to invoke coercive political action to accomplish this distorts Christianity. Political implementation of religious duty removes material assistance from the realm of love to that of force and makes a mockery of Christian charity. The term "social" as it is used by some people to describe the fraternity that should exist among men is a term that loses its meaning when it is conceived of as the demand of justice rather than as the fruit of love.

JUSTICE VERSUS CHARITY

The term "justice" should not be confused with "charity." Justice, unlike charity, is the province of the state. Justice is blind. It guards the property and protects the life of all alike. It does not discriminate between people. The economic status, religion, color, or personality of the individual is of no concern to justice. Justice is the execution of the law which treats all men equally. In its exercise the state has the monopoly of the use of force. The one who resorts to violence of one kind or another in his dealings with his fellow men: the murderer, the thief, or the contract breaker, is the recipient of the justice wielded by the power of the state. The state has the power of the sword to execute justice.

Some feel that this idea of justice is a cold, heartless concept. They want the state to produce social and economic justice as well. They want justice to include a more equal distribution of the goods of this world. They want charity and sympathy to be effected by the power of the law. In the process of broadening the meaning of justice to include these political activities, real justice is destroyed. The use of force to take from some to give to others is the very opposite of justice. Economic equality or economic redistribution cannot be effected by force apart from an unequal, and thus unjust, treatment of individual citizens. When this becomes the

policy of the state, justice no longer prevails. The adjective "social" destroys the noun "justice."

Nor may the concept of justice be broadened to include a just price or wage. Economic remuneration is not given on the basis of the intrinsic worth of a person but rather on the basis of a man's evaluation of the specific services rendered by another. This subjective evaluation may differ widely in individuals. One writer describes a contributor to THE FREEMAN as the world's outstanding economist, while another thinks the contributors to this journal expound the cause of a decadent liberalism. It is not a matter of injustice that consumers evaluate a vulgar Hollywood production more highly than a work of fine art, or the comic sheets than the works of Shakespeare. This lies within the realm of subjective value judgments and tastes which are not the province of the state or of justice to regulate. When the state determines the economic remuneration of its citizens through control of prices, wages, and other means, this remuneration usually favors those who support the regime. This is not justice but legal plunder.

THE RESTRICTED USE OF FORCE

Contrary to popular opinion, it is only by restricting the state to the administration of justice and the securing of individual liberty that proper scope can be given to social concerns. When the state takes over the sphere of charity and seeks to replace personal love and sympathy with impersonal, mechanical redistribution by force, the individual and voluntary associations of individuals are no longer able properly to fulfill their religious obligation in this sphere. When the financial and medical care of our aging parents becomes a matter of supporting them by taxes from everybody with a large fee removed for administration costs in the process, it becomes increasingly difficult for children to show filial love and care for their parents in obedience to the divine injunction. When excessive taxes are used to support the advance of socialism in Africa and South America through our government-to-government foreign aid, the individual is deprived of a considerable amount of his means for the voluntary support of charity. Private colleges and schools, hospitals, and other works of philanthropy and charity suffer as a result.

When the state assumes the task of promoting social justice, it leads to conflict on the part of various groups and individuals to get their hands on this "economic justice." Subsidies are disbursed in terms of political power; seldom is there concern with the character of the individual recipient. Voluntary charity, on the other hand, is highly discriminating. While charity may be given to those whose plight is the result of their own dissipation, folly, or sin, yet it is usually given with care and from a personal knowledge of the circumstances of the individual recipient. Private charity tends to encourage thrift and virtue while distribution by the power of the state, as is becoming ever more evident, encourages vice and indolence. Why should a man seek a job when he can receive sufficient relief from the government while unemployed? Why should mothers of illegitimate children change their habits when they are paid in proportion to the number of offspring they bear and all stigma is removed? The distribution by force leads to the idea on the part of the recipient that what he gets is his due. W. G. Sumner has well said:

The yearning after equality is the offspring of envy and covetousness, and there is no possible plan for satisfying that yearning which can do aught else than rob A to give to B; consequently, all such plans nourish some of the meanest vices of human nature, waste capital, and overthrow civilization.[2]

HOPE FOR THE OPPRESSED

Only when the state is restricted to the administration of justice, and economic creativity thus freed from arbitrary restraints, will conditions exist for making possible a lasting improvement in the welfare of the more miserable peoples of the world. It is often this very lack of justice in the poorer countries that keeps the people in their low economic state. An English economic advisor to an African state was shocked at the prevalent low wages and succeeded in securing a minimum wage law for the land. The result was that thousands of workers who had earned forty to fifty cents a day were put out of work. Only the more efficient and essential workers remained and the whole economy suffered. It had been interventions in the market by the government, a lack of justice, that had kept the wages down in the first place by preventing capital accumulation and investment. Further intervention, in the form of the minimum wage law, only aggravated the situation, removing the one chance many had for some economic improvement. Were justice present in these lands, there would be no shortage of investment capital, for there would then be no fear of unjust confiscation or nationalization. Justice is the one condition that will lead to economic improvement. Where there is little justice, there is little charity. Only where there is justice and freedom will there be the opportunity for extensive charity.

When seen in its proper light, it is genuine social concern, sympathy for the less fortunate, and love for his fellow man that prompts the advocate of limited government to seek to restrict the state to the province of justice. It is because he realizes that the only true and adequate charity, fraternity, or social help springs from individual loving concern for another that he wants this sphere free from political control. He opposes the concept of social justice because he wants true justice and because he wishes to see economic and social improvement in the world. He is convinced that economic improvement cannot be effected by coercive redistribution but will follow justice and freedom. He recognizes that charity and fraternity cannot be legislated; to attempt to do so is to destroy them. It is because of his concern for justice as well as his concern for social improvement that he objects to the distortion involved in the concept of social justice. He agrees with the words of Frederic Bastiat:

"Governments never take any action which does not rest upon the sanction of force. Now, it is permissible to compel a person to be just, but not to force him to be charitable. The law, when it seeks to get action by force where morality brings it about by persuasion, far from elevating itself into the domain of Charity, falls into the field of Spoliation. . . .

The proper domain of law and of government is justice.[3]"

FREIGHT TRANSPORTATION WITH EMPHASIS ON MONTANA

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, Robert Barrett, a 1972 graduating student at the University of Montana in Missoula, has prepared a report entitled, "Freight Transportation With Emphasis on Montana" for my use.

It appears to me that Mr. Barrett worked very hard on this study. I am impressed with the thorough job he did of researching his subject matter. He interviewed those whose cases appear in his report and then did complete follow-up studies.

His report is one of the few existing today on current freight transportation problems. It will be helpful to me and I hope to others in considering the transport needs of Montana.

His report follows:

FREIGHT TRANSPORTATION WITH EMPHASIS ON MONTANA

(By Robert Barrett)

PREFACE

This paper is concerned with transportation in Montana. It has primarily been oriented to rail transportation and does not encompass any passenger service questions. As a result when I refer to transportation questions and do not differentiate I'm referring to rail freight.

I have refrained from making many conclusions due to the immensity of the problems, lack of concise information in many areas, and the variety of personal opinions as to what role transportation should play. If any conclusion were to be made I suppose it would be that the railroads have badly abused their responsibilities in the past and this abuse has shaped much of the policy and opinion of today.

While reading this the reader should keep three questions in mind. First, is it impractical to place the railroads at a competitive disadvantage due to past performance or are the railroads still so strong as to warrant this strict regulation, or does this disadvantage really exist? Second what role should railroads play—a public utility, an unregulated industry subject only to economic forces, or something in between? Third, dependent upon the answer of the second question, what form should government regulation take?

FREIGHT CAR SHORTAGES

Of all the problems that I have discovered in my interviews with Montana shippers the severest seems to be the freight car shortages. In talking to Bob Helding, past Secretary of the Western Montana Woods Product Association, it was estimated by Mr. Helding that with sufficient cars Montana could double production in some natural resource industries. Mr. Lars Gallup of the Billings Office of Pacific Hide and Fur complained that many times rates quoted were useless since cars could not be obtained to handle the minimum loan requirements. The grain car shortage of 1965 was a tremendous hardship on Montana farmers.

Sadly this is a problem that the whole country faces but due to such Montana freight characteristics as our tremendous one-way freight hauling, the large distances to market areas, and cyclical pricing in many of Montana's products Montana feels the car pinch more severely than other states.

In *Transportation Problems and Policies in the Trans-Missouri West*[6] it was stated that "During the northern plains boxcar shortage in the fall and winter of 1965, it became obvious that the cause of the problem was a gross lack of construction of new capacity by the Eastern roads." Further reference to this is made in this paper under *Per diem charges on freight cars.* I believe it's an over simplification that the total problem hinges around lack of construction by Eastern railroads but this certainly seems to be a major factor. To be more quantitative in 1960 nationwide there were 1,638,292 freight cars compared to 1,403,343 in 1970.[1]

The woods product industry, along with several other Montana industries, face car

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[2] William Graham Sumner. *What Social Classes Owe to Each Other* (Caldwell, Idaho: Caxton, 1952), p. 145.

[3] Frederic Bastiat, "Justice and Fraternity," first published in the *Journal des Economistes* Paris, June, 1848.

Footnotes at end of article.

shortages due to wide fluctuations in prices on their products. Many of these cycles are prevalent throughout the country and are matched with cycles in other industries (i.e. the construction industry). As a result the demand on cars, particularly general purpose cars becomes heavy at times Montana could use them the most.

There are figures that indicate that part of the car shortages are not due solely to lack of cars. In *Transportation and the Changing South* [8] the following national averages were given:

Travel per car—2 hrs/da.;
Freight speed—20 MPH.; and
Empty car haulage—38.7%.

What are some of the possible solutions of the freight car shortages? I have listed three general areas: (1) increased fleet capacity, (2) better utilization of the fleet, (3) reduced dependence on transportation at periodic intervals. While analyzing these suggestions it should be remembered that the carriers alone would not be able to solve these problems; it would require cooperation with shippers and federal and local government.

First, increased fleet capacity. According to ASTRO (America's Sound Transportation Review Oganization), a study group formed in relation to the rail industries concern over rail problems, the money required cannot be generated internally nor through new investment. ASTRO recommends government backed loans, a national fund at low interest rates to be made available to railroads in critical need, restoration of the investment credit, and a quasi-public organization to acquire a fleet of free running, general purpose freight cars. The needs and substantiation of the first two ASTRO recommendations could best be supplied by them but the third and fourth recommendations I'd like to add to. Montanans have been pretty clear in their feelings about the share corporations pay of taxes. I'd hesitate to say that Montanans would back a plan to aid the transportation industry that would include a 7% investment credit. A quasi-public corporation, the ownership distributed among the nation's railroads, could bring about real efficiencies in research, development, and production of freight cars and motive units, at no cost to the taxpayers.

Second, better utilization of the fleet. Better utilization means improving the averages on car travel, freight speed, empty haulage.

First, it has been estimated that improving loading time on each car by 10% would have the effect of increasing the national fleet by 150,000 cars. Most of my information concerning improved loading is in the section entitled *Demurrage and Loading Techniques*. In addition to that section I'd like to add some discussion about improved systems for keeping track of freight cars. I understand the Santa Fe is experimenting with computer systems for tracing their cars. The efficiencies of computer data processing of this type could perhaps be best effected by the nation-wide corporation mentioned previously that owns, traces, and controls the rolling stock of the nation.

Second, increasing freight speed. This would involve improved motive power and improved rail rights-of-way. I don't know anything about motive power but from what I've heard the Japanese have made tremendous gains in this area and perhaps the government should strive to establish lines of communication between the Japanese and American railroads. Concerning improved rights-of-way the Surface Transportation Act would require states use 5% of their Highway Trust Fund allocations for grade crossing protection and extend the program to non-Federal roads. I would say this would have two effects: a reduction of injuries and deaths at rail crossing and more efficient rail crossings. Once again, though the problem is one of responsibility and tax subsidization of the rail industry. Who is responsible for rail crossings: the states, the railroads or both and in what proportion?

The third discussion on empty car haulage is covered in the section entitled *One Way Traffic Problems*.

Last, reduced dependence on transportation at periodic times during the year. This could be done in two ways: use of terminal storage areas and reduction of the price cycles that exist for many of Montana's products. Many of the large lumber companies are establishing storage areas for their products at locations near their markets, thus avoiding the need for instantaneous transportation. The problem with this is that most companies are too small to afford establishing these storage yards. Perhaps affiliations of small producers could overcome this handicap. To fight the price cycles many industries have established futures markets, that is, prices established now for delivery later. The lumber industry is getting pretty far into this at this time.

PER DIEM CHARGES ON FREIGHT CARS

"Per Diem" charges are those charges a railroad pays to another railroad for use of its cars. Many Montanans argue that the freight cars owned by BN and needed by Montana shippers wind up on other rail lines, primarily Eastern lines. In the analysis that took place after the Penn Central bankruptcy it was noted that Penn Central did not maintain its own cars and relied heavily on those of the other companies. This would appear to be the tendency of many railroads.

The circumstances listed above have caused speculation that the raising of per diem charges may help alleviate Montana's transportation problems by inducing other railroads to return quickly BN freight cars and induce greater capital expenditures for boxcar maintenance and construction.

Per diem rates are of three types: (1) straight daily rates, (2) mileage rates, (3) incentive rates. (1) is a fixed sum charged a railroad each day for use of a foreign car and is calculated according to the cost and age of the car. (2) is a rate multiplied times the number of miles the foreign car travels on a rail line, the rate also dependent on the cost and age of the car. (3) is a rate similar to (1) except it is applied only from September 1 to February 28 and the revenue from this incentive charge is earmarked solely for use on maintenance and building of freight cars.

As an illustration of the above assume a $13,500 car, 3 years old, travels 620 miles on a foreign railroad. A $13,500, 3 year old car falls in the $13,000–$15,000 cost bracket, 0–5 years age bracket. Therefore, the charges for two days are:

Daily rate (2 days x $3.97)	$7.94
Mileage rate ($.0251 x 620 mi.)	15.56
Incentive (2 days x $4.54)	9.08
Total charges	32.58

Compare this to a daily depreciation rate of between $1.00 and $1.50 and you can see missuse of foreign cars could become very expensive.

Additional points should be added. All per diem rates apply whether the car is traveling empty or loaded. Rates do not apply to cars leased or owned by shippers. Incentive rates apply to plain XM boxcars only.

The ICC requires the use of the incentive per diem revenue to be in addition to average yearly expenditure on equipment calculated from 1964–1968. That is, the railroads must first invest an amount equal to the average yearly amount spent in the period 1964–1968 on maintenance and new construction and then spend an additional amount equal to the incentive revenue collected.

I refrain from making a conclusion as to whether higher per diem rates would cause cars to be returned quickly. It appears to me the rates would promote efficient use of foreign boxcars but as long as the freight revenue is on foreign lines the cars would stay on foreign lines. High per diem rates could be instrumental in causing more boxcar production and was one reason incentive rates were installed.

ONE WAY TRAFFIC PROBLEMS

By reference to Table 1 it is easily seen that Montana has a terrific one-way freight haulage problem. This results from (1) export of bulk commodities such as grain and lumber and import of processed goods, (2) a small market within Montana for Montana products, (3) heavy use of specialty cars.

Before I cover (1) and (2) I'll mention that BN estimates 95% of the in-bound grain cars are empty. This has a definite tendency to make our one-way traffic problem look worse then it is since use of specialty cars in many instances result in significant cost savings, enough to offset the one-way haulage costs. But this is not to say a problem does not exist.

If it is assumed that the problem indicates the solution then Montana must do more processing in the state and create more of an in-state market for goods. But the research done by the Bureau of Business and Economic Research [15] shows that Montana's population and manufacturing have decreased greatly in proportion to the rest of the country and there is no indication this trend will improve. If the trend does continue as in the past we can expect an even worsening one-way haulage problem.

Although I have no quantitative evidence for this I think common logic would indicate that the situation just described would result in the shifting of freight cars to areas that offer the best utilization through two-way traffic. The logic behind this, of course, would be better return on investment to the railroads.

INTERMODAL PURCHASES

For hire transportation firms have tended to remain single mode in form. The main reason for this appears to be Section 5 of the Interstate Commerce Act. ICC interpretation of this section has been that Congress has intended to protect different modes from suppression by other modes, primarily the railroads. This argument was advanced at a time of railroad monopoly in transportation and appears to have been valid at that time. In the case of Montana the great reliance on railroads is still a fact. Table 3 shows Montana's dependence on rail transportation in grain shipments.

The argument against intermodal purchases is still based on the fear of suppression and is offered by non-rail modes. The argument is in two forms: (1) the railroads would buy up other modes and then retire them, leaving a rail monopoly; (2) rails could cut rates on their non-rail modes, absorbing the short term loss far better than strictly motor carriers could, thus driving out competition. The first argument appears ridiculous since the railroads could make profitable use of the modes purchased and if they were retired this would only invite new entry of motor and water carriers. The second argument is also invalid since the ICC has a requirement of cost justification in lowering of rates already in force. If cross-modal transportation firms could show a favorable cost analysis in comparison to single mode firms why not allow them to adjust their rates downward? This would preserve the "inherent advantage" criteria the ICC adheres to.

The arguments for intermodal purchases are (1) better service, (2) entry by trans-transportation. Examples of better service transportation. Examples of better service would be a single firm's reputation resting on the shipment of a commodity rather than several, better coordination in cross shipping, better evaluation of cost and revenue factors. The second argument offers some interesting thoughts. Could easier entry by established transportation firms into other forms of

Footnotes at end of article.

transportation result in lower rates and more transportation alternatives available to shippers?

But as long as intermodal purchases are restricted it will rest primarily with shippers to coordinate the different forms of transportation. Any form of intermodal coordination offered would be appreciated by shippers, I'm sure.

EXEMPT COMMODITIES

The relevance of the "Exempt Commodity" question to Montana becomes apparent when you look at the list (Table 2) and see that it is agriculture based and includes Montana's major export items. The exemptions apply to motor vehicle carriers and allows them to haul without regulation by ICC except for regulation in qualifications, maximum hours of service of employees, and safety of operation. The result of this is "backhauling" and as can be seen in Table 3 is pretty important to Montana farmers. Backhauling results from trucks hauling freight into the state and then picking up a load of an exempt commodity at a freight charge that does not necessarily cover total costs. This is attractive to the motor carriers as a way of covering overhead. On commodities other than those included on the exempt commodities list this would not be allowed since the ICC requires revenue to cover costs to avoid "destructive competition".

Naturally the biggest proponent of change to this exempt commodity list is the railroad industry. They feel this gives an unfair advantage to the truckers and would prefer to see either the list abolished or the railroads allowed to carry under the same exemptions.

Surprising to me some of the shippers would also prefer seeing the truckers subjected to ICC regulation on these exempt commodities. The reasons given were (1) induce more standardized freight charges on exempt commodities, (2) avoid competition that may, in the end, tend to drive out carriers.

MONTANA SHIPPERS ON OUT-OF-STATE RAIL LINES

A type of problem that has shown up in my interviews with Montana shippers has been in the shippers working with railroads other than the GN. There appears to be no trends involved but the problems seem worth mentioning. It should be remembered that I have not reviewed these problems with the carriers involved and so the carriers have not had a chance to present their side.

First, the incident documented in Appendix A involving the Pacific Hide and Fur and the Milwaukee Road. This was related to me by Lars Gallup, Manager of the Billings division of P H&F. In 1970 P H&F shipped a load of scrap battery lead, destination, Omaha, Neb. Due to arrival of the shipment 11 days after departure (average shipment time is 6 days) P H&F did not meet their contract and sustained a 1¢ per pound loss or 1100 dollars. The delay was traced to the Milwaukee Road but the Milwaukee Road classified the damages as "special" (not contemplated in the bill of lading) and disallowed the claim.

Second, the incident documented in Appendix B involving Mr. Ralph J. Stone and the Joint North South Freight Bureau. Mr. Stone, with headquarters in Billings, is a shipper of honey and has a one-way haulage problem with his product. To partially overcome this he worked out a plan to ship honey to Los Angeles and import in the same cars, molasses. The incremental costs to the railroad would be a 25 mile switching to the molasses loading site; all other costs (cleaning, loading, etc.) would be assumed by Mr. Stone. Mr. Stone offered the proposal to the Joint North South Freight Bureau with revenue being increased from $1.31/100 wt. to $1.75. The Bureau declined (Mr. Stone does not know which line was responsible) due to "complications involved in working out compensatory revenues based on tank cars used." Mr. Stone has subsequently had the proposal resubmitted, given a new docket number, and it will come before the Bureau on March 20th. Mr. Stone feels the rejection of this proposal smacks of the past apathy railroads showed in dealing with shippers. He further contends that the analysis of costs and revenues would be quite simple.

Third, involves performance by the Chicago Northwestern. This also involves Mr. Stone. In Mr. Stone's experience the handling of cars has been so slow by the Chicago Northwestern as to warrant avoiding use of that line. As a result if there are markets in, say, New York and L.A. other things being equal the New York market would be ignored for the L.A. market. Mr. Stone suspects this may be caused by possible priority handling of railroad owned cars over shipper leased cars.

RATE DISCREPANCIES

A common complaint heard in Montana is the existences of certain geographic rate inequities that created a "rate hump" for Montana. This complaint can best be illustrated by the fact that a few years ago it was cheaper to ship some class items from Minneapolis to Seattle and back to Montana than it was to ship directly to Montana. It has been mentioned to me that this was caused by a desire of the railroads to compete with ocean shippage to the West Coast and resulted in unfair freight costs for Montana. When I inquired about this hump to the ICC they said it was caused by ". . . past decisions of the Commission in which certain amounts were to be added to other figures to construct class rates in Montana." But the ICC went on to add ". . . that the earlier decisions as to class rates were correspondingly modified." and ". . . that the great majority of rail shipments move on commodity or exception rates and not class rates . . ." Therefore the ICC feels the rate hump no longer exists.

In the middle of the 1960's wheat shipped to the West Coast was 25¢/100 wt. higher to ship from Havre than from Bozeman, even though the distance was approximately the same.[10] When I inquired about this to Mr. Gene Radermacher of the BN he gave the following explanation: prior to the merger that formed the BN Havre was served by the Great Northern while Bozeman was served by the Northern Pacific. Due to truck competition the Northern Pacific was more responsive and subsequently had lower rates. After the merger BN reacted to the pressure and adjusted the rates for High Line wheat downward on July 1, 1971.

The farmers of the High Line also complained in the 60's that the rate on wheat from Denver to the West Coast was 6¢/100 wt. cheaper than from Havre even though the distance from Havre was ⅔ that from Denver. Once again Mr. Radermacher was asked about this and I learned that the rates had now been reversed; now the rates are 75¢/100 wt. from Havre and 77½/100 wt. from Denver.

One problem that still exists for certain Montana shippers is the fact that some motor carrier rates have not grown as fast as rail rates. My only documented example of this is that stated by Ralph Stone.[3] When Mr. Stone requested rate quotations for the shipment of honey the rail rates quoted were 95¢/100 wt. compared to $1.25/100 wt. for motor carrier. Due to this Mr. Stone purchased rail loading equipment of a fixed and permanent nature that prohibited switching to other modes of shipping. Since the quotation of those initial rates the rail rate has increased to $1.31/100 wt. while motor carrier rates have decreased to $1.10/100 wt.

During an inflationary period this decrease seems highly improbable until one considers the effects of improved roads and motor carriers. What ever the reasons shippers like Mr. Stone are now tied to the railroad through investment in fixed assets while motor carriers now offer lower rates. Perhaps an answer to this would be an ending of the ICC requirement concerning sunk costs of the railroads. The Nation's railroads have an estimated $30 billion in sunk costs (rights-of-way, track, etc.) that must be figured into costs when establishing revenue rates. This results in a raising of the minimum rate limit the railroads must abide by.

Generally the response by Montana shippers has been favorable of the BN rates now in existence. The feeling I have gotten through my interviews has been that the problems Montana faces in transportation is no longer that of rate discrepancies, rates that are not cost justified. Montana shippers still face high transportation costs but that is due to Montana carriers facing high costs. Pretty consistently, though, past discrepancies like the rate hump have caused unacknowledged Montanans to believe they still face unfair transportation rates. My studies have failed to turn up any such unfair rates but with recorded rates totaling in the trillions how can any person be sure any geographic area faces fair rates? Perhaps this lends a strong argument to competition based rates rather than regulated rates.

DEMURRAGE AND LOADING TECHNIQUES

As has been mentioned earlier one of the severest transportation problems facing the nation is the short supply of rail cars. Due to this (and the common logic desire of the railroads to efficiently utilize their rolling stock) the railroads have constantly pushed for reduced holding time of rail cars by shippers. Often this push has brought the shippers and railroads nose to nose since shippers want more time to allow easier coordination of loading and the acquiring of "short supply" cars. The present status of the incentives for shippers to return cars quickly takes the form of demurrage charges and incentive rates.

Demurrage charges: demurrage charges are graduated rates charged shippers for "excessive" holding of box cars. When a car is placed the next 7:00 A.M. begins the free time, which runs for two days. After the free time shippers are charged $10/da. for the first four days, $20/da. for the next two days, and $30/da. thereafter. There are no charges on Saturday and Sunday unless preceded by two chargeable days. Cattle cars are not charged at all unless they are ordered and not loaded.

When holding a loaded car the railroads allow 24 hours free time and then charges the same demurrage rates as above until the shippers designate a destination point. All of the above applies for both private and railroad owned cars. There is one exception to the above in Montana: Eastern Montana grain (Fort Benton on the northern line, Custer on the western line). In 1971 the BN gave a sizable reduction in rail rates to the Eastern Montana grain shippers. In exchange the shippers were allowed only 10 day light hours free time.

Incentive rates: these rates are left solely up to the railroads to initiate, dependent on their own needs. Incentive rates are just special rates offered by railroads to shippers with the qualification of a reduced holding time.

Who is affected by demurrage charges? Large producers in all industries that use rail cars are more concerned with keeping a constant flow, inexpensive loading process in effect than they are coordinating the arrival and loading of each car. As a result large shippers aren't overly concerned with demurrage charges. But in Montana, except for a few grain, mineral and wood products

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Footnotes at end of article.

shippers, the shippers are small and as a result can't produce sufficient quantities to have a continuous flow. Also small shippers can hardly afford to develop or purchase improved loading processes.

Montana is a state with a high proportion of small producers. As a result many of the economics of size are lost and this holds true for loading processes. The same problem exists in many of the areas I've touched on: small population, little industrialization, large distances, tremendous transportation problems.

BIBLIOGRAPHY

Interviews

[1] Robert Helding, Past Secretary of the Montana Wood Products Association. Savings Center Building, Missoula, Montana. December 12, 1971.

[2] Dr. Charles Rust, Coordinator of Montana Extension Program. Montana State University, Bozeman, Montana. December 22, 1971.

[3] Ralph J. Stone, 431 Daniels, Billings, Montana. December 27, 1971.

[4] Lars Gallup. Manager of the Billings Branch of Pacific Hide & Fur. 777 4th Ave. North, Billings, Montana. December 27, 1971.

[5] Gene Radermacher & Herbert Frank. Pricing Officers for the Burlington Northern. Security Bank Building, Billings, Montana. Interviews held throughout research period.

Publications

[6] Davidson, Jack R. (ed.). *Transportation Problems and Policies in the Trans-Missouri West.* Lincoln: University of Nebraska Press, 1967.

[7] Rust, Charles H., and others. *Extension Transportation Handbook.* University Park: Pennsylvania Cooperative Extension Service, March, 1971.

[8] Nichols, T. E. (ed.). *Transportation and the Changing South.* The Agricultural Policy Institute, June, 1967.

[9] George St. George & Charles Rust. *Grain Trucking Costs.* Bozeman: Montana Agricultural Experiment Station, March, 1970.

[10] George St. George & Charles Rust. *Coordinated Grain Transportation Research & Extension: the Montana Approach.*

[11] Storey, David A. *Long Run Effects of Current Changes in Transportation.* Urbana, Illinois: Agricultural Industries Forum, 1963.

[12] Gerald, John O. *Current Transportation Issues.* Washington State University Cooperative Extension Service, April, 1971.

[13] Gerald, John O. *What can Research Contribute?* Presented the Montana Transportation Conference. Montana State University, Bozeman, Montana, March 24–25, 1966.

[14] "DOT Unveils a Plan for Overhauling ICC." The Washinton Post, November 9, 1971.

[15] Bureau of Business & Economic Research. *The Montana Economy, Chapter 1, Vol. 1.* Missoula: University of Montana, October, 1971.

[16] *Bureau of Operations Notice #1.* Interstate Commerce Commission. October 1, 1968.

[17] *Grain Shipments in Montana, Bulletin #624.* Extension Service, Montana State University, Bozeman, Montana.

[18] *ASTRO,* America's Sound Transportation Review Organization. American Railroads Building, Washington, D.C. 20036.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 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 1600 American prisoners of war and their families.

How long?

NATION FACES POWER CRISIS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. EVINS of Tennessee. Mr. Speaker, many sections of the Nation are threatened with a power crisis this summer with blackouts, brownouts, and power shortages predicted in many areas as lawsuits, injunctions, and bureaucratic redtape have delayed the placing of a number of nuclear powerplants in operation.

Because of the interest of my colleagues and the American people in this most important subject, I insert my newsletter, Capitol Comments, in the RECORD:

NATION FACES POWER CRISIS—INCREASED ELECTRIC POWER USE AND DEMANDS, PLUS ENVIRONMENTAL SLOWDOWNS POSE CONTINUING ENERGY PROBLEMS WITH RATIONING A POSSIBILITY

Testimony before Committees of Congress discloses that this Nation faces a severe power crisis this summer in many areas—including the Northeast, New York, Florida, Virginia, the Carolinas, Illinois and possibly other areas—threatened with electric power shortages, brownouts and blackouts. Warnings of this impending crisis have come from many sources—including Chairman John N. Nassikas of the Federal Power Commission; Chairman James R. Schlesinger of the Atomic Energy Commission; Secretary Rogers Morton of the Department of the Interior; General George Lincoln, Director of the Office of Emergency Preparedness; leaders in Congress, spokesmen for the electric power industry and the White House, among others.

A year ago on the floor of the House of Representatives, your Representative—who has seen the genesis of the crisis unfold in testimony before the Subcommittee on Public Works and Atomic Energy Commission Appropriations—warned of the coming crisis and pleaded for a reasoned power policy balanced between the need to preserve our environment and the absolute necessity of providing power services for the Nation's expanding population. As Chairman of this important Committee concerned with developing our resources for the people, I pointed out that power shortages are bound to occur unless power production keeps pace with demand. The demand for electricity is doubling every ten years as our population continues to explode in geometric progression—in other words, the average family uses more electricity—and demands for energy are ever expanding. In 40 years our population has grown 70 percent and energy consumption has literally exploded with an increase of 310 percent in power usage.

However, despite these facts and warnings, many new power-generating facilities have been delayed or blocked by lawsuits, injunctions and bureaucratic red tape initiated as environmental protection. As a result a long, hot summer can produce demands in some areas that cannot be met and brownouts or blackouts may occur.

Physicist Ralph Lapp said recently: "Power shortages may produce a severe backlash against the environmental movement."

Federal regulations to implement environmental protection laws, coupled with harsh court decisions—some Federal courts have demonstrated about as much common sense in interpreting environmental protection laws as they have on the issue of busing—have delayed action on the licensing of 97 urgently needed new nuclear power plants needed to provide power throughout the United States. Only 21 nuclear power plants are now operable in the United States, which is attributable in large measure to a longer "lead time" required to put such plants in operation.

In an effort to cut red tape and circumvent court delays, the House recently passed a bill which would permit operation of ten nuclear power plants in areas of expected shortages—the bill is now pending in the Senate.

Chairman Nassikas of the FPC testified before my Committee recently, as follows:

"For the first time in our history, our Nation is faced with the emergency of severe energy problems . . . The early symptoms are already upon us—power shortages, fuel shortages, higher fuel costs and limitations on natural gas in many areas of the United States."

He said demands have exceeded expectations and that efforts to meet the demand have been frustrated by environmentalist groups.

The Federal Power Commission, in an excellent report recently issued—The National Power Survey—declared:

"We foresee recurrent and spreading power shortages unless positive steps are taken, and taken soon, to remedy conditions which are slowing the orderly development of essential power supplies. Despite increasing efforts of public agencies and the industry itself to protect the environment, today more than ever before the construction of new power facilities is being challenged on environmental grounds."

Chairman A. J. Wagner of the Tennessee Valley Authority testified that TVA expects to meet its power demands this year—but warned that if nuclear plants are delayed, crippling power shortages could occur.

* * * * *

Viewing the entire energy problem in perspective, officials have warned that our supply of energy and fuels is not endless. Americans now use more than six times as much per capita energy as the world average and more than the combined consumption of Japan, Great Britain, Germany and the Soviet Union.

It was recently reported that the United States last year consumed 5.6 billion barrels of oil and 22.1 trillion cubic feet of natural gas. The country's 109 million cars used 90 billion gallons of gasoline, its 2,000 jetliners used more than one billion gallons of jet fuel and its 3,400 power plants used one billion barrels of oil, four billion cubic feet of gas and 300 million tons of coal.

Vice Admiral H. G. Rickover, the brilliant Director of the U.S. Navy's Division of Naval Reactors, recently testified that oil production has peaked in the United States and that natural gas production will peak within a few years and begin to decline. Already the Nation imports one-third of its fuel oil.

Chairman Schlesinger of the AEC has warned that rationing of fuels may come before the turn of the century—less than 30 years. The New York Times in a recent editorial said: "The possibility has to be faced that eventually fuel and power may have to be rationed."

In my view American technology, research and development will find alternate sources of energy that will forestall this eventuality—provided that the results of research can be brought to bear on the problem and not blocked, slowed down and delayed by red tape and ill-advised court actions. Some be-

lieve that extreme environmentalists may wreck their own movement and describe as hypocrisy the delays they have caused in providing power to meet public demands which require tremendous outlays in power for expensive anti-pollution technology.

Both Congress and the Executive Branch are well aware of these problems and we are working together to find solutions. For example, the new Liquid Metal Fast Breeder Reactor development—to be located in the TVA area and developed jointly by the AEC, Tennessee Valley Authority and private industry—will provide a clean and an economic source of power supply. Research and development must proceed on all possible energy sources—solar energy, nuclear energy, electrostatic energy and thermal energy, among others.

The American people should recognize the nature of the energy problem and voluntarily conserve energy whenever possible. Artificial lighting consumes about 24 percent of the Nation's electrical power output. Air conditioning accounts for about 16 percent of the increased demand. The ways in which individuals can conserve are obvious.

We must achieve a balance between environmental protection and necessary development of resources—or the Nation will be in deep trouble.

We must stop exporting resources that require tremendous energy outputs—for example, it requires 2,000 million kilowatt hours of electricity for each reactor core we export.

All agencies of the State and Federal governments concerned plus the Congress must continue to work together on this problem now that it has been outlined in its full dimensions. Our country has the scientific knowhow and knowledge to solve the energy problem—but every American has the responsibility to be responsible in recognizing the problem and doing his or her part to assist in its solution in the public interest.

RUMANIAN INDEPENDENCE DAY

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. STRATTON. Mr. Speaker, yesterday, the 10th of May, marked an important anniversary for the people of Rumania as the date of that nation's independence. I am proud to join with my colleagues in marking this observance.

What is especially important for us to remember on this occasion is that the people of Rumania who live behind the ever-present Iron Curtain are forbidden by their Communist oppressors from openly celebrating this national holiday. Instead, they are forced to participate in a charade where flags are raised and "celebrations" held on the 9th of May, which happens to be the anniversary not of Rumanian independence but of Soviet victory.

The real Rumanian holiday contains, however, in the hearts of the Rumanian people, who continue secretly but proudly to observe their day of independence in their own private ways. So it is with these brave people that we join in celebrating this holiday and in expressing the hope and determination that all those now trapped behind the Iron Curtain will one day again be free to exercise their rights as human beings.

NEWS BULLETIN OF THE AMERICAN REVOLUTION BICENTENNIAL COMMISSION

HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WHITEHURST. Mr. Speaker, I am inserting in the RECORD the May 8 edition of the News Bulletin of the American Revolution Bicentennial Commission. I take this action in an effort to help keep my colleagues informed of the nationwide activities preparing for the bicentennial in 1976. The bulletin is compiled and written by the news staff of the ARBC Communications Committee. The bulletin follows:

BICENTENNIAL NEWS

At the May 1 ARBC Executive Committee meeting an informal consensus of the members agreed that the Executive Committee, after hearing reports of studies conducted by federal agencies, take the following position on the Philadelphia International Exposition proposal:

(A) That the Executive Committee does not have enough information to make a recommendation to the full Commission.

(B) Assuming that the information is accurate at this stage, the Executive Committee would find it difficult to recommend to the President of the United States the expenditure of this amount (one billion of federal dollars) for an International Exposition.

(C) If that is the case, it would be the responsibility of the Commission to continue with alternative programs for international participation in the national Bicentennial.

On Wednesday, May 3, Commission member, Ann Hawkes Hutton, was featured speaker in Memorial Hall, Fairmont Park, Philadelphia at the organizational meeting of the Women for the Bicentennial Committee. Mrs. Hutton underscored the decisive role women can play in the Bicentennial. The women who are active in Philadelphia's role for the commemoration come from throughout Pennsylvania, New Jersey and Delaware and are chaired by Mrs. Joseph Carson of Philadelphia. A series of meetings will follow the organizational session to develop tours and events to acquaint the public with local historic sites.

ARBC Director Jack I. LeVant will address the third meeting of the Southwest Regional Alliance in San Antonio, Texas on May 6th. The two-day meeting, May 5th and 6th, will discuss involving city bicentennial commissions in State planning. Representatives from the following states will be in attendance: California-Dick Pourade, John Davis, Charles Conrad; Arizona-John Eversole, Mildred May; Utah-Milt Weilenmann; New Mexico-Joseph Hullins; Colorado-Joe Albi, Floyd Sack; Oklahoma-Gladys Warren; Texas-Sam Kinch and Gene Riddle. According to Gene Riddle, Chairman of the Alliance, the group was formed to plan for the recognition of the contributions of the Indians, Spaniards and Mexicans to the development of the West.

An "Idea Fair" soliciting suggestions for improving the quality of life has been set up in Washington, D.C. Recommendations are requested "from school children and professionals, people on the street and community leaders" on making the nation's capitol a better city in which to live, work and visit in time for the Bicentennial.

The Honorable Harold Runnels of New Mexico presented a plan for Bicentennial participation by the citizens of Las Cruces to members of Congress recently. The Congressman outlined a plan for converting an area in Las Cruces into an American Frontier Center. The Center could include an all-tribal Indian Trading Post, operated and controlled by the Tribal Councils of New Mexico—the only such center in America.

Gesu elementary school in Northwest Detroit recently commemorated its 50th anniversary and the nation's 200th anniversary with a choral and dramatic show involving almost every one of the school's 1,250 pupils according to the director, Mrs. Gerre Wood Bowers. The show on which the children worked for 4 months was divided into time segments beginning with 1776 and closing with a finale of "Aquarius." Titled, "Through the Years," the show involved 1,000 children in the musical numbers, while the others took part in dramatic sketches or worked on lighting and stage effects.

The April issue of the *Quarterly Journal of the Library of Congress*, reflecting the increasing interest in manuscript sources for the study of the American Revolution, is devoted to the papers of the Marquis de Lafayette. Three illustrated articles deal with the papers at the Chateau de La Grange, Lafayette's home from 1799 to 1834; the Lafayette collections at Cornell University Library; and the Lafayette papers at the Library of Congress.

The ARBC of Connecticut has embarked on a publications program consisting of 30 to 40 booklets of some 60 pages each. The first four booklets, due to be published next year, will be entitled "Connecticut, The Provision State," "Connecticut in the Continental Congress," " Connecticut Military Leaders in the Revolution," and "Negroes in Connecticut During the Revolutionary Period." Commission Chairman Eric Hatch has expressed the hope that one of the purposes to be served by the program will be to stimulate public school teaching of the Revolutionary War history of Connecticut. The program is modeled to some extent on the highly successful series of pamphlets published by a special commission named to celebrate Connecticut's tercentenary in 1935. The editor of the publications program is Glenn Weaver, associate professor of history at Trinity College, Hartford.

Announcing plans recently for a comprehensive documentary presentation by the City of San Antonio (Texas) to the ARBC for designation as a Bicentennial City, Mr. Pat Legan, Chairman of the San Antonio Chamber stated that every effort will be made to have the Alamo city named the first Bicentennial City in the Southwest. "As a Bicentennial City, San Antonio will attract national attention, and hopefully obtain federal funding for the completion of major central city improvement projects before 1976—which in turn will contribute to the economic expansion and development of our city," he noted. The San Antonio Bicentennial Committee has been studying such central city improvement projects as the Mexican Market, the Del Alamo project, extension and beautification of the San Antonio River, and construction of a sports stadium.

The Georgia ARBC, in a meeting, recently discussed putting a Bicentennial Park near the famous Stone Mountain Memorial Park. The Park, Commission Chairman Ernest D. Key, Jr., noted would be part of the national proposal that is currently being studied by the ARBC for Bicentennial Parks throughout the country. Mr. Key said the Georgia Park would include the construction of permanent exhibit pavillions for each of the thirteen colonies and for France, Great Britain and the United States as a whole.

The Prince George's County (Md.) Bicentennial Commission in offering a $100 purchase award to the person submitting the winner design in their logo contest. The symbol will be used exclusively by the Commission in preparation for the county's cele-

bration of the Bicentennial. Entries will be screened by the County Arts Forum and appropriate designs will be forwarded to the Bicentennial Commission for final selection. Deadline for entries is Saturday, May 13.

The production of a comprehensive "Atlas of Early American History" will be sponsored by the Institute of Early American History and Culture, Williamsburg, Virginia and the Newberry Library in Chicago. The two-volume atlas will be published in connection with the 1976 Bicentennial. Volume I will cover the Colonial period from the age of discovery and exploration to 1760, and Volume II will focus on the Revolutionary period, 1760–1790.

THE FOLLY OF FOREIGN MILITARY ASSISTANCE

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ROUSH. Mr. Speaker, earlier this week I put into the RECORD the first two of a series by Lawrence Stern on U.S. military aid abroad. I would now like to add three more articles of that series. In these Mr. Stern is joined by an associate as he continues to detail the folly of foreign military assistance.

The articles follow:

U.S. MILITARY AID TO GREECE: WHO DOES IT HELP?

(By Laurence Stern and Dan Morgan)

Rep. Wayne L. Hayes: Congress made a pretty substantial demonstration last year that it didn't want any money to go to Greece . . . Does the opinion of Congress mean nothing at all to you folks downtown?

Assistant Secretary of State Joseph J. Sisco: On the contrary, Mr. Hays, we not only in our judgments take the views of Congress fully into account, but we have given them great weight.

American military aid to Greece, depending on whom you talk to in Athens, is either a political insurance policy for the five-year-old military regime or an important bulwark of American strategic interests.

Here is how some of the highest-ranking U.S. military officers in Greece describe its role:

"It is the cheapest way of making friends. It gets into the Greek papers. It's a heck of a good thing . . . It is one of the most important things that the United States does . . . It (the ruling junta) is the best damned government since Pericles."

The formal position of the administration toward the junta government, as Assistant Secretary of State Joseph J. Sisco testified last March 20, is that the U.S. aid program "is not intended as an approval of whatever the government of Greece is doing. This is an internal matter for them to determine . . . The principal justification for what we are doing is really on security grounds."

Finally, a prominent Greek opposition politician and former university professor puts it this way: "The survival of the regime has been made possible by the attitude of the United States and NATO's tolerance."

A quarter of a century ago, in asking Congress to inaugurate aid to Greece, President Harry S. Truman described its goals:

". . . To help preserve a way of life . . . based upon the will of the majority and . . . distinguished by free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion and freedom from political oppression."

MILITARY AID CONTINUES

Free institutions, by any commonly accepted definition, have not flourished in Greece since the 1967 military coup. But the flow of military aid has continued—even through three years and five months of a nominal U.S. arms embargo.

Since 1946, the United States has poured out $1.9 billion in military aid to Greece and $198 million in economic assistance. In return, the various governments of Greece from 1953 to the present have provided "rent-free" land for American military installations.

This year, President Nixon is asking Congress to provide Greece in "the overriding requirements of U.S. national security" a program of $20 million in military grants, $55 million in military credit sales and $38 million worth of excess weapons stock.

The request has already touched off a preliminary rumble in the authorizing committees of Congress. Last year Congress enacted a ban on military assistance and sales to Greece—but it left one loophole: the President could waive the prohibition in cases where he felt it was "an overriding requirement to the national security."

ONLY NATO DICTATORSHIP

Mr. Nixon promptly invoked it this year. "We gave you an escape clause which the President immediately used," complained Rep. Wayne L. Hays (D. Ohio) during a House Foreign Affairs Committee hearing last month.

The fact that the government of George Papadopoulos (or, in the coinage of critics, Papadocracy) is now the only military dictatorship in the NATO alliance has been a matter of some embarrassment to the United States and a handy cudgel with which to belabor military aid generally. It is also true that the United States is the only NATO ally to resume grant aid to Greece since the coup.

U.S. diplomats in Athens express to visitors the requisite amount of concern at the slow progress toward restoration of democracy by the junta. But they also take the position that there is little America can do about it and that the repressiveness of the regime has been over-advertised.

Aside from the direct grants, Greece receives large subsidies of economic and security assets stemming from its partnership with the United States in NATO.

Unpublished but official estimates in Athens show that the United States contributes $150 million out of $450 million worth of NATO projects in Greece. Included is Greece's share of such expensive electronic security networks as the $250 million NADGE (Nato Air Defense Ground Environment) system which stretches from Turkey to Norway. NADGE is an "electronic chessboard" that presumes the Soviet Union to be the opposing player.

A more elaborate electronic security blanket which will tie into satellites—the NATO Communication Program—will also provide participating benefits to Greece by 1977.

U.S. FIRMS REPRESENTED

American defense contractors are well integrated into Greece's share of the military-electronic-industrial security pie. Hughes Aircraft of Culver City, Calif. is the chief contractor in the NADGE industrial consortium. In the Greek Military Aid Mission there are 15 technical representatives of such firms as RCA, Lockheed, Pratt and Whitney and General Dynamics to service the complex computers and radars that have been given and sold to Greece.

Private investment is another major American economic input in Greece. U.S. investors have since 1953 provided about 40 per cent of the country's foreign capital. American dollars also comprise 60 per cent of Greece's foreign tourist earnings. The Esso-Pappas complex at Athens, directed by Nixon fund-raiser Tom Pappas, accounts for $166 million in investments alone.

When officials in Washington or Athens are asked to define the external threat to Greece, the answer more often than not is Bulgaria.

"There is no question that the Greek forces are outgunned by the Bulgarians," said a MAG officer in Athens. "The Soviets are giving them modern aircraft and artillery and they need modern howitzers on this side."

U.S. officials claim that a Soviet naval build-up in the Mediterranean could imperil the Sixth Fleet's ability to support Greece in the event the Bulgars try to smash through Thrace to the Aegean port of Salonika, or to the Bosporous Straits through which Soviet ships travel to the Mediterranean.

But as early as 1964, former Defense Secretary Robert S. McNamara turned a deaf ear to Greek entreaties for more aid to Athens on the basis of the Bulgarian menace. His suspicion was that Greece was more concerned about an attack through Thrace by its NATO ally, Turkey. In 1967 it took a major American diplomatic intervention to prevent the two U.S.-equipped NATO armies of Greece and Turkey from going to war over Cyprus. Today there is a far likelier prospect of a collision between Greece and Turkey over Cyprus than of either country going to war with socialist Bulgaria.

Greece's impending purchase of two squadrons of F–4 jet fighters with U.S. military aid financing has created severe alarm in Turkey as relations between the two countries are growing ragged again over the Cyprus question.

Adm. Horacio Rivers, NATO commander-in-chief for Southern Europe, maintains that neither Greece nor Turkey can afford to defend themselves. "Without our help their forces would just go down."

However Yugoslavia, which has no military allies and has received no aid since the mid-1950's, finances a defense budget nearly twice as big as that of Greece. Its gross national product is only marginally larger than Greece's.

Another argument by U.S. and NATO officials is that without American help Greece would have to divert money from economic and social development to defense.

But during the period of military rule in Greece since 1967, Greek defense expenditures have leapt from $240 million to $320 million. The defense share of the Greek GNP has gone from 3.7 to 5.1 per cent.

An important symbol of the security alliance between the United States and Greece is the JUSMAGG (Joint U.S. Military Advisory Group Greece) mission in Athens. It has 72 American military men and 38 civilian advisers.

MILITARY TRAINING PROGRAM

The JUSMAGG is an institutional hot line between the Pentagon and the military establishment that has ruled Greece since the coup. It supervises a military training program for the Greek army that has created an important "old boy" network of American-trained Greek officers.

Roughly half the division commanders and a quarter of the entire Greek officer corps have had some U.S. training at such schools as the Command and General Staff college in Fort Leavenworth, Kan., or the artillery, infantry and armored service schools at Fort Sill, Fort Benning and Fort Knox.

Some 12,000 Greeks have been given military training in the United States. Fort Sill conducts an artillery correspondence course in English that is being taken by more than 100 Greek military personnel.

As Congress now approaches its decisions on the new military aid program, the central issue concerning Greece is how far the United States should go toward continuing to under write a military dictatorship.

MORE AID AFTER CUTOFF

The United States formally suspended military aid to Greece after the 1967 coup to signal American displeasure with the junta government. Actually a staff study by the Symington Subcommittee on U.S. Security Commitments Abroad showed that Greece received—because of loopholes in the suspension order—$326.9 million during the three-and-a-half years of the embargo, more than it got during the previous three years.

But the aid program was resumed in 1970. Testifying to Congress on the resumption last year. Deputy Assistant Secretary of Defense James H. Noyes said the action rested "solely on NATO and U.S. security considerations . . . and should not be construed as a measure of U.S. approval for continuation of an authoritarian regime in Greece."

Yet a highly-placed member of the aid mission in Athens speaks of the program as an investment in an anti-Communist Greece, a guarantee that the present regime will not be replaced by a "fellow-traveling government that will sell America short."

U.S. ARMS PUT TURKEY ON SPOT

Turkey faces the harsh fact that it is a poor country in a club with some of the world's richest nations. The club is the North Atlantic Treaty Organization.

The fact was driven home by the impending U.S. installment sale to Greece of two F–4 Phantom jet squadrons (36 planes at $5 million each) to help meet NATO commitments. The deal is being financed under the 10-year repayment terms that the administration now wants Congress to extend to 20 years.

The Turks see in the fighter transaction the prospects of an Aegean arms race they are not in financial shape to sustain. Turkish officials in Ankara view it as a display of American favoritism toward Greece with the military aid credits.

Twice the two NATO allies narrowly averted going to war, in 1964 and 1967, in behalf of the Greek and Turkish residents on the island of Cyprus. The new Phantoms, say the Turks, would give Greek troops in Cyprus superior air cover if there should be a flare-up.

At this point tensions in Cyprus are growing. Any major crisis, such as the fall of President Makarios, could unleash forces that would bring the two Aegean mini-powers to the brink of war.

The specter of two American-equipped armies going to war with each other is a nightmare scenario for military aid planners.

India and Pakistan battled to a point of exhaustion in 1965 after a 22-day war with American-supplied weapons. That war resulted in an official U.S. policy of embargoing the sale and shipment of arms to the subcontinent—a policy that eventually sprang leaks and led by growing embitterment toward the United States.

DEPENDENCY GROWS

Today, Turkey is barely able to arm itself and to pay for the modern weapons that the NATO Defense Council deems necessary for the Turks. As more sophisticated equipment is introduced into the NATO armaments lifestyle, so grows the depency on the American logistical pipeline.

Unlike Yugoslavia, which has neither an aid program nor military allies, Turkey has not formulated an alternative defense policy that might enable it to withdraw from its high-priced NATO commitments.

In its new military aid bill the Nixon administration has proposed $100 million in direct military grants for Turkey, ranking it as the third heaviest beneficiary of the program, after South Korea and Cambodia. Last year Turkey's grant program was sliced from $100 million to $60 million as a result of congressional cuts in the foreign aid bill.

Since 1947 the United States has poured more than $3 billion worth of military assistance into Turkey. This has had the effect of keeping Turkey in the Western alliance. It has also strengthened local security for the secret electronic eavesdropping network in the East Mediterranean that has its ear cocked at the Soviet Union.

Turkey's agreement to play host for its portion of the electronics network for NATO's southern flank is a major justification for its share of the military aid program.

MOSTLY CLASSIFIED

The U.S. listening posts, known as "joint defense installations," are described by U.S. officials in Ankara as "highly elaborate, sensitive facilities which are vitally important to the security of the U.S. and Free World." The rest is classified, including the number of U.S. Russian-language officers in Turkey.

So sophisticated is the electronic spy game played between the United States and the Soviet Union that the NATO side was able to monitor the Russians as they monitored NATO during recent maneuvers in Greece and Turkey.

Since 1952 the American and Turkish officials entered into a series of understandings on the "common defense installations."

At first they were vague compacts entered into on the telephone or in cocktail conversation. By 1969 the two countries had entered into formal, written protocols regulating the American presence in detail, even down to the proper routes for U.S. military vehicles in Ankara.

Under these strict protocols, American dependents and servicemen live a semi-camouflaged existence in Turkey—not only for their own protection but also to keep the foreign guests in their place within the host country.

When Americans drive through the streets of the capital they are under instructions to keep their car doors locked. A U.S. Army colonel in Izmir confides that he uses a different route to work each day.

NO IDENTIFYING MARKS

The buses in which American children and dependents living in Ankara are driven to school resemble those used by the Turkish air force to make them less conspicuous. There are no identifying markings on most U.S.-owned cars, which enables them to blend in well with the jumble of vintage Chevrolets, Oldsmobiles and Fords driven by the Turks.

A policy of U.S. invisibility has been practiced since the wave of leftist demonstrations that culminated a year ago in the spectacular kidnaping, and later release, of four American Air Force men in Ankara.

Gone are the days," said an American with many years in Turkey, "when American soldiers climbed on the mosques and urinated down."

There is, at first glance, a touch of paradox in Turkey's seeking aid while insisting on a high degree of American invisibility. But it is a code of etiquette insisted upon by other governments, such as Thailand, as an affirmation of national sovereignty. National pride runs strong in both Turkey and Thailand, though both countries are among the United States top military aid clients.

As the Turks seek their contribution, they are not a dependent state in the trough of American largesse. One Turkish statesman described his country as a model of the Nixon Doctrine in action.

The American presence has been cut in half during Nixon administration. The U.S. manpower cuts were prompted by the desire to reduce American presence in the aftermath of bitter anti-American demonstrations. Another purpose was to save money.

The U.S. presence now numbers 7,300 men in uniform, 7,000 dependents and perhaps as many as 400 civilians. Five facilities, most of them radar units out-dated by satellites and other technological advances, have been turned over to the Turks.

This has left the host country with such nontransportable fringe benefits as bowling alleys and American-style toilets, as well as straight military assets.

Concomitant with the reduction of American manpower in Turkey, there has been an expensive upgrading in the military equipment and facilities that the Americans are leaving behind. This, too, would seem to be in harmony with the Nixon Doctrine formula.

At Incrik Air Force Base, for example, a NATO project is under way to harden the site of an American QRA (Quick Reaction Alert) Squadron of E4E Phantom II jets.

IMPROVEMENT NEEDED

American generals at NATO Southeast European headquarters in Izmir speak of a pressing need for more mobile radars, land-based air squadrons, better air defence communications and especially more modern tanks, aircraft and artillery for Greek and Turkish forces.

"Without the facilities in Turkey, we would definitely be hurting," says Lt. Gen. Richard H. Ellis, commander of the 6th Allied Tactical Air Force which has military responsibility for U.S. operations that might approach within 200 miles of Moscow.

Yet the Turks are beginning to realize that American aid has provided a security blanket that has tended to shield them from harsh economic realities.

The country is already spending $446 million a year on defense. That is 5.7 per cent of the Turkish gross National product, quite a lot for a poor country.

But the Nixon administration is asking the Turks to spend more on defense as their share of implementing the Nixon Doctrine. Turkey has reportedly agreed to raise its defense ante to 6 per cent of the GNP in exchange for more aid.

The poignancy of this is that Turkey is being pressed to raise its share of military spending at a time when the Congress is showing signs of rebelling against military aid, and when Soviet muscle flexing in the Mediterranean has become more visible than ever.

U.S. AID TO ETHIOPIA—FROM EMPEROR'S DENTIST TO JETS

When Ethiopian Emperor Haile Selassie pays his ceremonial visits to Kagnew Station, the U.S. intelligence listening post in Asmara, he often spends hours in an army dentist's chair with a nervous chihuahua growling in his lap.

The services to the emperor's remaining bad teeth are rendered as a courtesy, say officials at the facility, although he often bestows an expensive gift on the base as a token of the visit.

Aside from the dental care given its imperial ruler, Ethiopia's government has great reason to be grateful for the low-keyed American military presence embodied in Kagnew Station and its giant receivers that are turned toward the Soviet Union and the Middle East.

Kagnew is perhaps the most sensitive aspect of a 19-year-old commitment to Ethiopia which has enabled Haile Selassie to build his imperial armed forces into the predominant military power in black Africa.

The commitment has been carried out under a policy of calculated secrecy by Ethiopian and American officials alike.

"A little secrecy is a good thing in this part of the world," said one Ethiopian official who, like most Ethiopians interviewed during a two-week visit, asked not to be identified. "We have many enemies."

Secrecy is an important ritual in the emperor's style of governing the Christian-dominated Abyssinian highlands and the Moslem and animist-populated coastal and

desert belts that comprise Ethiopia. In military matters this is especially true. Consider these cases:

Using American weapons and training, Israeli police and military advisers and some West German-supplied police equipment, Haile Selassie's government is effectively suppressing a rebellion that has simmered in Ethiopia's Red Sea province of Eritrea since 1962.

But neither the Ethiopian public nor even the highest American officials seem to be aware of the degree of American involvement in the Eritrean insurgency. Israeli and German diplomats request that their security assistance to Ethiopia not be mentioned in print.

The Ethiopian public has, in fact, never been officially told there is a rebellion in Eritrea. Government officials claim that the Eritrean Liberation Front's periodic ambushing of troops, derailing of trains or halting of buses on main roads is the work of money-seeking bandits or Syrian-supported agitators.

Local media recently reported that two American civilians injured in an airliner crash in Addis Ababa were flown to Asmara for treatment. But the newspapers said nothing about the large U.S. Army hospital where they would be treated. The existence of the American facility is not generally publicized within Ethiopia.

The first public statement spelling out the American military commitments to Ethiopia dating back to 1953 was made in the heavily censored transcript of the Symington Subcommittee on American Security Commitments Abroad in 1970. These commitments cost the United States at least $160 million in military spending, helped to keep a large American intelligence-gathering operation in northeast Africa and tended to fuel an arms race in the horn of Africa among Ethiopia, Somalia and the Sudan.

U.S. Ambassador E. Ross Adair, a former Republican Congressman from Indiana, says the $160 million spent on Ethiopia since 1953 is "a drop in the bucket, compared to our programs in Southeast Asia, Cambodia, Turkey or Korea." But he readily acknowledges that "when we discuss it with the Ethiopians, we point out to them that it is the lion's share share of our program for Africa. But in reality that kind of figuring is deceptive."

According to the picture drawn in official briefings and statements, the 97 American military advisers now in Ethiopia stress supply and communications training, and the role of Kagnew Station in relaying messages and conducting atmospheric research.

That picture is largely accurate, as far as it goes. Despite its officially described peripheral nature, however, the U.S. role in Ethiopia is more complex and controversial than officials wish to admit.

One of the key training programs MAAG (the military assistance advisory group) is conducting at the moment, for example, is to use the M–14 automatic rifles the United States began supplying Ethiopia last year. Most of the M–14s given to Ethiopia thus far have gone to equip three battalions in Eritrea. A U.S. Army major and two non-coms stationed in Asmara for MAAG supervise the training at the divisional level.

Even the small amount of U.S. economic aid allotted for use in Eritrea has become entangled in the counter-insurgency effort. About 2,000 tons of American wheat is used to recruit workers to build military airstrips around the Eritrean town of Kéren.

Ambassador Adair asserted that he had not known about the use of the wheat for the airstrip project. "I had been assured that the emphasis was on road-building and forestry projects," he said. "We do not want any kind of involvement of Americans in anti-guerrilla activities."

The initial agreements on the American military aid program to Ethiopia and the Ethiopian government's permission for the United States to use Kagnew were signed the same day, May 22, 1953.

Yet the MAAG commander for Ethiopia, Brig. Gen. John W. Collins III, and Kagnew's commander, Lt. Col. Chuck Light, denied in separate interviews that they knew of any interrelationship between the presence of Kagnew and the level of aid programs.

"Because the agreements on Kagnew and the military assistance program were signed at about the same time in 1953, a lot of people would say there is a quid pro quo," said Collins. "As far as I am concerned, that is not the case . . . There may be some element of quid pro quo that I don't know about, but it doesn't affect the job we are doing here."

Col. Light said: "We do not have anything to do with MAAG. We just go to work out here every day and don't worry about what other people are doing."

Although Light insisted that Kagnew's mission cannot be divulged publicly for security reasons, there are credible reports here that the station's receivers listen in on Southern Russian and Middle East Arab communications systems as well as relay official U.S. governmental messages. Light declined to comment on these reports.

Ethiopian officials also are anxious to discourage the notion that the $12 million level of American military aid spending is a trade-off for the right to operate Kagnew on Ethiopian soil.

"Even if Kagnew is not here any longer, we would hope that America would continue its aid as before at least," Lt. Gen. Debebe Haile Mariam, governor-general of Eritrea, said in an interview. "Our relations should not be based on Kagnew's presence."

The point is especially relevant now because of indications that Kagnew's importance as a communications and surveillance center is declining. Substantial cutbacks in the 1,800-man staff and their dependents are to take effect by June, along with heavy reductions in the operating costs of the base, which were $12.7 million in 1970.

Diplomats in Addis Ababa speculate that increasing reliance on satellites for intelligence and a reorganizataion of defense intelligence activities to reduce the marginal data fed into Washington are important factors in the decline of Kagnew's importance as a listening post.

An American familiar with Kagnew's work said, "At one time it probably would have been valuable to try to pick up chance Russian communications in the open from a station like Kagnew. But if that is their mission today, they are probably wasting their time. The Russians don't seem to be making those kind of mistakes any more."

A Kagnew technician recently told a colleague: "We are listening mostly to garbage."

Light predicts, however, that despite personnel cutbacks Kagnew would remain at the same level of operation until the 25-year base agreement with Ethiopia expires in 1978.

A former foreign service officer who had served in Ethiopia described the station's role this way: "Kagnew is convenient, but dispensable." That assessment might well apply to the entire U.S. military presence in Ethiopia.

Ambassador Adair describes Kagnew as "an important element" in the American decision to invest 80 per cent of its African military aid budget in Ethiopia. But he insists that "you can't assign a specific dollar figure to our interests in having Kagnew here."

Undoubtedly the United States would spend far less in Ethiopia if the Kagnew agreement had been drawn as a straight base-rights rental payment. The United States pays about $800,000 in military aid to a North African country (its identity is classified, but it is presumed to be Morocco) for rights to operate a similar facility.

American officials who helped design the military aid program and now work in Ethiopia describe its purpose as being as much a means of bolstering a regime friendly to the United States and unfriendly to the Russians and radical Arabs as it is a rent payment for Kagnew.

Adair variously described the purpose of U.S. arms aid as to insure domestic tranquility within Ethiopia, to keep peace in the horn of Africa, and/or to help the emperor defend himself against the Russian-backed Somalis and Sudanese.

Haile Selassie's fears of aggression by Somalia in 1960 stimulated a series of executive agreements which committed the United States to such measures as training and equipping a fourth division in Ethiopia's 40,000 man army; establishing a Haile Selassie I University; providing aid to the Ethiopian police and reaffirming America's "continuing interest in the security of Ethiopia and its opposition to any activities threatening the territorial integrity of Ethiopia."

These commitments were expanded in agreements signed at executive level in 1962, 1963 and 1964. The 1964 agreement, for example, gave the emperor a squadron of F–5 jet fighters for the Ethiopian air force.

Haile Selassie has managed to justify his requests for U.S. aid by invoking the specter of invasion by Somalia or Sudan. Adair concedes that the United States and the Soviet Union may have been sucked into what he calls a "miniature arms race" in the horn of Africa.

No member of the U.S. diplomatic establishment in Ethiopia was willing or able to assert just what all this has to do with furthering American strategic interests in Africa.

A private conversation with one of the more candid American diplomats produced this assessment, which probably serves as well as any:

"I don't think anybody can really say why we are so involved here. Like most of our involvements in the Third World, it just happened."

EL PASO NATIONAL DEMOCRATIC WOMEN'S CLUB SOFTBALL CHAMPS

HON. RICHARD C. WHITE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WHITE. Mr. Speaker, a scarcely noticed event took place in El Paso, Tex., recently which I accept as an omen of good for my colleagues on this side of the aisle. After suffering narrow defeat at the hands of the El Paso Westside Republican Women's Club for 2 consecutive years, the softball team from the El Paso National Democratic Women's Club rose in magnificent wrath 2 weeks ago and took a rousing win over the Republican ladies. The final score was 27 to 5, hardly a contest at all, and it is because of the significant runaway nature of the outcome that I enter the results of this Democratic romp in the RECORD. I am proud to say that my fine El Paso office staff member, Mrs. Enriqueta Fierro, was a member of the Democratic ladies' team and that as president of the National Democratic Women's Club of El Paso she had the honor of accepting the game trophy. Thank you.

COMMUNIST INFLUENCE IN SOUTHERN AFRICA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SCHMITZ. Mr. Speaker, the "liberal" and Communist press of the World is continually berating the government of Portugal for successfully putting down Communist invasion and insurrection in Mozambique and Angola. Thanks to a good friend in the local Washington area, my attention was directed to two recent articles that give more documentation to the total Communist commitment, particularly from Red China, to the takeover of Southern Africa. The first article appeared in the New York Times of April 4, 1972. Under the byline of Dr. Jack Penn, the article is a clear indictment of the typical Western "liberal," who, shaping and fitting ideals to the contours of his own mind, has tried to create an issue of racism where none in fact exists. The second article is a review of an unsigned diatribe against Portugal, by the eminent John Eppstein, distinguished English man of letters, author of "British Survey," and former Secretary General of the Atlantic Treaty Association. Both of these articles are superb educational tools for those who sincerely wish to understand the integrity of Portugal's position.

The articles follow:

[From the New York Times, Apr. 4, 1972]

COMMUNIST INFLUENCE IN SOUTHERN AFRICA

(By Jack Penn)

JOHANNESBURG, SOUTH AFRICA.—Slogans and the persistent use of indoctrinating phrases are capable of blunting the perception of even the most objective mind. In this respect there is none so clouded in hypnotic power as the phrase "freedom fighters" as it applies to Africa. This grandiloquent title has stimulated the imagination of the Western liberal as consisting of brave black men attempting to eliminate the oppressive white man from the black man's land in Africa.

What are the true facts—for example, in Mozambique, where guerrilla warfare has been raging for over ten years?

The Portuguese have been in Mozambique for over a hundred years longer than the Americans have been in the New World. There are no segregation laws in Mozambique. There is no forced segregation as in South Africa, or forced integration as in the United States. Every man, white or black, is a Portuguese citizen and may integrate or segregate as he wishes.

There was peace in the land until the Communists took a hand in the situation. The Russians and Chinese have similar motives and similar methods, but in Southern Africa the inroads of the Chinese Communists are predominant as the Russians are concentrating on the Mediterranean and the Middle East.

The focal line of Chinese Communist infiltration is along the Tanzanian-Zambian railway presently being built by the Chinese. This is calculated to enable tens or hundreds of thousands of Chinese to come to Africa to strengthen their hold, in the first instance across the waist of Africa all the way from Dar-es-Salaam to Lusaka, and then to spread south in order to take control of the whole of "white" Southern Africa and the sea route to Europe and the U.S.

Along the borders of Tanzania are to be found the Maconde tribes, intelligent and artistic but primitive to a degree. Until recently they were cannibals. They still assume the habits of their past by filling their teeth and lacerating their faces, presumably to terrorize their neighbors. Many of the Maconde have been educated by mission schools and a small percentage have been granted scholarships in the U.S. and Europe where, fully educated, they have been snapped up by the Communists and trained in sabotage and guerrilla warfare in Moscow or Peking for two to three years.

They are then brought back to Tanzania as officers of the guerrillas. Headed by Chinese tutors they enter the Maconde villages to kill the headman in each village. This leaves the village without leadership and the men in the village are now "persuaded" under pain of extermination to become Frelimo and to learn to sabotage Portuguese transport. The Portuguese authorities, to counter this, have amalgamated the villages, enabling them to be protected. This has lowered the recruitment of unwilling Frelimo considerably.

The majority of the Maconde are against interference by the Chinese and form over 90 percent of the anti-guerrilla forces in this area. Thus, the black guerrillas are not fighting white Portuguese but black Portuguese, who are the real freedom fighters. The Portguguese military hospitals treat the Frelimo and loyal casualties in the same wards, without preference or favor. The result is that information given by the enemy casualties enhances the efficiency of the intelligence service of the army and those who are fit to fight again usually join the antiguerrilla forces, particularly as their families are now protected. The Portuguese are able to contain most of the terrorists effectively and will continue to do so until and unless there is an alteration of tactics.

The Chinese, however, are diligent, hard-working and intelligent. Their most important factor is patience, based on their religious belief in reincarnation.

It is obvious that the policy of the Chinese Communists is to eliminate the Europeans by using the black tribes for this purpose. If this were to succeed they would encourage intertribal warfare and probably total subjugation of the blacks. In this respect, paradoxically enough, they have been greatly assisted by Western democracies who have not only supported the terrorists by donating funds, but are actively preventing the rest of Southern Africa from obtaining arms needed for self-defense.

We are witnessing here the early skirmishes of the third world war. At the completion of the Tanzania-Zambian railway the Chinese hope to swamp Southern Africa from the north. The coastlines are already patrolled by the Russians.

The whole of Western civilization is next on the list and will remain vulnerable until we learn to judge our friends by their friends.

WAR ON THREE FRONTS

This unsigned diatribe follows the familiar line of the anti-Portuguese campaign. The introduction concludes, only too truly, that "the fight in Africa and the fight in Europe are one." The main thesis is quite simple. Portugal is a Fascist country in which "most of the people live under a reign of terror." It's Government clings to its African dependencies for prestige and for the money it makes out of them. Every measure taken in recent years to improve the condition of the African population is either ignored or represented as a fraud. The hoary myths of forced labour and downtrodden natives are repeated. The programmes of the Liberation movements, which are said to control most of Guinea and large slices of Mozambique and Angola, "reach beyond nationalism and reform, envisaging specifically the complete overthrow of the Portuguese regime by force if necessary."

COMMUNISM

Two ogres combine to thwart this beneficient design—NATO and South Africa. There is no mention, however, of the good fairies by whom the three Liberation Movements selected for praise (MPLA, PAIGC and FRELIMO) are in fact armed and trained for the fray, namely the Soviet bloc and China. It is not immediately apparent why it is sinful for the Portuguese to buy, wherever they can in the West, combat or transport aircraft to defend themselves, while it is perfectly virtuous for the amiable Mr. Amilcar Cabral to obtain, say, 101mm. Soviet rockets with which his braves, ensconced in foreign territory, are busily massacring African villagers in Guinea or for FRELIMO to have an ample supply of Kalashnokov and Simanov automatic weapons, mortars and plastic mines from China. Indeed what is particularly dishonest about the whole of this propaganda is that it is double-faced. While Messrs. Cabral, Neto, Santos or Samora Machel make no bones about their communist allegiance when they are consorting with their comrades in Russia, China, Cuba or Algeria, the very world communist is suppressed in all their publicity in Britain, Western Europe and the United States. The cat however jumps out of the basket in this tract. We are told that in MPLA, FRELIMO and PAIGC "participation in government is restricted to *party* members" (this is supposedly liberated areas) ; that "regional committees are responsible for the implementation of the *parties'* policies" and that meetings are called for all inhabitants of a village to discuss with *party* members the party's policies. The formula is all too familiar. As for the kind of subversion which the MPLA practices on tribesmen in eastern Angola, it is, we read, "the centre for Revolutionary Instruction (CIR) which is in charge of education . . . The CIR also runs similar courses outside the country and altogether they were able to train 1,300 militants in 1969." Just the thing for the World Council of Chuches to finance!

LIBERATION

Why, ideology apart, have the "liberation movements" failed, as they clearly have done after ten years, to win the support of the population as a whole in any of the three Portuguese African territories?" *"War on Three Fronts"* offers us no explanation. There are several reasons which are apparent to the observer who, unlike the author of this pamphlet, has recently travelled as I have done through the parts of Angola and Mozambique * which have felt the impact of the "Liberators."

In the first place these areas, with two exceptions (the wooded Dembos mountains and the Mueda plateau) are vast, sparsely inhabited tracts without towns or even important agricultural enterprises. Hard as it is for the tribesmen caught between two fires, and great as are the army's difficulties in coping with the rural guerrilla in such circumstances, these goings on in the wilderness have no effect upon nine-tenths of the population in either Province or upon its economic prosperity. They are further from Luanda or from Lourenço Marques than Ulster is from London.

WORLD EXPERTS

Secondly the Portuguese armed forces are now the world's experts in counter-insurgency. Ever since 1961 they have proved more than a match for any military thrust of the insurgents except for the pressure of FRELIMO in 1967. But the heavy defeats of FRELIMO last year in Cabo Delgado have loosened its hold on the Maconde, the only tribe of importance from which they have

* I have no personal knowledge of Guinea.

drawn their fighters, and established the army's acendancy in Mozambique. Its defensive perimeter around Cabora Bassa has proved effective. In Angola the MPLA are chiefly concerned to avoid tangling with the troops. In the first six months of 1971 (according to official figures) 31% of all terrorist actions were attacks on civilians, only 8.1% were attacks on the troops; the remainder were mainly minelaying or mortaring from a distance.

Thirdly there is a fighting spirit among the people, who give every evidence of the conviction that they are defending their country against external aggression; this is, of course, reinforced but cannot be created by official propaganda ("All united we shall make a better Angola", say the ubiquitous posters in that province, showing Black and White comradeship). I have spent some time with various units of the provincial forces in both countries, including the Special Troops. Black volunteers vigorously trained as commandos after completing their national service.

ALL BLACK

Their morale and discipline are impressive. Two-fifths of the armed forces (roughly 40,000) are provincial troops, nine-tenths of them Black. To the regulars and Special Troops must be added the steadily increasing total of the militia—all Black—who undertake the defence of the *aldeamentos* and other villagers armed for self-defence. There must now be 25,000 of these now in each province. In other words Portuguese African troops alone greatly outnumber the combined forces of the "Liberation movements" (not that they are remotely likely to combine). This alone is evidence of the stupidity of the Pan-African propagandists who continue to assume, as this pamphlet does, that their beloved Black-versus-White complex exists in Portuguese Africa. If it did, it would be suicide for the Portuguese authorities to arm their Black citizens to this extent.

ALDEAMENTOS

The policy of "villagisation" is the main means adopted by the authorities to protect the population counteract subversion and at the same time promote social progress in the areas affected by hostile infiltration in Eastern Angola. Cabo Delgado, Niassa and Tete in Mozambique. It was therefore to this that I gave most attention when visiting these parts in October 1971. A typically malevolent travesty of this policy is given in this booklet in its reference to Tete. After saying that "the South Africans have already sent troops to reinforce the defenses of the area," which I am satisfied from all that I learnt from the military authorities there and my visit to Cabora Bassa, is a downright lie, it goes on "Their (Portuguese) tactics include clearing the area of its inhabitants by putting them behind barbed wire in protected villages."

SELF DEFENCE

I saw in all fourteen of these new villages or *aldeamentos* in Mozambique and Angola and I did not personally see a single strand of barbed wire, though I know that some villages, exposed to areas of violent subversion, have barbed wire and also shelters against mortar fire. The protection, except for the proximity of a military unit in some dangerous spots (e.g. the *aldeamentos* at Mueda on the Maconde Plateau and Santa Eulalia in the Dembos are next door to Brigade Headquarters) consists in organised self defence by the villagers themselves. Each *aldeamentos* has its own militia, varying from 30 to 60 men, according to size, armed with mauser rifles, the leaders having automatic rifles or submachine guns. They are well trained and, from what I saw of their exercises, quick off the mark. It is rare for the "terrorists" to attack an *aldeamento;* they go for the undefended kraals and scattered huts.

But what is the particular reason for the creation of *aldeamentos* in the Tete district, apart from the resettlement of the 25,000 people who will be displaced by the great lake above the new dam which is the responsibility of the national board, or *Gabinete,* for the Zambesi Development Project?

RECRUITMENT

FRELIMO, having been severely defeated during the last year in Cabo Delgado, have transferred their main attention here in an attempt, hitherto wholly unsuccessful, to interfere with the building of the Cabora Bassa with the building of the Cabora Bassa dam. The difficulty, which the able and ruthless FRELIMO commander, Samora Machel and his Chinese instructors face, is the shortage of troops; for the Maconde, worsted in their own highlands, refuse to fight in this part of the world. The method of collecting recruits is to send small parties of five men, organized by political commissars to as many as possible of the scattered settlements of their thinly populated area with its mosaic of tribes. They ask the *soba* (headman or chief) of a village or a group of villages to come aside and talk to them. If he shows any reluctance to meet their demands for recruits or food—and generally if he speaks Portuguese—they shoot him and carry off from the terrified village a few men and boys for training and indoctrination, many of whom escape and tell the tale (some bringing with them their little Red Books of Chairman Mao printed in Peking in Portuguese). Between January 1st and June 30th, 1971, FRELIMO murdered in this way thirty two unarmed chiefs and eight in the next two months. As it is impossible for the army to give protection to every hamlet, the only answer to this cruel "selective terrorism" is to form large, compact villages in which the people can defend themselves. There are already 114 of these *aldeamentos* in the Tete district: the target is 300. Over 300,000 of the Maconde and Macua tribes have been settled in 273 *aldeamentos* in Cabo Delgado. In the Niassa district there are 116 with 170,000 inhabitants.

MUTILATIONS

The same policy has been followed in the huge area of the Eastern Command at Luso in Angola: the Moxico and Cuando Cubango districts alone are larger than France but account for only 7% of the population of the Province. Here the same "selective terrorism" is operated by the MPLA, who have infiltrated the whole area from Zambia, for their press-ganging purposes; murders varying from half a dozen to twenty a month are reported and occasional mutilations, chiefly by slitting or cutting off ears, with 100 or more men and women kidnapped. The army, however, has had great success in recovering the population from terrorist control and many who have been subverted surrender under amnesty. (Over the last four years the numbers thus "recuperated" have averaged about 1,000 a month.) These and other countrymen are grouped in the largest clusters of *aldeamentos* which I have seen, around Luso and along the busy Benguela Railway as far as Lumege, while others are located more sparsely further south. The majority of the population of Moxico is now accommodated in these hundreds of new villages. Some are also well established in the now peaceful north of Angola where they were first formed. There must now be at least a million people living in the *aldeamentos* of the two Provinces.

OPPORTUNITIES

This is creating an entirely new social structure in these hitherto under-developed parts of Central Africa. While self-defence is the primary and evidently successful purpose of the *aldeamentos,* the opportunities which they give for educational and agricultural progress and the improved health of the people are very great. While it was impossible to provide a school for tiny scattered hamlets, one or more primary schools—the familiar white building with its four classes and earnest young African teachers—seem to spring up like mushrooms in every *aldeamento* even before the majority of wattle and thatched houses are replaced, as they all are gradually, with permanent buildings of concrete and clay blocks. I find no difficulty in believing that school enrollment rose in Angola from 119,000 in 1960 to 500,000 today or that there are 622,000 boys and girls at school in Mozambique. Nearly every village has its piped water supply a boon to the African woman. In the surrounding land provided for cultivation (still mainly cassava and maize) improved agricultural methods are taught as soon as possible; and while the dislocation of population by the guerrilla movements impedes the systematic vaccination against sleeping sickness, cholera and other tropical diseases or the immunization against malaria, on which the Portuguese health authorities are so keen, this concentration of population enables the prevention of illness to be carried out systematically.

MAKE-BELIEVE

If, as has often been said, the shock of the Bacongo explosion in 1961 stimulated the Portuguese into a programme of social, educational and economic reform which has achieved more in ten years than was accomplished in Angola and Mozambique in the previous century, it is equally true that the rural guerrilla to which the backward, peripheral areas of the Provinces have been subjected during that decade is producing, through the *aldeamento* policy, the social reconstruction which I have described. Such I believe to be the true picture of the human consequences of the petty terrorism to which, failing the possibility of military victory, the "liberation movements" have been reduced in the sparsely inhabited border lands in which they play hide and seek with the Portuguese forces. Such are the "liberated territories" to which so much solemn make-believe is devoted in this pamphlet. When one sees on the map Porta Amelia, with its regular air service, or Vila Cabral and Nova Freixo, where I have been, included in the "liberated area" of Mozambique—places where no FRELIMO militant has been seen for years—or even Mueda which is the centre of continuous Portuguese military operations to mop up the remaining FRELIMO pockets in the surrounding woods, one is pardonably sceptical about the pretended social development of these imaginary "liberated areas".

TERRY'S DECISION HIGHLIGHTS PLIGHT OF CONGRESSMEN

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. HUNGATE. Mr. Speaker, we are all sorry to lose our good colleague, JOHN TERRY, by retirement and following is the article which outlines the problems with which all Members of Congress are painfully familiar:

[From the New York Times, Apr. 30, 1972]

TERRY'S DECISION HIGHLIGHTS PLIGHT OF CONGRESSMEN

(By Richard L. Madden)

Well into his first term in the House, Representative John H. Terry, a Syracuse Republican, seemed to have established a secure base for a long and successful Congressional career.

Even Democratic politicians in Syracuse regarded him as a shoo-in for re-election.

He had established a somewhat conservative voting record in the House, which fit nicely with his constituency back home, and a good attendance record, even while commuting home most every weekend to make appearance in his nine-county district extending across the Finger Lakes.

At age 47, with 11 years on the Onondaga County Board of Supervisors and eight years in the State Assembly at Albany behind him, he had moved easily into the politics of the House as an active and enthusiastic member of the Interior and Public Works Committees.

Yet, a week ago, Mr. Terry stunned his colleagues here and the politicians back home by announcing that he would not be a candidate for re-election to a second term.

FAMILY TIES STRONGER

Mr. Terry's decision to give up Congress—"and I love this place," he insisted—and to return to his law practice in Syracuse at the expiration of only one term points up some of the seldom-talked-about problems that a number of members of Congress encounter when they try to combine a career in Congress, the political work to get re-elected every two years from their home districts, and their family life and financial security.

In Mr. Terry's case, according to his own account, he opted for the family.

As he sat in the Speaker's lobby off the House floor the other day and discussed his decision not to run again, it was apparent that the actual financial cost of being a Representative was brought home to him for the first time when he signed his Federal income tax return two weeks ago.

The Congressional salary of $42,500 "is a helluva lot of money," he said. But by the time other costs are added in, maintaining an apartment here and the family home in Syracuse, travel back and forth, trips and appearances through the nine-county district, picking up the tab for a lunch or a drink—"How can you make ends meet does present a problem," he said.

Mr. Terry explained, for example, that he made 47 round trips last year between Washington and Syracuse. The House reimburses its members for only 13 such trips a year and the round-trip air fare in his case can range from $64 to $80 a trip.

EXPENSES ARE HIGH

He opened an extra district office, partly at his own expense, in Shortsville in Ontario County, he said, "because I didn't think a guy living in the far edge of my district should have to travel 100 miles to see his Congressman." The telephone bill for his district offices last year, he said, amounted to $2,360. His House allowance for the phone service was $1,200.

"Sure I could cut down on some of these things and save a few bucks but I wouldn't be doing the job," he went on. He said he was not advocating higher salaries or allowances. In his years in public office, he said, he has received salary increases but had never voted for them, "so I don't want to be tabbed as advocating spend-money. But it does present a problem."

In announcing his decision not to run again, Mr. Terry also noted that one of his daughters had one more year of college left and two other daughters had their college education ahead of them. A fourth daughter, whose husband is missing in action in Vietnam, also lives at home.

Even when he is home weekends, he said, the political obligations to meet constituents, to make appearances and to attend functions severely limit his time with his family. A number of members of Congress have resolved this problem by moving to Washington, but Mr. Terry said he did not want to uproot his family at this point.

So at the last minute and with time to circulate petitions for renomination upon him, he said he decided to go back to Syracuse and to his law firm, where he started out as a law student making 50 cents an hour putting books back in the library shelves and where he was a senior partner before being elected to Congress in 1970.

Had he not made his decision now, he said, "the next two years would have been that much farther down the road" and it would be more difficult to return to his law practice.

The surprised Republican County leaders have designated former Mayor William Walsh of Syracuse as the Congressional candidate to replace Mr. Terry.

As he walked from his office to the House floor to vote one afternoon this week, Mr. Terry was stopped by two Democratic Representatives who wanted to shake his hand and to ask if they could talk him out of his decision. "No," Mr. Terry replied, "I've loved it, but with the family—it just didn't fit," he added, entwining his hands together.

"I can understand that," one of the other Representatives said. "My kids are grown and away from home. If they weren't, I don't think I could do it either."

PRESIDENT NIXON'S TOUGH ANTITRUST POLICY?

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. LEGGETT. Mr. Speaker, last week, the President, through his Cost of Living Council announced the lifting of controls on over 5 million small firms. The purpose of this move was to allow the enforcement arms of the program, in particular, the Internal Revenue Service, to concentrate on that small number of very powerful firms whose price and wage decisions affect the economy each day.

I personally feel that this action was taken correctly. That is the reason I must shake my head in bewilderment over the contradictions that characterize this administration.

The Congress and the American people are told time and time again that this administration does not favor big business, and in fact actions are taken which should result in antitrust actions being initiated to break up these huge monoliths only to have the rug taken out from under each initiative.

During the most recent ITT scandals, the administration pleaded that it was the Republicans that brought ITT to court to divest itself of its controls over so many other industries. And yet, we are now told that the President, through his Office of Management and Budget, has cut drastically into the staffing of the Federal Trade Commission thus further insuring that no cases against the concentration in the steel, energy, drug and electrical equipment industries will be brought.

Mr. Speaker, either this is the case of an administration without a head, or we are having revealed to us in the clearest of all terms, that the President has no intention to bust up big business concentrations.

In either event, it is plain that the American citizen is the doormat of big business and will continue to be so as long as this administration is in office.

I would like to take this opportunity to introduce an article tracing the most recent emasculation of the Federal Trade Commission into the RECORD. This article by Bailey Morris of the Washington Evening Star, Wednesday, May 3, 1972, while not pleasant reading, is indeed instructive of the real purpose and meaning of the President's "antitrust" policies:

[From the Washington Star, May 3, 1972]

FTC CHIEF SAYS OMB CUTS SLOW PROBES

(By Bailey Morris)

The chairman of the Federal Trade Commission has disclosed that some of the agency's large scale antitrust investigations have been slowed down as a result of manpower cuts dictated by the Office of Budget and Management.

Miles W. Kirkpatrick, under congressional questioning at budget hearings yesterday, said the FTC had "laid aside" an investigation of concentration in the auto industry because of "lack of manpower".

In addition, Kirkpatrick said the FTC will not be able to get to a study of concentration in the steel industry which it had been considering.

Steel was laid aside because of lack of manpower and other considerations which cropped up Kirkpatrick said.

He added that the agency had other concentrated industry studies in mind but they will not be turned out fast or as quickly as they would have been done if the manpower requested in its fiscal 1973 budget had been approved.

OTHERS CONTINUE

Kirkpatrick revealed that the controversial studies had been stalled in answer to questions raised by Rep. Frank Evans, D-Colo. Still ongoing are studies of concentration is the energy, drug and electrical equipment industries.

Evans also asked Kirkpatrick to explain why the FTC, in light of its reports on assets controlled by the 200 largest corporations and other merger data, had asked for nine less lawyers in its Bureau of Competition than it requested in the prior year.

"You're being allowed by OMB to request 9 less than you state you need for adequate anti-trust activities—is that correct," Evans queried. Kirkpatrick said, on the basis of manpower requested, the answer was yes.

In other action, Kirkpatrick disclosed that the FTC's Bureau of Competition is now devoting about 50 percent of its resources to studies of the food industry.

REPORT ON FOOD

This has resulted in an investigation study of the dairy industry and a new updated report to be released this Fall on the structure of the food industry itself, Kirkpatrick said.

He disclosed the studies in answering a question posed by Rep. Jamie L. Whitten, D-Miss., chairman of the House Appropriations Subcommittee.

Whitten, expressing concern over the effects of "bigness" in food marketing, said he had noticed that "the FTC plans to dig into food distributes problems."

Turning to other matters, Whitten, reading from a study of the FTC prepared by Congressional staff members, said it appeared that the agency "lacks definitive policies as to where it is going."

PLANNING PROBLEM

Kirkpatrick, saying that planning has been a "perennial problem" at the FTC, told the committee that the agency has requested funds for computerized planning tools and more economists to help it keep track of its caseload and to set priorities.

"We've gone ahead in this area," the FTC Chairman said, explaining that the first phase of its computerized studies, which

includes a "planning inventory system," is well underway.

In answer to remarks by Whitten that it appeared the FTC "does little to follow up" or police consent orders negotiated and proposed complaints, Kirkpatrick cited manpower problems.

ONE-MAN STAFF

The FTC's compliance efforts have been weak, Kirkpatrick said, because of lack of manpower to carry them out. Each FTC Bureau has a compliance staff, the chairman added, but in the Bureau of Consumer Protection, the FTC's largest, the staff is composed of just one person.

Altogether the FTC is asking Congress to approve an increase in its fiscal 1973 budget of $1.88 million and appropriate 20 new positions.

The funds are "the minimum needed" to allow the FTC to keep up its antitrust and consumer protection activities, Kirkpatrick said.

He told the committee that in the first nine months of fiscal 1972, the FTC has issued more final orders than for all of fiscal 1971 and fiscal 1970.

So far this year, 228 final orders have been issued as opposed to 208 in fiscal 1971 and 217 in fiscal 1970, he said. In addition, 10 formal complaints are pending in the Bureau of Competition and 39 are pending in the Bureau of Consumer Protection, he added.

The increased case load, which includes 54 "tough ones" on the docket now, are the result of a deliberate policy change by the five-member commission, according to Paul Rand Dixon, FTC commissioner also present at the hearings.

Commissioners decided that "we're going to be tough now," Dixon said and as a result, the agency has been involved in more litigated cases and fewer consent order agreements, he added.

LONG BEACH, N.Y., IS 50 YEARS YOUNG

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WYDLER. Mr. Speaker, the city of Long Beach is where I grew up as a boy and where I went to school. The recent reapportionment has meant that the city has become part of my new congressional district, and I look forward to serving it in the Congress of the United States.

Long Beach is celebrating its 50th anniversary year. Its residents and organizations are producing over 70 separate events during the next 6 months to celebrate this milestone and to stimulate civic pride in what has become an all-year residential community.

During these 6 months there will be street festivals, field days, concerts, historical pageants, fireworks, square dancing, displays, parades, and contests. In addition, there will be a city-wide beautification campaign with a clean-up drive and planting of shrubs and trees, as well as a refurbishing of store fronts and public and private buildings.

Theodore Ornstein, distinguished citizen of Long Beach, is chairman of the 50th anniversary celebration. The goal is to revitalize Long Beach as a dynamic model city. What follows are some "Memoirs—Of a Lovely City," by Thomas E. Ireland, Sr. Many of the things he talks about are part of my boyhood memories:

MEMOIRS—OF A LOVELY CITY

(By Thomas E. Ireland, Sr.)

As a boy my family spent the summers of 1920 and 1921 as summer residents here in Long Beach. I was four years old and the youngest of my widowed Mother's five children. Then in 1922, my Mother had Edward Farrell the builder, build 87 Pennsylvania Avenue for our family. We spent the next several summers here after that.

Long Beach's main avenues were all made of pretty red brick roadbeds which were installed by Connor Bros., who were resident contractors. The red brick was most attractive and lasted for decades. Some of it is still in evidence today; more than 50 years later.

The West End streets from Ocean to Bay were paved in a light sandy colored concrete; which was joined perhaps every fifty feet or so; with a cross rib of thick black tar seams. The wider avenues; such as Pennsylvania, Delaware, Arizona, etc., had a narrow elevated concrete island in the middle. It was on this center strip that concrete light poles were installed.

The summer sun would melt the tar strips and the children's favorite pastime (including mine) was to scoop it out on sticks and fashion our initials on the broad cement light poles. At summer's end, all knew that his initials would remain there for posterity. They did, and greeted us upon our return each summer. Several years later I returned very proudly to show several of my own children Daddy's initials; still vivid on one or two light poles on Pennsylvania Avenue. The center islands created a traffic hazard as the City grew and were removed, light poles and all. I would guess sometime in the late forties or early fifties.

Whether "swimming" or "bathing" was desired, we had a choice then. Not only was the ocean available; but the Bay was open for public swimming at the end of each street, for those who preferred it. The water was clear (though the bottom was mucky); and an ample beach existed, where families could spread out for the day. Power boating was minimal, although row boats were available at "Al's Pier" on Pennsylvania Avenue and the Bay.

At summers end the swimming races were held in the Bay. Contests for various distances and strokes were provided for children of different age groups and medals and prizes were awarded to the winners. Eleanor Holm who later became a famous lady, learned to swim in the Bay and lived on Pennsylvania Ave. She had a boyish bob, freckled face, and a temporary brace on her teeth; and a great natural skill in the water. Even then, her special talent, her love of competition, and her great beauty to come, were evident. It seemed that all of us would return to the City each winter; bronzed and healthy and a few inches taller.

Geographically, New York Ave. officially divided the West End from Westholmes; and the East End started just East of January to December Walks. Traveling West, the West End ended a few blocks past the West End Theatre at Beech St. and Tennessee Ave. My mother would take us to the movies on rainy days, to keep us entertained and to keep us dry. The theatre roof leaked in so many places that it was difficult to keep completely dry. The theatre later became the Nautilus and recently burned down.

There wasn't any Atlantic Beach, nor of course any Atlantic Beach Bridge—just sand and sand; as far as the eye could see. That was it! One building was visible on the Beach and it was a stable owned by the Connor Bros.; it stabled their riding horses. My older brother Ed and sister Anne often got to ride one of these fine horses along the Beach; since they were friends of young red headed Pete Connor who was about their age.

The only way to get to Long Beach by car from Brooklyn was via the Merrick Road; since the Sunrise Highway had not yet been born. Merrick Rd. was not much wider than two lanes, one for coming, and one for going. If one car broke down, the traffic would back up for miles, and the trip would take hours. We broke down a few times, but Mom was an expert, and seemed able to get the 1921 Hudson going again in a few minutes, usually with the aid of a "hairpin," properly inserted somewhere under the hood. Acrid smoke, gasoline and oil fumes were the order of the day, in traffic, and I still vividly remember the offense to my young nostrils.

Where "Nathan's Famous" on Long Beach Rd. now stands, was the "Roadside Rest". This was a small stand in 1920, 1921, and 1922; which featured hot dogs, ice cold soft drinks, and home made fudge. We never failed to stop there on our way to Long Beach. I think, to Mom, it was a sort of seventh inning stretch, and for us, a rush to the rest rooms, and then some refreshment. Also, there were two stout trees in the rear where the management hung one makeshift swing. We always had a mad scramble to see whose turn was next on the swing; before being herded back into the Hudson for the final leg of the trip to Long Beach. Each year, the Roadside Rest added a few feet in all directions; and we watched it grow over the years, to the tremendous Restaurant which it finally became. Its latter years offered in-door and out-door dancing, under the stars and lanterns or under its massive roof, to two name bands of the day.

Nathan's of Coney Island, of course bought it out years later for a spectacular price; and while it is there today to be enjoyed by all; I still have a nostalgia for the old "Roadside Rest."

Our beautiful boardwalk was here then, as now, but only went as far as the Nassau Hotel which was the most elegant hotel of its day (now the Promenade). Many concessions including games of chance and skill existed and were for the most part staffed by Japanese people. Game winners were presented with coupons; and the idea was to collect enough coupons during the season to claim one of the better prizes by the labor day week-end.

Each summer, my brother spent much time and money on these games with one thought; to win live singing canaries which were awarded in small wood peg cages. He had a good deal of disappointment season after season, bringing his newly won bird home; only to learn during the winter that while some sang, many didn't.

On week-ends, an occasional "sand artist" would appear on the beach. He would carry several bags of various colored sands on his back, set them down, and proceed to smooth a section of sand somewhere between the wet sand at the waters edge, and the dry sand. This would draw a crowd and he would mark a "frame" in the sand with any old available stick. Now, he would select hand fulls of beautiful bright red, green, blue, yellow, etc., sand and toss them seemingly indiscriminately; until he had accomplished a beautiful mural in the sand. Viewers from "our" beach and a few neighboring beaches would crowd about to enjoy his artistry and give him coins in appreciation. He would set his sand bags on the wooden jetty; gather his coins; and move along a few beaches further to repeat his special performance.

Prominent contemporary names of the day during the twenties, in my recollection, included Gov. Alfred E. Smith, who had been elected Governor of New York, and seemingly was a topic of much adult conversation; Gertrude Ederle, first American woman to swim the English Channel; and a fellow named Charles E. Lindbergh, who had flown solo, non-stop from New York to Paris; and caused West Enders to run through the streets knocking on doors,

screaming with joy, "He made it. He made it. Lindy made it!"

On the local scene, it was Judge Frank Hogan, Long Beach's first judge who seemed to poll the highest plurality in every election. Judge Hogan, whose portrait today hangs in our modern City Hall Courtroom presided in day and night court for many years. Night Court was put out of existence in 1930; but I remember that my mother and aunts attended many sessions as spectators and used to say it was one of the best shows in the State.

Other neighbors included John Cashmore, the then Boro President of Brooklyn, who spent his summers on Nebraska St., just behind us. Also the Kelly family on Pennsylvania Ave., whose son Paul Kelly went to Hollywood and became a famous actor. Paul won one of the early Academy Awards, while his brother Jesse Kelly later opened a bar on W. Beech St.

Harry Woods, who was Water Commissioner of the City of New York, and one of the early founders of the Knights of Columbus, was also a neighbor.

Paul Berlenbach the light-heavy weight champion of the world would greet admiring crowds at Mass on Sunday at St. Mary of the Isle R.C. church. The champ would arrive at church in his bright red Auburn touring car, with two magnificent pedigreed great dane dogs filling the rear seat. Always gracious, his huge hands would shake the hands of six to eight youngsters at once.

The West End Fire House was on Beech St. and Alabama St. and it's alarm was a shrill oppressive siren which drove many a child with sensitive ears under the bed in terror.

The adult Beau Brummel of the day wore white linen knickers, black stockings and either all white or black and white shoes; topped off by a Bright Blazer or sweater. By night he would wear the inevitable white flannel long trousers, and a blue dress jacket. Straw hats were a must for the men (Straw Katys) and the ukulele was the musical instrument with which a lothario would woo and pursue the lovelies on the beach.

The Olympia Pool on the board walk was also our joy and featured Stubby Kruger with his Comic Diving Exhibitions, and a very capable one-legged life guard whose name was Sam. Herbie Hobbs and his brother were the stalwart life guards on our beach; and a family named Manfredonia did a very brisk business with a soda and hot dog stand built under the boardwalk on the beach at the foot of New York Ave.

In researching for this article I was surprised to learn that a City Councilman's salary was $5,000 a year in the year 1927; and also to be reminded of the City's many volatile political situations throughout the years.

I was too young of course to evaluate politics, but know that Long Beach officially became a City on April 13, 1922 and the signature of Governor Whitman.

Rum running was rampant along our shore front and I actually recall witnessing with the aid of my uncle's binoculars, a U.S. Coast Guard boat chasing and gaining on a boat which was "running rum". I can still see the fleeing boat furiously dumping overboard what seemed to be cases made of rough new lumber, reflecting the Sun's bright light as they bobbed up and down, in and out of sight in a rough surf, towards shore. If overtaken, the lawbreakers could not be prosecuted, having dumped the evidence overboard. Our resourceful life guards dragged and strained in the sand and pulled their Katamarans (pontoon boats) into the ocean and rowed out to claim the treasure. Each would fish out and stow aboard as many cases as safety would permit (and sometimes more), return to shore and carry his prize to the life guard shack which was in the center of the beach. Some would venture into the sea for a second trip and a third. The life guards then pried open cases as the adult bathers formed a crushing, ever narrowing circle about them; and the guards then auctioned off their loot, bottle by bottle. It was scotch, and I believe it went for $10 a bottle while the bidding was spirited; and less as the crowd dwindled, and caution set in.

Mayor Reynolds, our first Mayor, inaugurated the West End Baby Parade which was held on September 3, 1922. The winners of the first prize were the two year old twin daughters of Mr. and Mrs. Frank Waldon, Virginia and Dorothy. The parade grew annually and became highly competitive, not consisting of baby carriages; but of huge floats, depicting various themes.

In the second parade of September 1923 (my mother had carpenters behind the house working half the summer). Our first float was entered. Each evening she would have the carpenters cover the float with a huge canvas and a couple of bed sheets to prevent anyone from using our theme; and I guess to preserve the element of surprise for the big day. All five of us children were entered, Ann, Ed, Claire, Adelaide, and Tom (the writer), as a "World War I Tableau." We were blooded and bandaged dough boys "going over the top" and the girls were pretty Red Cross nurses. We proudly won first prize. The Mayor Reynolds cup.

In September of 1924 just my Sister Adelaide and I were entered on a lovely float complete with theatrical scenery depicting Gertrude Ederley swimming the English Channel. Addie, complete with heavy grease, cap and goggles swam furiously among the theatrical waves, while I perched on a high stand, cheered her on as "Uncle Sam." Again we took first prize. It was the Mayor Reynolds Cup again, although Frank Frankel had been acting Mayor since July 5, 1924.

September 1925 we were entered on a float. This time the theme was "The Moth and the Flame," with yours truly enconsed inside of a huge candle, red crepe paper around my head and just my face showing. Addie was a beautifully costumed winged moth, flying about my head. This time it was first prize again; and we collected the Mayor Frankel Cup.

Our final appearance was in September 1926 on a large float depicting "The Cat and The Canary." I was the cat clawing at the large gold wooden cage, trying to get at my sister; the beautiful yellow canary. It was the Mayor Dalton Cup we received this time, and Mayor Dalton came to the house later in the evening to offer congratulations.

The "loving cups" were our prized possessions over the years; displayed on mantles; filled with seasonal flowers and polished and shined for many successive winters.

I am now and have been for some time a permanent resident of Long Beach, and point to this fact with great pride. It is our great City of Surf and Sand and Sun. It has given me much enjoyment these many years, as it has to so many others. I am most grateful for the many beautiful memoirs it has filled my life with, and happy to be here still enjoying all that it has to offer.

On this, the City's 50th Anniversary, may I offer my Congratulations, and my very best wishes for your continued success; and sincerely say: "Happy Birthday, Long Beach."

STATEMENT OF THE U.S. COMMISSION ON CIVIL RIGHTS CONCERNING PRESIDENT NIXON'S ANTI-BUSING LEGISLATION

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. EDWARDS of California. Mr. Speaker, the Commission on Civil Rights has unanimously issued a statement on President Nixon's message to Congress on busing and equal educational opportunities.

I urge all of my colleagues to read carefully the statement of the U.S. Commission on Civil Rights concerning the President's message to Congress and proposed legislation on busing and equal educational opportunities. The text of the Commission's statement is printed below:

STATEMENT OF THE U.S. COMMISSION ON CIVIL RIGHTS CONCERNING THE PRESIDENT'S MESSAGE TO CONGRESS AND PROPOSED LEGISLATION ON BUSING AND EQUAL EDUCATIONAL OPPORTUNITIES

On March 17, 1972, the President sent to Congress a message and proposed legislation dealing with the most deeply felt and most divisive domestic issue troubling the American people today. The issue is commonly characterized as "busing" but it involves far more fundamental questions. It involves questions concerning the kind of education we want our children to have, the firmness of our resolve to redeem the Nation's pledge of equal rights for all, and, in the final analysis, the kind of society we want our children to inherit.

The Commission has serious disagreement with the proposed legislation. We believe that it can have no other effect than to roll back the desegregation advances made so slowly and so painfully over the 18 years since the Supreme Court of the United States declared that "separate educational facilities are inherently unequal." This proposed legislation is retrogressive on several counts:

It seeks to alter the substantive standards by which the illegality of school segregation could or should be judged and found wanting.

It seeks to hinder the capacity of the courts to provide relief to those whose constitutional right to a desegregated education has been violated.

It seeks to curb the Executive Branch as an active participant in the effort to desegregate the schools.

It seeks to enshrine the neighborhood school as a fundamental cornerstone of educational policy when, in light of pervasive patterns of neighborhood segregation, this can only have the effect of perpetuating segregated schools.

It would accept the inevitability of the continuation of school segregation and seek to create equal educational opportunity by equalizing racially separate schools, in other words, a reversion to the doctrine and practice of "separate but equal."

These and other provisions in the legislation would render lifeless many of the legal principles established in the Supreme Court's classic *Brown* decision.

Although the Commission has serious disagreement with the President's premises and recommendations for legislation, we believe that it is not only right and proper, but essential, for the President to address this issue. The Commission is mandated by law to advise both the President and the Congress on these matters, and we speak out with the hope that we may contribute to constructive debate and to successful resolution of the difficult problems involved.

What has divided the Nation on school busing is not so much sharp disagreement on the merits, but confusion as to what the issues really are. Public discussion has not served to illuminate these issues. The complex matter of overcoming in a few years the inequities of the long past through the medium of desegregated schools has been reduced to the question of whether one is for or against busing.

In his message, the President has recognized the need to address these important issues rationally and analytically. In addition, the President has sought to quiet the fear that his legislation placing curbs on busing will mark an end to the effort to achieve equal rights and even undo the ad-

vances made in the 18 years since the Supreme Court of the United States declared that "separate educational facilities are inherently unequal."

Despite the President's assurances, we fear that this legislation will nonetheless have that result. It focuses on the wrong issue—busing—and in so doing will make rational debate over the true issues of school desegregation and quality education much more difficult. Further, if enacted, it would mark a major governmental retreat in the area that has been at the heart of the struggle for equal rights. Retreats in other areas might well follow.

In its fifteen-year history, the Commission has been continuously studying the problems of achieving quality, desegregated education. We have issued numerous reports dealing with various aspects of the problem North and South, and exploring ways in which it can be successfully resolved. We issue this statement out of our present concern that progress in school desegregation not be halted and not be diluted.

LEGAL BACKGROUND

In 1954, the Supreme Court in *Brown* v. *Board of Education of Topeka* established that officially sanctioned segregation in public schools violates the 14th Amendment. Most clearly this holding applied to those States in which segregation was expressly required or authorized by law. In recent years, this principle of law has been applied as well to Northern school districts where the courts have concluded that official policies and actions have just as effectively resulted in racial isolation in the schools.

In the 18 years since *Brown*, not only have the courts continued to interpret what constitutes illegal segregation, but the courts and other agencies of government have been seeking to devise effectve remedies for achieving full school integration.

Throughout the late 1950's and 1960's, many school districts adopted a variety of plans which produced little integration—in fact, less than 3 percent in 10 years. In 1968, the Supreme Court made clear that *Brown* requires the actual abolition of dual school systems—so that there no longer are "white schools" or "black schools," but simply schools.

The loss of time, the loss of opportunity for a generation of our children has been discouraging. But remedies have been developed. A variety of techniques for achieving desegregation have been applied successfully, including the use of attendance zones, pairing of schools, construction of new facilities, such as education parks, and, as a last resort, busing.

The appropriateness of these remedies was fully dealt with last April by the Supreme Court in *Swann* v. *Charlotte-Mecklenburg*. In that case, the Court recognized the validity and necessity of each of these remedies—including busing—which courts, with the guidance of Federal, State and local officials, had concluded were the proper means for achieving desegregation and fulfilling the promise of the *Brown* decision.

It is against the background of this history that the legislation proposed by the President must be viewed.

CURB ON THE COURTS

As the President points out, all three branches of the Federal Government have participated in the effort to end the system of State-imposed segregation in the public schools. As he also points out, however, they have been unequal partners. The courts have carried the heaviest share of the burden. During the ten years following the 1954 *Brown* decision, the courts labored virtually alone with little if any backing from the executive and legislative branches. The pace of desegregation was painfully slow, in contrast to the court's injunction of "all deliberate speed."

It was not until a decade later that Congress, through enactment of the Civil Rights Act of 1964, and the Executive Branch, through enforcement of Title VI of that law, joined the battle. In recent years the courts again have had to carry the main burden, but the dramatic increase in the pace of desegregation since 1964 demonstrates the impact that all three branches, working together, can have.

The disproportionate burden placed upon the courts has been unfair. Further, the case-by-case approach, which is inherent in the judicial process, is not the most effective way to deal with a problem of national scope and concern. The limited range of remedies available to courts further limits their capacity to meet the problem. Congress, with its power to enact new programs and to appropriate funds, and the Executive Branch, with its power of flexible administration, are necessary partners. Thus we agree with the President when he urges that Congress accept additional responsibility and use its authority under the 14th Amendment for purposes of joining the effort to desegregate the schools.

The courts need support and assistance. However, the legislation proposed by the President would curb, not help, them. It would seek to limit the remedies available to the courts by restricting and, in some cases, removing, their power to order transportation of students. It would also blunt the force of the Executive Branch through similar restrictions. The proposed "Student Transportation Moratorium Act of 1972" would bar, until July 1, 1973 or until appropriate legislation is enacted by Congress, all new busing orders, despite the unmistakably clear and strong mandate of the Supreme Court that further delay in carrying out the requirements of *Brown* is not acceptable. As the Court has said:

"The burden on a school board today is to come forth with a plan that promises realistically to work, and promises realistically to work now."

The proposed "Equal Educational Opportunities Act of 1972" also would place severe curbs on the power of the courts and the Executive Branch to remedy constitutional violations. It would generally prohibit the ordering of desegregation plans that involve an increase in the amount of transportation. For elementary school students, this prohibition would be absolute. It should be stressed that this anti-busing proposal, unlike the one in the "Moratorium" bill, would be permanent. Thus the power of Federal Courts to provide relief to those whose constitutional rights have been violated would be impaired—indefinitely. Further, existing court orders or desegregation plans under Title VI of the Civil Rights of 1964 could be reopened and changed.

The legislation also would seek to alter the standard by which courts judge constitutional rights and remedies. Provisions of the bill, such as those emphasizing the appropriateness of neighborhood school assignment and the inviolability of school district lines, would not only impair the courts' power to provide remedies, but also, by seeking to lower the standard of constitutionality, would intrude on the traditional prerogative of the courts. Thus this proposed legislation raises serious constitutional questions concerning separation of powers.

The Commission urges that Congress fully examine these questions, especially those concerning constitutionality, before acting. The courts are the final judges on issues of constitutionality, but Congress has its own heavy responsibility to assure that legislation it enacts is authorized under the Constitution. The Commission believes that the anti-busing provisions in this legislation not only would impede desegregation efforts, but would also undermine the integrity of our Federal judiciary.

Ours is the longest enduring Constitution in the world today precisely because the founding fathers wisely balanced the powers to preserve constitutional and equal rights for all citizens. To tamper with this balance is a threat to the Nation and its future life and health which far transcends the issue of busing.

BUSING AND NEIGHBORHOOD SCHOOLS

What Americans must keep in mind, in the furor over the busing debate, is that to restrict busing in most communities is simply to restrict desegregation. This is so because of the segregated neighborhoods that exist from coast to coast. North and South. It is so because even with a concerted effort to eliminate well-entrenched patterns of housing segregation, it would take generations to undo or even significantly alter them and thus to alter the educational opportunity of the children who live in segregated neighborhoods near inferior, segregated neighborhood schools. What you really say to these children when you say "no busing" is "stay in your place and attend your inferior schools." This will, in reality, cost us another whole generation of badly educated minority children, denied their constitutional rights to equal educational opportunity. No amount of talk about new expenditures to create what, in fact, is a reversion to the unconstitutional and bankrupt policy of "separate but equal" will long delude minority parents or even minority students.

This is not to say, however, that busing is the only means of achieving desegregation. In many towns and cities, busing is not necessary and desegregation can be achieved within the confines of neighborhood school attendance. Great progress can be made through the use of such techniques as redrawing school attendance lines, pairing schools, and creating central schools.

But in many cases these techniques, no matter how skillfully and conscientiously applied, cannot bring about desegregation without busing. That is because very often school attendance areas must be enlarged in order to accomplish desegregation, and some pupils would be too far away from school to walk. In these instances, some pupils have to be transported to school. Sincere and dedicated school officials, school boards and courts across the Nation have sought ways to desegregate schools in a number of cities without busing and have had to conclude, finally, that in some cases there is no other way.

To be sure, busing for desegregation purposes can be inconvenient—but no more so than busing for a number of other educational purposes. The key question is the value we place—for the sake of our children and our society—upon having quality, integrated education. The Commission is convinced that the relatively small amount of busing that is conducted for desegregation purposes is not only justified, but is necessary. The Supreme Court recognized this fact in the *Swann* case.

The Supreme Court, in *Swann*, did not ignore the worries of parents about "excessive" busing. The Court said that children should not be bused if the time or distance would endanger either the child's health or education, and that seems a reasonable standard to this Commission. None is endorsing the busing of any child to an inferior school, although just this happened to many past generations of minority children. The fears and concerns about busing, and the extent and inconvenience of it, have been greatly overstated in the course of the debate now sweeping the Nation. Regretfully, too many leaders have been speaking to the base prejudices of the American people rather than to their inherent sense of justice and idealism.

What are the plain facts about busing? Every day nearly 20 million school children go to and from school by bus and their parents seldom complain about inconvenience. Some parents prefer to have their children go to school by bus rather than brave dan-

gerous traffic on foot. Some school boards provide buses for handicapped and gifted children, so that they can attend special schools away from their neighborhoods. Rural areas have virtually abandoned the once-familiar one-room school in favor of modern consolidated schools reached by bus. School districts often take pride in providing transportation for these purposes, sometimes at great cost, knowing that the improved education that awaits the children at the end of the bus ride is what really matters and this is well worth the inconvenience. Only when busing occurs for the purpose of desegregation are objections raised. Some would have us believe that for this purpose, busing is not an inconvenience, but an absolute evil.

The neighborhood school represents, in a sense, the opposite side of the coin of busing. That is, just as the fifty-year old practice of busing represents an inconvenience, not an absolute evil, neighborhood schools represent a convenience, not an absolute good.

As noted, neighborhood schools have been abandoned by the thousands in rural areas in favor of larger consolidated schools commonly reached by bus. The trend of modern educational thought generally is away from the neighborhood school and toward the larger central units that can provide facilities, teachers, services and curriculum not financially feasible in smaller neighborhood schools.

Neighborhood schools realistically should be viewed as only one of several forms of school units, and not as the foundation upon which our entire system of public education should rest. In plain fact, it does not. Therefore it would be a serious mistake for the proposed "Equal Education Opportunities Act" to elevate the neighborhood school concept to the position of a new national policy and purpose. To do so would not only undermine desegregation; it would discourage the efforts of educators seeking to improve the organization of their school system toward providing quality education for every pupil.

INTEGRATION AND EQUAL EDUCATIONAL OPPORTUNITY

The cornerstone of the proposed "Equal Educational Opportunities Act" is the declaration of national policy that: "all children enrolled in public schools are entitled to equal education opportunity, without regard to race, color, and national origin."

The substantive provisions of the bill, however, seek to carry out this policy while at the same time curtailing efforts to desegregate the schools. Indeed the President's message, as well as the legislation, accept the inevitability of continued school segregation and seek other means—the channelling of money into ghetto schools—to achieve equality of educational opportunity.

The essence of the President's proposal is that infusion of money can make racially isolated schools equal and he would allocate up to $2.5 billion in previously requested funds to this purpose. The Commission doubts the value of this approach. In fact, it has not worked even with a larger per student allotment in the schools of Washington, D.C.

In seeking to achieve equal educational opportunity by equalizing segregated facilities, the legislation returns to the tradition of the discarded "separate but equal" rule of *Plessy* v. *Ferguson*, which the *Brown* decision expressly overturned as unconstitutional.

But even if true equality could be achieved under segregated conditions, there is little reason to believe that the expenditures contemplated would accomplish this result. A recent report prepared by Mosteller and Moynihan of Harvard University has reaffirmed that the least promising way to improve education in ghetto schools is through the expenditure of additional funds. Many studies, including the Commission's own, have concluded that amounts far in excess of those presently contemplated would be necesasry before compensatory programs in ghetto schools would in fact "compensate" in any significant degree.

Is pupil integration any more likely than increased expenditures to achieve our goals? A basic finding of the 1966 Office of Education study, "Equality of Educational Opportunity," (the Coleman Report) was that a child's own family background was by far the most important influence on his school achievement and later life experience. Some have concluded from this finding that the schools are virtually powerless as a positive influence on our children, and that the effort, instead, must be in the area of jobs and income.

We believe there are severe fallacies in this reasoning. First, the reasoning assumes incorrectly that there is only one road to the achievement of equality for minorities. In fact, efforts must be made across the board—in jobs, in housing, and in education—if that goal is to be realized. Experience has taught us that none can be ignored, that there is no quick or simple cure to the social and economic injustices which have been allowed to grow and fester for decades.

Second, this reasoning would lead us to write off at least one more generation of children, knowingly abandoning efforts to help them develop into productive participants in American society and condemning them to lives of inequality.

Third, the conclusion that the schools are powerless to increase and improve their impact on the young is wrong. As the Office of Education study found, as the Commission on Civil Rights' own study, "Racial Isolation in the Public Schools," later confirmed, and as the Harvard University report recently has reaffirmed, the social and economic backgrounds of a child's classmates bear very significantly on his or her achievement in school. It therefore does matter greatly that disadvantaged children not be educated in isolation.

But schools play a much more important function than merely providing children with the technical tools necessary to perform well on achievement tests. It is a function which one commentator has described as "to prepare people not just to earn a living but also to live a life—a creative, humane, and sensitive life." In short, the true measure of how well schools are performing cannot be gained solely by reference to test results. Two years ago, the President underscored the uniqueness of the school as an institution of society:

"It is a place not only of learning but also of living—where a child's friendships center, where he learns to measure himself against others, to share, to compete, to cooperate——"

It should also be a place where a child is not isolated in inferior surroundings as part of an unwanted class or race and thus told from the beginning of the process that he is inferior.

The school is the most important public institution bearing on a child's development as an informed, educated person and as a human being with hope for the future. It represents the single most important opportunity afforded to society to interrupt the endless cycle of poverty and, above all, to heal the great social divisions that trouble the Nation. For children of white, affluent society, as well as for minorities, integrated education is essential if they are to thrive in the multi-racial world they will enter and help redeem America's promise, which school children each day are asked to recite and believe in—"One Nation, under God, indivisible, with liberty and justice for all." The Commission believes it would be a serious mistake for Congress to enact legislation—especially legislation entitled "Equal Educational Opportunities Act"—that accepts the inevitability of school segregation, with its demonstrated denial of equal educational opportunity.

Two years ago, the President emphasized the close tie between quality education and desegregation: "Quality is what education is all about; desegregation is vital to that quality."

In that statement the President took a position with which we concurred then and concur now. It is a stand that is just as correct and essential today as it was two years ago. It is a stand from which the President, Congress, American education and the Nation should not retreat.

CONCLUSION

The Commission has discussed its reservations about the proposed legislation mainly in terms of its effect in slowing down progress in school desegregation. Our concerns, however, are much deeper.

Since the Supreme Court decision in the *Gaines* case in 1937, requiring the admission of a black man to the law school of the University of Missouri, there has been a slow but steady and progressive attack on segregation and discrimination in this Nation. Executive Orders of Presidents beginning in 1941, acts of Congress beginning in 1957, along with other decisions of the courts, have all been directed toward the creation of legally supported standards of behavior that would lead the Nation toward human cohesiveness and racial equality.

Now for the first time in 35 years we are faced with a series of legislative proposals including an amendment to the Constitution that leads us back along a road that this Nation should never see again. These proposals require the Nation to turn its face away from finding solutions to the difficult task of seeking effective ways of implementing the decisions of the courts and the civil rights laws enacted by the Congress. We must now defend the results of 30 years of effort that we thought were fast becoming an accepted part of American manners and morals.

Our fear is that what appears to be an assault on school desegregation, will in fact have the effect of providing solace, comfort, and support to those who opposed all civil rights advances in the past and who may now attempt to roll back the progress made in other areas.

We are also greatly troubled that millions of American citizens of minority group background may well conclude that the laws and court decisions that had begun to generate hope and faith in America's commitment to a desegregated society, with equality and justice for all, was never a true commitment, but only a device designed to muffle the voices of discontent and frustration.

Any legislation that deprives or makes more difficult the process by which American children of all races learn to understand each other—through the kind of creative contacts that can take place in the schools of the Nation—is, in our view, antithetical to the creation of a society with the capacity to provide equal justice to all, and lessens the hope, not only for American education but for American children and our Nation.

MEMBERS OF THE COMMISSION

Rev. Theodore M. Hesburgh, C.S.C., Chairman.
Stephen Horn, Vice Chairman.
Frankie M. Freeman.
Maurice B. Mitchell.
Robert S. Rankin.
Manuel Ruiz.
John A. Buggs, Staff Director-designate.

TO CORRECT THE OCCUPATIONAL SAFETY AND HEALTH ACT

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WYMAN. Mr. Speaker, the Occupational Safety and Health Act of 1970 has proven to be one of the most ill-advised and unworkable laws enacted by the Congress. In its attempt to provide necessary safety and health standards for the protection of American workers, the law in its present form encourages a wholesale disregard for the practical considerations involved in devising adequate standards.

Small businessmen and farmers in particular are the hardest hit. Unlike in the administration of other Federal laws, the Department of Labor is not required to conform with the Administrative Procedures Act in promulgating occupational safety and health regulations. As a result employers—which includes a TV repairman with one helper—are expected to wade through reams of complex material searching for those provisions applying to their situation. It takes seven pages in the Federal Register, for example, to set forth the requirements for stepladders. And if an employer seeks assistance from the Federal Government in complying with the new regulations the Labor Department representative is required to cite the employer for the very violations he is trying to correct.

But it is not only in the administration of the Occupational Safety and Health Act that inequity exists. The law itself takes a shotgun approach toward establishing safety standards that require a contractor building a single family house to conform to the same standards as a contractor building a high rise office building. The obvious differences in the two projects are completely ignored by the law.

In its present form the Occupational Safety and Health Act is worse than wishful thinking. It makes almost no attempt to come to grips with the actual problems involved in setting adequate safety standards and only adds an intolerable extra layer of unneeded and unfair bureaucracy.

I am therefore today introducing legislation to correct these and other inequities in the present law. The proposed corrections are designed:

To provide for the exemption of employers with fewer than 25 employees, both agricultural and nonagricultural;

To delay for 1 year the effectiveness of the act with regard to employers with more than 25 but fewer than 160 employees;

To require the Secretary of Labor to evaluate all of the regulations, distinguish the various facets of a given general form of business, and determine if the regulations should apply to each facet;

To require that the Secretary of Labor know the cost and feasibility of compliance; that this information be made available to the employer; and, to insure the employer that a device or procedure is available which will permit him to comply;

To require the Secretary of Labor to provide technical assistance and consultation to employers with fewer than 100 employees;

To compensate employers for the additional expense of having to comply, initially, with one rule, and then having to comply with a different one as a result of changes in administrative procedures;

To provide that if the usual administrative procedures for adoption were not followed, the failure to comply with the rule cannot be used as evidence of negligence or wrongdoing on the part of the employer;

To relieve employers from the absolute liability provisions of the act. To protect employers from the negligence of employees who do not abide by the regulations or use equipment provided;

To provide that no employer shall be responsible for fines or other penalties if he can prove that the requirement he is alleged to have violated would not have effectively constituted an improvement of the health and safety of his employees;

To permit the Secretary of Labor to make provisions for initial medical examinations for employees and followup examinations thereafter at periodic intervals;

To aid the provisions of the act by permitting the formation of employees safety committees to identify areas of concern at a particular business in an effort to work out solutions between employer and employees; and

To assure the earliest possible compliance by making available to the Secretary of Labor the option of entering into an agreement with the employer in lieu of using the present provisions and imposing a penalty for having failed to comply.

Illustrative of the frequent absence of reasonable standards under the existing law the following examples are cited:

A half-inch mesh screen is required to shield all motors and power ventilating fans. Yet in the poultry industry, for example, down and feathers completely plug such screens within 2 or 3 days. No matter, it is still a requirement.

Coat hooks are required in all toilet compartments, a dubious "safety" standard at best. Failure to comply can result in an employer being found in violation of Federal law.

Protections for window openings in building construction, which may be appropriate in the construction of multistoried buildings, are required for all construction—even a one-story residence where the distance to the ground is no more than a few feet.

Employers are now required to color code switches red and green, even if they and their employees have been using another color code for years.

Tractors are required to have a roll bar costing $200 to $250, even if, as is true in many cases, no provision is made for attaching such devices on certain tractors.

I urge the House to give early consideration to correcting the Occupational Safety and Health Act to remove the genuine hardships presently being placed on those attempting to conform to its provisions.

VIETNAM

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. HELSTOSKI. Mr. Speaker, it is difficult to find the words to express my revulsion at and utter rejection of the President's May 8 address to the Nation and the military escalation of the war which he announced in that address. To mask the collapse of his Vietnamization policy, the President of the United States has recklessly and unconstitutionally committed the forces of the United States to an air war against North Vietnam and to a quasi-blockade of North Vietnamese ports. To preserve his own "respect" and this Nation's "prestige" he has gambled on a major confrontation with the Soviet Union, jeopardized the SALT talks, and made a new and more serious commitment of this country's blood, treasure and honor to the preservation, at least until election time, of the Thieu regime.

The President has undertaken these dangerous military moves without so much as a nod in the direction of the Congress and in defiance of the American people's express desire to end this bloody and immoral conflict immediately. President Nixon has violated the Constitution by assuming the power to declare war, a power reserved exclusively to the Congress. He has violated the Mansfield amendment which declared it to be the policy of the United States to terminate American involvement in Vietnam at the earliest practicable date. He has violated his own promise of 4 years ago to end the war.

President Nixon's continuance in office, unrestrained by respect for either the Constitution or the desires of the American people, is a threat to the survival of the Republic and of our democratic system. The American people have had enough. They shall have the opportunity in November to remove this power-mad President from office. I am confident that the majority will reject Nixon, his claque of militarist advisers and all their evil works.

Mr. Speaker, when a President flagrantly violates the Constitution, the mandate of the Congress and the will of the American people he is little short of a dictator. The Congress, however, still has the power of the purse. We can deny the President and the Pentagon the funds to continue this war another day. I am informed that the administration will soon seek a supplemental appropriation to finance its new air and sea war in Indochina. If this Congress approves such a request, we might as well close shop and go home. In a major test of democracy we shall have failed the American people and we shall have failed all that is decent in America.

We should not have to wait, however, for the administration to come seeking

an appropriation for this war. It is essential that the Congress initiate action to prohibit the expenditure of war funds already in the "pipeline." Under direction from the House Democratic Caucus, the majority members of the Foreign Affairs Committee have drafted legislation to terminate American involvement in the Indochina war. I look forward to an early opportunity to vote on this bill in the House.

In the interim, I have joined with 22 other Members of Congress in a suit aimed at enjoining the President and his subordinates from prosecuting this latest escalation of the war any further. Under unanimous consent I include the full text of that complaint at this point in the RECORD:

[In the U.S. District Court for the District of Columbia]

CIVIL ACTION—SUIT FOR DECLARATORY AND INJUNCTIVE RELIEF

Hon. Mike Gravel, Hon. Fred R. Harris, United States Senate; Hon. Bella Abzug, Hon. Herman Badillo, Hon. Jonathan B. Bingham, Hon. Phillip Burton, Hon. William Clay, Hon. Shirley Chisholm, Hon. John Conyers, Jr., Hon. Ronald V. Dellums, Hon. Charles C. Diggs, Jr., Hon. Don Edwards, Hon. Walter Fauntroy, Hon. Michael J. Harrington, Hon. Augustus Hawkins, Hon. Henry Helstoski, Hon. Robert W. Kastenmeier, Hon. Parren Mitchell, Hon. Charles B. Rangel, Hon. Thomas Rees, Hon. Benjamin Rosenthal, Hon. William F. Ryan, Hon. Louis Stokes, United States House of Representatives *v.* Richard M. Nixon. Individually and as President of the United States, The White House, 1600 Pennsylvania Avenue, N.W., Washington, D.C.; Melvin R. Laird, Individually and as Secretary of Defense, Department of Defense, Washington, D.C.; William P. Rogers, Individually and as Secretary of State, Department of State, Washington, D.C.; Robert F. Froehlke, Individually and as Secretary of the Army, Department of Defense, Washington, D.C.; John H. Chaffee, Individually and as Secretary of the Navy, Department of Defense, Washington, D.C.; Robert C. Seamans, Jr., Individually and as Secretary of the Air Force, Department of Defense, Washington, D.C.; and the United States of America, Defendants.

COMPLAINT

1. Jurisdiction of this matter arises under the Constitution of the United States and Title 28 United States Code §§1331, 1346, and 1361, and such other provisions of law as shall be hereinafter set forth in this complaint. The amount in controversy exceeds ten thousand dollars ($10,000.00) exclusive of interest and costs.

2. Plaintiffs are each duly elected and qualified members of the Congress of the United States of America. They sue in their individual capacities as citizens of the United States and in their official capacities as members of Congress and representatives of their constituency. Each alleges that the activities of the defendants described herein has materially affected their abilities to represent the people of their districts and to practice their profession as elected representatives of the people. Each further alleges that they have a personal and direct stake in the outcome of the controversy and will be themselves adversely affected by it.

3. Defendants in this matter, other than the defendant United States of America, are officers and employees of the United States of America. This action is brought against them in their individual and in their official capacities. Defendants are respectively the President of the United States, Secretary of Defense, Secretary of State, Secretary of the Army, Secretary of the Navy and Secretary of the Air Force.

4. During the last several years, defendants and their predecessors in office, each acting individually and collectively, have engaged and caused the armed forces of the United States to engage in a war in Indo-China. This war constitutes one of the longest and most costly wars in the history of this country. Over one million human beings, including over fifty thousand Americans have been killed in this war and at least one hundred billion dollars has been spent in the prosecution of it. At present the defendants are not only continuing the war, but have recently escalated the war.

5. On November 17, 1971, Congress enacted Public Law 92–156, Title VI—Termination of Hostilities in Indo-China. At that time, Congress made clear its intent that "it is hereby declared to be the policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indo-China . . ." Subsequently, the President of the United States, the Honorable Richard M. Nixon, substantially increased bombing raids against the Democratic Republic of Vietnam.

6. Recently, on May 8, 1972, the President announced to the American people that because the country faces a new situation, he has ordered the following measures which are being implemented as I am speaking to you.

"All entrances to North Vietnamese ports will be mined to prevent access to these ports and North Vietnamese naval operations from these ports. United States forces have been directed to take appropriate measures within the internal and claimed territorial waters of North Vietnam to interdict the delivery of any supplies. Rail and all other communications will be cut off to the maximum extent possible. . . . Countries with ships presently in North Vietnamese ports have already been notified that their ships will have three day light periods to leave in safety. After that time the mines will become active and any ships attempting to leave or enter these ports will do so at their own risk." (A copy of the President's address is attached hereto as Exhibit A.)

7. On May 10, 1972, defendant Melvin Laird announced publicly that the United States would move against and take all appropriate action against any ships from any country whatsoever, seeking to enter the ports of the Democratic Republic of Vietnam (North Vietnam).

8. Article I, Section 8, Clause 11 of the United States Constitution states that the Congress shall have the power to declare war. Congress has not exercised this power. It has passed no legislation or joint resolution declaring war in Indo-China, nor has it explicitly, intentionally, and discretely authorized the war.

9. No appropriation act or selective service renewal act can be construed as an exercise of the declaration of war power by the Congress of the United States. Even should the courts interpret any such actions of Congress as implicitly or tacitly approving the exercise by the President of the war power, said tacit approval, if so interpreted by the courts, was explicitly revoked by the "Mansfield Amendment", Public Law 92–156, November 17, 1971. Accordingly, at this time the President is in violation of the separation of the powers doctrine as set forth in the Constitution of the United States, operating an illegal war in excess of his Constitutional powers. The President and other defendants are also unlawfully and unconstitutionally misusing appropriations of Congress to conduct this war.

10. As pointed out above, since the passage of the Mansfield Amendment, the President has taken action in mining the harbors of the Democratic Republic of Vietnam, cutting off communications and rail lines and interferring with shipment to Vietnam by other sovereign countries. Nothing in any acts of Congress have ever authorized either implicitly or explicitly such actions by the Executive Branch of Government of the United States. Additionally, leaders of Congress have repudiated such actions. These actions of the President and other defendants herein constitute acts of war against other sovereign powers other than the Democratic Republic of Vietnam, never before considered by Congress and accordingly, also, violate the separation of powers doctrine.

11. Additionally, the actions of the Executive Branch and particularly defendants herein in mining the harbors of the Democratic Republic of Vietnam are in violation of Article II, Eighth Hague Convention of 1907—"Convention Relative to the Laying of Automatic Submarine Contact Mines", October 18, 1907, 36 Stat. 2332. The Hague Convention forbids the laying off coasts and ports of enemy mines which interfere with commercial shipping. The Convention defines the type of mines. The Executive Branch and defendants herein have made no effort to seek the approval of Congress or to inform Congress of the type of mines used, or full purpose or effect of the mines and accordingly violate the specific intent of the Hague Convention.

12. Plaintiffs have been and continue to be irreparably injured, both as citizens of the United States and as representatives of the people and in their ability to represent the people by the actions of the defendants. The right to declare war lies specifically and solely with the Congress of the United States. The issues of the President's and the other defendants' present actions in mining harbors, cutting off rail and other communications, and other actions as set forth above and included in Exhibit A attached hereto, have never been presented to any other court. Plaintiffs have no other adequate remedy at law other than the suit herein.

Wherefore, plaintiffs respectfully pray:

(1) That the Court issue a declaratory judgment, declaring that defendants are violating Article I, Section 8, Clause 11 of the United States Constitution in their actions against the Democratic Republic of Vietnam and other countries as described in the President's message of May 8, 1972;

(2) That the Court issue a preliminary and permanent injunction enjoining the President of the United States and other defendants herein and their successors in office and others acting in concert with them from carrying on war, further mining of harbors, further bombing and interruption of communication and rail transportation and other acts of violence against the Democratic Republic of Vietnam and other countries without specific authorization of Congress;

(3) That the Court enjoin the President and those acting in concert with him to seek Congressional authorization for the acts announced in his speech of May 8, 1972, and the further acts announced by the defendant Secretary of Defense in his press statement of May 10, 1972, before further implementing or carrying out any of those actions;

(4) And that the Court enjoin the defendants from further utilizing appropriations pursuant to acts of appropriation of Congress for military expenditures in Indo-China unless and until he receives proper authorization from Congress to utilize the funds in the manner set forth in his speech of May 8, 1972 and the public statement of defendant Secretary of Defense on May 10, 1972, and further enjoin him from using such funds in manners other than specifically set forth in the authorization acts of Congress as presently enacted.

(5) That the Court order such other and further relief as it may deem appropriate.

Hon BELLA ABZUG, et al.,
(By Counsel).

Counsel for Plaintiffs:
PHILIP J. HIRSCHKOP.
WASHINGTON, D.C.

Finally, Mr. Speaker, I wish to include at this point in the RECORD a very perceptive and devastating critique of Nixon's new war policy which was written by Fred Branfman, director of Project Air War:

WAR IS PEACE

(A primer on the President's announcement of the Haiphong blockade.)

(By Fred Branfman)

(NOTE.—Mr. Branfman spent 4 years in Laos, from 1967 through 1971. He is currently director of Project Air War, a research group in Washington, D.C. He is editor of *Voices From The Plain of Jars*, to be published this month by Harper and Row.)

"All entrances to the North Vietnamese ports will be mined . . . United States forces have been directed to take appropriate measures within the internal and claimed territorial waters of North Vietnam to interdict the delivery of any supplies. Rail and all other communications will be cut off to the maximum extent possible. Air and naval strikes against military targets in North Vietnam will continue . . . You want peace. I want peace . . . and that is why, my fellow Americans, tonight I ask you for your support of this decision—a decision which has only one purpose—not to expand the war, not to escalate the war, but to end this war and to win the kind of peace that will last. With God's help, with your support, we will accomplish that great goal."—Richard Nixon, May 8, 1972

George Orwell predicted that the leaders of major powers would come to wage war by machine and call it peace; that they would annihilate distant and unseen societies from the air even as they constantly reiterated their earnest desires for peace at home.

On May 8, 1972, Richard Nixon announced the most serious and dramatic set of escalations in the Indochina war, removing the last remaining restraints on automated war observed by his predecessor; at the same time, he used the terms "peace" or "ending the war" on 19 separate occasions in a 17-minute talk.

He didn't quite claim that "war is peace." But then he did not have to.

His speech was one of the most striking attempts to rewrite history in recent memory. Virtually every sentence in it contradicted the written record, ranging from the writings of Lacouture and Fall, to the Pentagon and Kissinger papers, to today's newspapers.

Two tons of bombs were exploding every 60 seconds as he solemnly declared "I, too, want to end this war;" mines were being laid in and around Soviet vessels as he called upon the Soviet Union not to "slide back into the dark shadows of a previous age."

It is as much in wonderment as dismay that one turns to an analysis of some of the more striking distortions and outright falsehoods of this remarkable speech:

1. Invasion—"Five weeks ago, on Easter weekend, the Communist armies of North Vietnam launched a massive invasion of South Vietnam".

The very basis of the 1954 Geneva Settlement on Vietnam is that Viet Nam is *one country*. There is no reference to a "South Vietnam." The 17th parallel, far from being an "international border" as the President claimed in his April 26 speech, was merely a temporary military demarcation line. Point 6 of the Joint Declaration by the 9 powers guaranteeing the settlement specifically states that: "the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary." This line was only in force for 300 days following July 21, 1954, and was meant merely to mark time until a 1956 election which would unite Viet Nam. When the Diem regime did not allow this election, the 17th parallel lost any legal, political, or moral meaning. The cancellation of the elections threw the issue of who would rule in Viet Nam back to the Vietnamese themselves.

2. Origins—"We Americans did not choose to resort to war—it has been forced upon us".

In fact, the United States did indeed unilaterally choose this war two decades ago, when the Truman Administration decided to pay ¾ of the costs of the war for the French between 1950 and 1954. And the Geneva Accords were barely signed when in August 1954, while Mr. Nixon was vice-President, the United States dispatched a team under Colonel Edward Lansdale to take over the French position. As Lansdale has written in the Pentagon papers, team member "Major Conein was given responsibility for developing a paramilitary organization in the north" and "a second paramilitary team was formed to explore possibilities of organizing resistance against the Viet Minh in the south." These American teams, as Lansdale describes, then proceeded to assure the installation of a little-known exile, Ngo Dinh Diem, and then carry out a wide variety of espionage, sabotage, and psychological warfare missions throughout Vietnam.

3. Restraint—"Throughout the war in Vietnam, the United States has exercised a degree of restraint unprecedented in the annals of war."

The next 10 years saw a variety of American-supported initiatives ranging from herding people into "agrovilles" and "strategic hamlets" to execution of suspected Viet Minh to war supported by U.S. combat troops. By 1965 Bernard Fall reported that "already, in what may be loosely termed the 'American period,' the dead are near a quarter million, with perhaps another half-million people seriously maimed. And other Vietnamese people are dying because they are starving." This was nothing, however, to the American "restraint" which followed. Between 1965 and 1972, the United States has expended over 13 million tons of ordnance, created over 23,000,000 bomb craters, and dropped over 100,000,000 pounds of herbicides which have destroyed an estimated 5,000,000 acres of crop and forest land. According to the Senate Subcommittee on Refugees, the United States bears the major responsibility for the creation of over 6,000,000 refugees in South Vietnam (and 2.7 million more in Laos and Cambodia), the death of 325,000 civilians, the maiming of 700,000 more, and generating 700,000 orphans.

4. The Nixon record—"And I think you know, from all that I have said and done these past three and a half years, how much I too want to end this war".

Mr. Nixon has done nothing to end the war. On the contrary, he has steadily expanded it, transforming it from a ground war in South Vietnam to a massive and indiscriminate air war throughout Indochina.

He has initiated and waged a full-scale air war in once-peaceful *Cambodia* for two years now. Over 2 million Cambodian refugees have been created under Mr. Nixon, according to an official Government Accounting Office study reported in the *New York Times* on December 5, 1971. The bombing in *Laos* has been double that under Mr. Johnson, and Mr. Nixon has also introduced over 10,000 new Thai troops in northern Laos as well as invading southern Laos with 22,000 ARVN in February, 1971. He resumed the bombing of *North Vietnam*, struck on 328 admitted occasions *before* the recent offensive began; and hospital admissions in *South Vietnam* in 1971 were running as high as in 1967, when there were 450,000 U.S. ground troops there.

In all, Mr. Nixon had already dropped over 3.3 million tons of bombs in Indochina before the offensive began, more bombs than have been dropped by any leader in history; and, according to the U.S. Senate Subcommittee on Refugees, there had also been over 3,000,000 civilians killed, wounded or made homeless during his first 3 years in office.

At this writing he has tripled his aerial and naval forces in Indochina from what they were at the beginning of this year: B52's have risen from 40 to 130, attack planes from 350 to nearly 900, aircraft carriers from 2 to 6, and other naval vessels from 10 to 55.

Most strikingly, there are now some 100,000 men waging the air and naval war against Indochina: 40,000 airmen in Thailand, 40,000 naval personnel in the Gulf of Tonkin, over 20,000 airmen within South Vietnam. By contrast, there are only some 45,000 ground troops left. It is the first time in history a nation has deployed more men abroad to wage automated war than ground war. Mr. Nixon's transformation to an age of Orwellian mechanized war has arrived.

5. Negotiations—"The United States . . . has offered the maximum of what any President of the United States could offer . . . (but) we will not cross the line from generosity to treachery . . ."

Mr. Nixon's continued insistence on determining who will rule in Saigon has precluded any hope of a negotiated settlement. For the very basis of the Vietnamese struggle for the last 20 years has been their insistence that the United States has no right to intervene.

And, in fact, Mr. Nixon's "generous" peace offers have added up to little more than a demand that the NLF surrender. He is asking that they lay down their arms while over 100,000 American troops are still in and around their country. He is asking that at that point they cede the Thieu regime nominal control of the country. He is asking that they then surface to contest elections, in the face of a CIA-run Phoenix program which is officially admitted to having killed or imprisoned 35,727 "suspected" NLF under Mr. Nixon. And he is asking that they take comfort in Thieu's offer to resign one month before elections, when the United States has put over $3 billion in the past 3 years to creating a giant machinery of repression consisting of over 1,000,000 troops, 200,000 police, and a vast network of appointed officials, informers and assassins down to the village level. And he is asking them to do all this when he could at any time rescind his pledges of a free election, just as the Eisenhower Administration did in 1956.

6. The other side's terms—"Do we join with our enemy to install a Communist Government in South Vietnam?"

The idea that the PRG would be so foolish as to demand that the United States install a "communist" government in South Vietnam is patently absurd. They have made it more than clear that they understand the American desire to withdraw gracefully. In public, they have simply asked that Mr. Nixon set a date for total withdrawal, withdraw support from the Thieu regime, and allow a coalition government headed by a non-communist to take over. They have also taken the unprecedented step of offering to begin the return of American captured personnel before the cessation of hostilities. In private, I am assured by high-ranking officials in the State Department, they have offered to guarantee Mr. Nixon a substantial period of grace after full American withdrawl before contesting for full power. Under the circumstances, no American president could hope for more generous terms if he had any intention of withdrawing and allowing the Vietnamese to settle their own affairs.

7. Bloodbath—"Abandoning our commitment in Vietnam here and now would mean turning 17 million South Vietnamese over to Communist terror and tyranny . . . we would only worsen the bloodshed."

The use of the "bloodbath" argument was one of the most Orwellian aspects of this speech. It is not only that a "communist

bloodbath" is a vague and distant possibility that the only Vietnamese certain to suffer retaliation have already made plans for luxurious retirement in Europe, e.g. President Thieu in his villa in Switzerland; that the PRG, faced with the awesome task of attempting to rebuild a fractured nation, would most likely opt for a policy of national reconciliation both to build national unity and attract foreign aid; that even a group of prominent Catholic intellectuals recently issued a statement calling for a "halt to American aggression in Viet Nam today."

It is that even as he was speaking Mr. Nixon was continuing one of the greatest bloodbaths in recent history; that while a communist bloodbath was but a possibility, the American bloodbath was a reality and that Mr. Nixon's speech would be followed by an orgy of bloodletting that even Viet Nam had not yet seen.

8. ARVN bravely—"The South Vietnamese have fought bravely . . . (they) shall continue to have our firm support in (their) resistance against aggression."

The very reason for Mr. Nixon's taking so drastic a step as attempting to mine and blockade Haiphong harbor was the lack of spirit of the "South Vietnamese." Devoid of the spirit to fight led by incompetent and corrupt officers, the ARVN has literally fallen apart. When the offensive first began, the *New York Times* reported on April 9, the entire Third Division ran away: "Let's face it third division was routed," one U.S. officer in Dong Ha said, "it was nothing but a mad rush to the rear once the North Vietnamese started shelling them." By April 15, the *Times* was reporting widespread lootings: "All day long, the army trucks moving south from Dongha were filled with soldiers and piles of loot—chairs, tables, refrigerators, television sets, food, chickens, pigs." Relief columns were not getting through, as the *Washington Post* reported on April 16, "What might sound surprising . . . is that with all the American-supplied vehicles—including tanks and cars—and an estimated 20,000 troops assigned to the job—the South Vietnamese so far have not been able to open the road nor even to supply water to their troops in the bush." And two days after the fall of Quang Tri on May 1, the rout was complete. The *Times* reported from Hue that "thousands of panicking South Vietnamese soldiers—most of whom did not appear to have made much contact with the advancing North Vietnamese—fled in confusion from Quangtri Province today, streaming south down route 1 like a rabble out of control." On the same day it was reported, "thousands of militiamen as well as regular soldiers of the 22nd Infantry Division gave up their posts and left their weapons behind in Binhdinh Province rather than contest the North Vietnamese for three districts inhabited by 200,000 people."

10. Protecting U.S. troops—"With 60,000 Americans threatened, any President who failed to act decisively would have betrayed the trust of his country."

Mr. Nixon's greatest betrayal of this country—and its soldiers—is his refusal to withdraw the 60,000 men in Vietnam and the 80,000 around it from the Indochina theater. It is clear that the only way to protect them is to take them out. As long as they remain there, they will be killed and maimed in ever-increasing numbers.

Since the offensive began, the American people have only been told of the 36 men listed as killed by hostile action and 57 missing in action (MIAs). They have not been told that most of the MIAs are presumed dead, and another 23 men are listed as killed by non-hostile causes, making well over 100 men killed in the month of April alone. Another 197 men were wounded during the same period. These rates are roughly double those of the monthly average for the first three months of this year. This loss of American lives can be expected to intensify as the bombing and ground fighting increase in the weeks to come.

11. POWs—"Abandoning our commitment in Vietnam . . . would mean leaving hundreds of American prisoners in Communist hands with no bargaining leverage to get them released."

The only "bargaining leverage" the United States has to secure the return of captured military men is withdrawal, not more war.

Continued war ensures the prolonged internment of those already captured. In addition, it ensures that new men will be shot down daily. Over 350 men who were alive and well when Richard Nixon took office are now listed as missing in action or captured. The 57 men listed as missing in action in April are mostly airmen.

And, most seriously, the kind of war Richard Nixon forecasts creates even greater risks for those captured. As a March, 1968, study prepared by a Clark Clifford study group notes in the Pentagon Papers, "Although the NVN do not mark the camps where American prisoners are kept . . . heavy and indiscriminate attacks in the Hanoi area would jeopardize the lives of these prisoners and alarm their wives and parents into vocal opposition.

12. Efficacy—"There's only one way to stop the killing. That is, to keep the weapons of war out of the hands of the international outlaws of North Vietnam."

The notion that mining and blockading Haiphong harbor will "stop the killing" in the south strains credulity. To begin with, according to Mr. Nixon, most of the North Vietnamese army is already in the south. A blockade's only conceivable effect on the situation in the south for the next few months will be to encourage anti-U.S. forces to fight harder than they ever have.

More importantly, there is no reason to believe that a blockade can stem the flow of supplies into the south. The Clifford Study stated categorically that 'if the Port of Haiphong were to be closed effectively, the supplies that now enter Haiphong could, albeit with considerable difficulty, arrive either over the land routes or by lighterage . . . the closing of Haiphong Port would not prevent the continued supply of sufficient materials to maintain North Vietnamese military operations in the South."

The Kissinger papers show that the CIA and Office of the Secretary of Defense agree with this analysis. And though the Joint Chiefs of Staff do not, the history of past predictions shows little reason to believe them this time.

Indeed, the real reason for the blockade of the harbor and intensified bombing does not seem to lie in attempting to stop arms shipments. Rather, it seems in part an attempt to break Vietnam's spirit. As the Clifford Group suggested, "the only purpose of intensification of the bombing campaign in the North . . . would be to endeavor to break the will of the North Vietnamese leaders."

This hope is clearly also chimerical. It is not only that the Vietnamese have long since learned to de-centralize, protect their civilian population, and move supplies under a steady hail of bombs. It is far more that from their point of view, the recent offensive is not a question of the past month, the last 5 years, or even the last 25 years. It is a part of what they see as a 1000 year struggle to see their land free, unified and independent from foreign intervention. This is no doubt the reason why the Clifford Group notes that: "CIA forecasts indicate little if any chance that this would result even from a protracted bombing campaign directed at population centers."

13. Soviet aid—"(The) invasion . . . was made possible by tanks, artillery and other advanced offensive weapons supplied to Hanoi by the Soviet Union and other Communist nations."

Mr. Nixon's peculiar insistence on the importance of Soviet military aid to the Vietnamese may suggest another motive behind the blockade.

It must be noted that Soviet military aid to North Vietnam is of secondary importance. A *Times* report on April 13, based on official figures, showed that Soviet military aid to North Vietnam in 1971 was only $100 million, down by 80% since 1967. The combined total of Soviet, East European and Chinese economic and military aid in that year was $775 million. This may be compared with the $15.1 billion budgeted by the U.S. for the war in 1971.

Moreover, the use of tanks in the current offensive seems more a matter of convenience than necessity. The NLF, after all, managed to launch a highly successful Tet offensive against 550,000 American ground troops. There is no reason to believe that if deprived of their tanks they—with or without the North Vietnamese—could not succeed against the ARVN.

If the offensive is not due to "advanced weapons" supplied by the Soviets then, why Mr. Nixon's shrill insistence on this point? The reason may stem from Administration and Pentagon fears of growing movement against prohibitive defense spending. For some time now a massive public relations campaign has been under way to replace the Chinese threat with the Soviet threat. Mr. Nixon may be blockading Haiphong in part to build up anti-Soviet feeling in this country to justify high defense expenditures.

14. The domino theory—"an American defeat in Vietnam would encourage . . . smaller nations, armed by their major allies . . . to attack neighboring nations at will, in the Mideast, in Europe and other areas."

Nothing damages American credibility in the world more than the ongoing spectacle of the mightiest nation on earth attempting to bloody a small, agrarian nation into submission. It is not only that much of the world is morally outraged. Any group of leaders—no matter how corrupt—would have to think twice before inviting the United States in to apply the same "help" it has given to South Vietnam. There is much evidence, for example, that nations as close as neighboring Thailand are giving second thoughts to heavy involvement with the United States.

Perhaps this is why despite the sharp disagreement noted in the Kissinger Papers over the eventual consequences of an American withdrawal in South Vietnam, all agencies rejected "the views that an unfavorable settlement in Vietnam will inevitably be followed by Communist takeovers outside Indochina."

15. Terror—"do we . . . leave the South Vietnamese to a long night of terror?"

The long night of terror came long ago to Indochina. Indeed it started one million Indochinese lives ago, and has continued for most of the lifetimes of those who have survived.

It came in the form of men of a strange and different race with whom they could not even communicate, men who respected neither their women, nor their culture nor their very existence; and it has continued in the form of their machines circling high in the skies, machines which have already dropped more than 6.5 million tons of bombs on them, more bombs than have been absorbed by the rest of the world put together in all history.

And Mr. Nixon's speech could only have meant one thing to ten million Indochinese now packed into refugee camps, to hundreds of thousands now huddling underground hiding from his bombs, to over 100,000 political

prisoners packed into Saigon's inhuman jails, to a million ARVN forced on pain of death to fight for a cause they do not believe in, to the orphans and the widows and the mutilated and the prostitutes.

It could only have meant that their long night of terror would continue. And, that the worst would be yet to come.

EARTH DAY 1972

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WOLFF. Mr. Speaker, it is all too true that actions speak louder than words. While the development of an ecological consciousness and the conservation of our natural resources have become popular speech topics, unfortunately, those who have acted are far fewer than those who have spoken.

One group of individuals who have responded to this challenge are the Residents for a More Beautiful Port Washington. As part of Earth Day 1972, this organization, along with the town of North Hempstead and the Long Island Railroad, joined in a cooperative "green-up" of the Port Washington railroad station. The efforts of these people, who devoted their time, money, and hard work to the sole purpose of making Port Washington a better place to live, should serve as an example for other communities throughout our country.

I would like to take this opportunity to offer my personal congratulations to those responsible for this noteworthy effort:

RESIDENTS FOR A MORE BEAUTIFUL PORT WASHINGTON

Chairman of the board, Mr. Myron Blumenfeld.
President, Mr. Eric Pick A.I.A.
Vice-president, Mrs. Zanvil Cohn.
Treasurer, Mrs. Elliott Greenspan.
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CHAIRMAN OF EARTH DAY 1972

Mr. Edward Porco.

Funds for the green-up were collected courtesy of the National Bank of North America.

TRIBUTE TO DUKE WALES

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BELL. Mr. Speaker, Friday evening, May 19, 1972, a party will be given in Los Angeles for our friend Clarke H. "Duke" Wales, the universally respected director of public relations for the Association of Motion Picture and Television Producers, who retired this month after 29 years with the association.

Born in Somerville, Mass., Duke Wales attended the University of Michigan and graduated with a bachelor of science degree in journalism from Northwestern University in 1929.

Following assignments in journalism with the Villa Park Argus, the Chicago Tribune, the Cleveland News, the Memphis Press-Scimitar, the Scripps Howard Newspapers, United Press, the Detroit Free Press, and the Screen and Radio Weekly, Wales moved from the Midwest to Hollywood and, in 1940, joined the advertising and publicity department by RKO-Radio Pictures.

Three years later he began his long-term career with the Association of Motion Picture Producers, the forerunner of today's Association of Motion Picture and Television Producers. In the beginning he handled the industry's wartime public relations activities, especially those of the Hollywood Victory Committee and the War Activities Committee.

After the war he served for a time as assistant to Byron Price, then chairman of the AMPP board, and in 1950 he became director of public relations for the association and quickly began to acquire his reputation as one of the world's foremost professional communicators.

The range of his activities has been extraordinary. As director of public relations for the production industry's trade association, Duke Wales has admirably represented his industry before kings and princes, as well as the laboring man in search of opportunity.

He has served long and actively on the board of trustees of the motion picture and television fund and its many operating committees. He has been a moving force on the Permanent Charities Committee of the entertainment industry for 30 years.

An influential member of the Public Relations Coordinating Committee of the Academy of Motion Picture Arts and Sciences, his name is almost synonymous with press arrangements for the annual Academy Awards. He also was a founder of the Hollywood Overseas Committee which for 5 years has been supplying star entertainment to our servicemen in Southeast Asia.

In addition he has served with distinction on the Public Relations Committee of the Los Angeles Community Chest, the Advisory Board of the YMCA's Hollywood Studio Club, and the Los Angeles Society of Public-Relations Counselors.

For his community service he has received citations and expressions of gratitude from organizations and institutions ranging from the Department of Defense to the California State Assembly to the Los Angeles Police Department.

For these reasons, Mr. Speaker, it is with special pleasure that I direct attention of the U.S. Congress to the career of Duke Wales and note that I will be joining his many friends, and a who's who of leaders of the motion picture and television industry at the home of Charles Boren on May 19, to show him something of our profound admiration, gratitude, and respect.

PROTECTION FOR TEMPORARY FEDERAL EMPLOYEES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. WALDIE. Mr. Speaker, today I am introducing a bill to provide coverage for temporary Federal employees under the civil service retirement program, the civil service life insurance program, and the civil service health benefits program.

Mr. Speaker, I have been planning to introduce this bill for some time now because of the obvious inequities involved for "temporary employees" of the Federal Government who are not covered in the Government programs of retirement, insurance, and health benefits. As chairman of the Subcommittee on Retirement, Insurance, and Health Benefits of the Post Office and Civil Service Committee, I have become particularly aware of the plight of those Americans who do not have proper insurance protection against death, injury, and old age. The temporary Federal employee does not have such protection.

In the area of health benefits, in many instances, the temporary Federal employee is not covered by the expansive Federal employees health benefits program as are all other Federal employees. As you know, President Nixon recently sent a bill to the Ways and Means Committee of the House which provides that all private employers must provide for the health coverage of their employees, and to cover 75 percent of the cost of such health coverage. Following the President's lead, I introduced similar legislation to provide that the Federal Government, the largest single employer in the Nation, do for the Federal employee exactly what the President proposed for the private sector. That bill, H.R. 12202, was strongly supported and passed the House on April 27 of this year.

If both the President's legislation and H.R. 12202 are enacted into law, this will mean that all Federal and all private employees will be covered under some form of comprehensive health care insurance. All except the temporary Federal employees. This means that at last, nearly all Americans—except temporary employees—will be covered by a health plan of some sort through their place of

business. But we are attempting to guarantee such peace of mind for all Americans because we strongly feel that health care is a right for all and not just a privilege for the few. It is in this light that I am introducing this bill today on behalf of the temporary employee.

Mr. Speaker, the Federal temporary employee is a very important and effective resource for the Federal Government. He is contracted to work a full weekly schedule for periods of up to 1 year. Yet persons accepting such Federal employment for a year are denied by civil service regulations from receiving the retirement and insurance coverage which all other Federal employees enjoy. This is hardly a fair distinction to make.

Is such denial justified because the temporary Federal employee is any less likely to need health care services than a regular Federal employee? Will a temporary employee have less need to provide adequate life insurance for his family than a regular Federal employee? No, we have denied such coverage merely because of the administrative problems which covering them might present. In my opinion, this is not a legitimate reason for keeping this class of employees from enjoying the same security while under the Federal employment as any other Federal employee enjoys.

Recently, I have learned of cases where full time Federal employees at military installations undergoing major reductions-in-force are being rehired at a later date by the Federal Government to do the same job as a temporary employee, yet without the benefit of the retirement, life insurance, and health benefits that they once enjoyed as regular employees. Such a situation provides only more hardship for a Federal employee who has had to suffer through a reduction in force.

These Federal employees are forced to take whatever coverage they can get and at whatever price that a private carrier wishes to charge in order to provide their families with adequate coverage until new "regular" full-time employment can be obtained.

Mr. Speaker, I am not suggesting that all temporary Federal employees would necessarily want to take advantage of such benefits and coverage. Some, because of the nature of their employment, would already have other coverage of their own. But I do strongly feel that those who have no such coverage should be allowed to avail themselves of the protections guaranteed other employees while they are in the Federal employment.

FOOD STAMP PROGRAM

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. SHOUP. Mr. Speaker, recently two people from the Montana State Welfare Organization and the Montana State Low Income Association came to my office to speak to me about the food stamp program. Unfortunately, I had other commitments at that time and was not able to talk to them directly.

A member of my staff spoke with them, however, and delivered to me statements made by them before the Subcommittee on Agriculture, Environmental and Consumer Protection. These statements note several faults in the food stamp program and suggest some actions which may mend these flaws.

Probably every governmental agency is in need of repair in one way or another. This may be true of the U.S. Department of Agriculture. I think it is important to listen to those who are served by our governmental agencies since they are perhaps the first to know if a particular program is in need of realinement. By hearing what they have to say, we may discover any serious discrepancies and correct them as soon as possible.

While I wish there was no need for such a program, this Montana delegation has made some findings that should be considered and are explained in the following statements:

STATEMENT BY IRENE HOULE

(Chairman of Montana State Welfare Organization, before the Subcommittee on Agriculture, Environmental and Consumer Protection)

The low-income people of the State of Montana sent Mr. Trotchie and myself to Washington, D.C. to testify before this committee after two days of public hearings in Billings, where we were not getting any response from the people USDA sent to represent them. We feel that the facts that were brought out in this testimony should be brought to the attention of Congress.

Today we are just going to highlight some of the Billings findings which will be sent to this committee in full.

In breaking down the food stamp allowance for one person under the new rulings, it averages out to 84 cents per person per day, or 28 cents per person per meal. No one can eat on 28 cents a meal, especially children. Under this new ruling, the USDA considers special allowances such as the WIN allowance (a work incentive training program for low-income people) as income. Also, a winter allowance which they receive from the first day of October to the first day of April is also considered as income. These special allowances are specifically meant to help people get themselves training in which to better themselves so they can get off the welfare rolls. The winter allowance is meant to be for the increase for utilities or fuel, and for winter clothing.

In one instance, a person getting a $30 allowance has to pay in $26 of this for food stamps, which leaves them $4 for their heat, their clothing, and whatever else they have to buy. The welfare department gives it to you on one hand, and the Department of Agriculture takes it with the other hand. Due to this new ruling, the price of your food stamps are raised, but you still receive the same bonus! They are paying more for the same amount of stamps, which is wrong. And people are still hungry. This needs attention *now*, not at a later date.

This is not just a state crisis, this is a national crisis. We hope this committee acts to appropriate more money, so that the food stamp allowances can reflect reality instead of outdated practices.

Thank you.

STATEMENT OF LARRY TROTCHIE

(Vice Chairman of the Montana State Low Income Association, before the Subcommittee on Agriculture, Environmental and Consumer Protection of the Senate Committee on Appropriations)

On April 11th and 12th, 200 low-income persons from all over the state of Montana attended a public hearing to testify concerning their views of the current Food Stamp Program.

The individual testimony and the signatures of over 1800 persons on petitions, and that multitude of people who did not sign for fear of losing what little aid they do receive, stated that their meager budgets did not contain sufficient funds to pay the high cost of the stamps. Many families are going without food because they do not have the money with which to purchase food stamps—sometimes because the cost of food stamps is based on future income.

On the other side the amount of food stamps provided is altogether inadequate. By the USDA's own figures, as well as testimony and surveys taken during these last two years, the assistance provided for a family of four should be raised to at least $137.50, the low cost budget, plus a 5.5% cost of food increase.

Mr. Wood, a representative of USDA's regional San Francisco office in attendance at this hearing, stated that if there was a need for increased allotment and if Congress would appropriate more money, then USDA could increase the allotments. Mr. Wood also stated that "he felt Congress was too slow in appropriating money for this program."

Yet USDA asked for only a 2 billion budget for 1972. Congress insisted that they take 2.2 billion. This year USDA is only asking for 2.34 billion, despite their latest study showing a need for an increase of $37.00 for a family of four. If USDA is not going to use these studies, they make, let them stop making them.

Montana State Low-Income Organization is now in the process of transcribing the findings of this hearing. When this process is complete we hope this committee will use these findings to help in determining this new budget.

The needs of low-income people of Montana and other states cannot wait. People are hungry *now*, and these adjustments must be made *now*.

In addition to this, in a report from the Community Nutrition Institution Weekly Report, Gerald Brown, Iowa Council of Churches representative stated before the Iowa Farmers Organization, that "Farm and Commodity organizations have a stake in the expansion and successful operation of the Food Stamp Program. . . . First as a significant market; second, as a means of addressing multiple and interrelated problems associated with low-income families, and third, as it relates to county operational costs and tax load. Expansion of the program to reach the eligible would obviously have significant impact on farm economy. . . .

"There is another significant benefit of the program. The Federal Reserve Bank of Chicago, in a review of nutrition programs (June 1971) reports of the food stamp program that 'some of the increased expenditure for food represents an upgrading in the diet level rather than increased purchases of food,' . . . . which has significance for related problems such as health care, education and employment, promising long term benefit.

"Revised food stamp regulations went into effect March 1, 1972, after many months of confrontation and comprise. Secretary of Agriculture Earl Butz spoke at the Farm Institute of releasing $200 million in funds for food stamps as one of the numerous actions taken for the benefit of agriculture. This was essentially a rescinding of cuts scheduled in the new regulations.

"A number of other side effects of the new regulations should be of concern to the farm community. First is an increased unreimbursed administrative cost to the counties which will be concealed by operational procedures . . . Second, pressure on local taxes will be increased in yet other ways. The new regulations will exclude some who have participated in the past. Their needs will continue and, if they are met, it will be from General Relief. Income guidelines do not

sufficiently reflect the inflationary pressures of the day—perhaps most acutely felt by the low income. Although token adjustments in food stamps are made, many can no longer accumulate the necessary cash to purchase, which is required for participation. Many of these, too, will turn to General Relief."

QUESTIONING THE FAST BREEDER REACTOR

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BINGHAM. Mr. Speaker, in the April 28 issue of Science magazine, Allen L. Hammond discusses development of the liquid metal fast breeder reactor—LMFBR—and reviews a recent study made by Thomas B. Cochran of Resources for the Future, a Washington-based research organization. The issues raised by this article merit the careful attention of all concerned with energy plans and priorities. In particular, Mr. Cochran's study questions whether the economic benefits of the LMBR are real or illusory, whether it will be competitive with other sources of energy as soon as predicted, and whether the AEC has accurately estimated the potential supply of uranium, which fuels alternative sources of power. These issues, combined with continuing difficulties in assessing fully the potential environmental and safety hazards of the LMFBR, lead Mr. Hammond to conclude that we should pause to resolve these important questions before rushing to build the reactor.

The following is the text of Mr. Hammond's article:

THE FAST BREEDER REACTOR: SIGNS OF A CRITICAL REACTION

Since 1967 the Atomic Energy Commission (AEC) has accorded the breeder reactor, in particular the liquid-metal fast breeder reactor (LMFBR), the highest priority in its efforts to develop nuclear power. The breeder program is the largest single energy R & D effort in the federal government, and President Nixon has designated this technology as "our best hope today for meeting the nation's growing demand for economical clean energy." Indeed, the AEC claims that because of an impending uranium shortage, man's use of nuclear energy would come to an end within two or three decades unless breeder reactors—which can make their own fuel—are available. The AEC and its congressional backers on the Joint Committee on Atomic Energy are therefore promoting the rapid development of the LMFBR as a means of staving off what they see as an energy crisis. Among other benefits, the AEC estimates that the commercial introduction of the LMFBR in the mid-1980's will reduce the cost of electric power and save almost $20 billion in the nation's power bill over a 50-year period.

Despite such impressive claims, there is growing opposition to the breeder program, by those who challenge the AEC's assertions. Several groups have criticized the LMFBR on environmental grounds, citing the dangers of the plutonium that these reactors will use for fuel. And now some telling economic arguments have been advanced which suggest that the LMFBR will cost much more to build and operate than the AEC predicts. A recent study* concludes that LMFBR's are likely to encounter barriers to their commercial acceptance by the utility industry or to entail higher power bills for the consumer in the event of their use. The study found that LMFBR's came off a poor fourth in comparison with other types of nuclear reactors and asserts, AEC claims to the contrary, that there is no urgent need to rush ahead with this technology.

If the study's conclusions are substantially correct—the AEC, other government officials, nuclear industry officials, and university scientists are now reviewing the heavily documented and lengthy report—it would appear to be something of a setback to the AEC's plans for our nuclear future. The study, which is the work of a young physicist, Thor as B. Cochran, was conducted at Resources for the Future, a Washington, D.C., think tank that has a good reputation for unbiased analyses of environmental problems. Cochran disputes both the AEC's economic claims for the LMFBR and its contentions that uranium will be in such short supply as to require a switch from conventional, uranium-fueled reactors to breeders before the end of the century.

The U.S. investment in the LMFBR is substantial. The AEC expects to spend as much as $4 billion on developing these reactors before 1986, when the first commercial power plant with an LMFBR is supposed to be ready. Most of the agency's justification for these expenditures is contained in a series of cost-benefit studies, the latest of which claims that an early introduction of the LMFBR into the U.S. power economy will result in net savings to the consumer of $19 billion; any delays in the breeder program, according to the AEC, will reduce these benefits by $2 billion per year.

But Cochran claims that these benefits are largely illusory. His study of the LMFBR program focuses on the AEC cost-benefit analysis. He finds that the economic model with which the AEC forecast the effects of the LMFBR program is extremely sensitive to the assumptions used in constructing the model. Many of these assumptions he believes to be incorrect, and thus he characterizes the AEC's results as "deceptive and not very convincing." Cochran points out, for example, that the AEC used a discount rate (or cost of money) of 7 percent in its analysis, rather than the 10 percent rate which George Shultz, federal economic czar at the Office of Management and Budget, recently set as appropriate for all federal projects. The higher and presumably more realistic discount rate in the AEC cost-benefit study would reduce the projected net benefits of the LMFBR by more than 75 percent.

The results of the AEC cost-benefit study also depend heavily, Cochran finds, on assumptions of rapidly rising demand for electric power, rapidly rising prices for uranium, and the condition that of several possible reactor types, only the LMFBR, is built in large quantities. If any one of these assumptions is substantially modified, Cochran argues, the LMFBR is no longer an economically viable proposition. He cites estimates of the U.S. demand for electric power in the year 2000 ranging from a high of 10 trillion kilowatt hours (the AEC figure) to a low of 5 trillion kilowatt hours, and points out that at the lower rate of demand, the market for the LMFBR would be considerably diminished.

In addition to deflating the notion that the breeder program will produce benefits over and beyond its costs, Cochran claims that the LMFBR will in all probability not be competitive for several decades after 1986 with the types of nuclear power plants that are already available. The argument depends on estimates of the capital costs of building a nuclear power plant, which are generally high compared to fossil-fueled plants, and estimates of the operating and fuel costs that are often substantially lower with nuclear plants. Most conventional nuclear plants powered by light-water reactors (LWR) now cost between $300 and $400 per kilowatt hour of generating capacity to build. The AEC has assumed that LMFBR's, despite their greater complexity, will initially cost only about $20 per kilowatt more than the LWR's and will eventually cost less. In contrast, Cochran advances a number of reasons for believing that this cost differential will be at least $40 per kilowatt, and he cites similar estimates by a utility industry panel.

Unforeseen technical problems and safety considerations, Cochran believes, are likely to compel the AEC to use a less efficient and more costly design than was assumed in the cost-benefit study. A few years ago, for example, it was discovered that the stainless steel used in reactors expands because of radiation damage, an unanticipated effect whose consequences for the breeder are still unclear. An even more significant influence on capital costs of the LMFBR's may be the design changes contemplated by the AEC. According to the assumptions on which the cost-benefit analysis was based, the first commercial LMFBR's in 1986 will follow a relatively conservative design; 4 years later, in 1990, advanced LMFBR's of a much more ambitious design are to be introduced. This advanced LMFBR design is, Cochran believes, overly optimistic and quite possibly unrealizable for safety reasons, despite improvements in the technology to be expected by 1990. The high temperatures at which, in the postulated design, the advanced LMFBR's would be operated—close to the melting point of the fuel—leaves little margin for error in the event of temperature variations, and for this and other reasons the predicted performance may be hard to achieve. But despite the ambitious design, the cost-benefit study does not allow for any increase in capital costs or first-of-a-kind expenses with the advanced LMFBR. The net effect, Cochran asserts, may be capital costs for the breeder which will be far higher than those associated with LWR's.

Even accepting the AEC estimates of capital costs, Cochran predicts that costs associated with procuring and processing nuclear fuel for the LMFBR will not be low enough to show a net advantage. The AEC estimates for these costs are in the nature of a self-fulfilling prophecy; having assumed that the LMFBR will be economically attractive to the utilities, the AEC can then postulate savings in fuel processing based on economies of scale—a large plant processing fuel from many reactors is cheaper than a small one. The effect is to unrealistically reduce the projected cost of electricity from the LMFBR by more than 0.5 mil per kilowatt hour. Additional costs may be added by safeguards to protect the valuable plutonium fuel against theft, by regulations to control release of radio-active gases from the fuel-processing plant, and by other environmental constraints not now included in the AEC cost estimates.

By far the most important assumption in the AEC's case for the LMFBR is that uranium prices will rise drastically as supplies become short and lower-grade ores must be tapped. The ability of the breeder reactor to make its own fuel by converting otherwise unused isotopes of uranium into plutonium has long been the primary reason for interest in this technology. Both Cochran and the AEC agree that eventually the supply of uranium for the LWR's will run dry and that breeders will be necessary, if man is to continue to use nuclear fission as a source of energy. But Cochran believes that the AEC has been far too conservative in its estimates for uranium resources. Cochran points out that the AEC bases its estimates on extrapolations of mining activity and annual production, rather than on the more widely accepted method of extrapolating known abundances from explored to unexplored areas on the basis of the geological environ-

ment. The domestic uranium industry is currently depressed and, in the absence of long-term contracts with the utilities for more uranium, is doing very little drilling to prove out suspected deposits; the uranium market is so soft that the AEC has embargoed foreign uranium from Canada and elsewhere and has not included foreign sources in their estimates of the available supply, despite large known reserves. Hence the AEC predicts an impending shortage.

Others are more optimistic. George H. Cobb, executive vice president of Kerr McGee, one of the largest uranium mining companies in the United States, is quoted in the Cochran study as predicting an adequate supply of uranium throughout this century and as noting that "there are large areas prospective for uranium in the U.S. that have had little or no exploration." Cochran also cites preliminary (but unpublished) studies presented to the National Petroleum Council which estimate that domestic uranium resources are sufficient to yield enough low-cost uranium to fuel the nuclear industry through the year 2020 without recourse to the LMFBR. Foreign reserves might provide additional backup in case of temporary shortages. The net effect, Cochran believes, is that there is no necessity for making a commitment to the breeder in the immediate future. At the very least he thinks that the uranium supply question should be more thoroughly studied.

CRITICISM OF CRASH PROGRAMS

It is certain that questions about the economic feasibility of the LMFBR, about its optimum design, and about its environmental hazards could be more readily answered if there were not a crash program to build the breeder. In fact, Cochran provides several examples of the deleterious effects of the "nuclear moonshot" philosophy that seems to characterize AEC thinking about the breeder program. One of the main reasons, apparently, for choosing the LMFBR over potentially more efficient alternatives such as a gas-cooled breeder reactor (GCBR) was that the LMFBR technology was further advanced and could be developed to commercial status more quickly. Another example concerns the conflict between economic considerations and safety features in the LMFBR program. The spent fuel taken from a reactor contains large amounts of short-lived radioactive materials, many of which decay within the 150-day "cooling-off" period that elapses before the fuel is shipped, at least for LWR fuel. Spent breeder fuel is even more radioactive, but it is also worth a great deal for the plutonium that it contains. Hence, according to the assumptions in the cost-benefit study, the AEC plans to ship the fuel to reprocessing plants within 80 days, despite the much greater hazard should a shipping accident occur. If, as Cochran believes, the AEC is eventually forced to reconsider and use a longer cooling-off period, the costs of the LMFBR fuel cycle will increase slightly.

In comparing the LMFBR with other types of nuclear reactors. Cochran asserts that the most economically attractive choice for the remainder of this century may be the high temperature gas reactor (HTGR), now just beginning to be built in this country. Cochran estimates that instead of the large number of LMFBR's which the AEC has predicted, utilities may build many more HTGR's, which are expected to have lower fuel costs and fewer environmental problems than the present LWR's. In fact, Cochran ranks the LMFBR last after the HTGR, the GCBR, and the LWR.

To the extent that Cochran's conclusions are correct, one of the few remaining arguments for continuing with the LMFBR program appears to be that of U.S. preeminence in nuclear technology. Representative Chet Holifield (D-Calif.), one of the most influential members of the Joint Committee on Atomic Energy, is quoted as saying, "If we fail to support the breeder, we will have abdicated our responsibility for international leadership in the domestic energy program. I, for one, do not propose to watch other nations proceed with their breeder programs while the United States program is compromised or halted." President Nixon, comparing the breeder to the supersonic transport and to the space program, said "We must always explore the unknown. We must never be afraid of it. That is why we have to go to space. That is why we should have built the SST." But if the LMFBR is to be justified on narrow chauvinistic grounds, rather than for economic reasons or on the basis of an impending uranium shortage, it is clearly far from being the solution to our energy problems which the AEC claims.

It is hardly a novelty when federally financed R & D programs involving new technology turn out to cost more than initially expected. But when the technology at issue is a supposedly crucial future source of electric power, the stakes are somewhat higher. It would appear that the economic and environmental questions raised by Cochran and others are serious and that the rush to build the breeder could well be halted long enough to answer them and to consider whether some major rethinking of the nation's energy plans and priorities is needed.

COMMUNIST STRATEGY MEETING IN WASHINGTON, D.C., OVER VIETNAM WAR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RARICK. Mr. Speaker, top officials of several Communist parties—all enjoying diplomatic immunity—met last night at the Czechoslovakian Embassy in Washington, D.C., to discuss the Vietnam war situation while American men fight and die at the hands of Communist aggressors in Vienam.

The next day the President of the United States met with the top Soviet Communist party official in Washington—indicating that his planned visit to Moscow will go on as planned—probably because neither this Nation nor Soviet Russia seems to want to stand behind their principles.

Everything is to be sacrificed—for trade and the search for wealth and power. The actions of the "superpowers" belie their stated positions.

I sent the following related news clippings:

[From the Washington Evening Star, May 10, 1972]

TENSE DIPLOMATS

(By Joy Billington)

Soviet Ambassador Dobrynin, Polish Ambassador Trampczynski, Bulgarian Ambassador Guerassimov, Hungarian Ambassador Szabo and Czech Ambassador Spacil all had their heads together in a small high-powered group at the Czech Embassy's national day reception last night.

Periodically during the conversation, conducted in Russian, there were bursts of laughter. Dobrynin, who met with his fellow Communist Ambassadors even before he had time to get a drink in his hand, obviously was the focus of the "little summit," as one observer called it, and did most of the talking.

The five ambassadors talked for over a half hour, with the host, Ambassador Spacil, being drawn off from time to time to greet guests.

"The situation that has developed is not for laughter," Spacil said, referring to President Nixon's announcement of the mining of Haiphong Harbor. "But we were talking not only about serious things. When we were laughing, we were not talking about the situation."

While Ambassador Dobrynin refused absolutely to make any comment on whether or not the U.S.-Soviet summit meeting still may be held, or on any other matter, his minister counselor, Yuly Vorontsov, was a little more voluble.

Asked by a guest whether vibrations of concern evident among guests over the international situation amounted to an "electric" situation, Vorontsov agreed. "Yes. We shall see where it's going to go, where it's going to be charged, in what direction."

In one of the most "electric" embassy functions in many years, highranking guests at the Czech chancery on Linean Avenue huddled in groups discussing possible repercussions to President Nixon's action.

"I don't know what it means. Perhaps tomorrow, after the Warsaw Pact meetings in Moscow, we will know more," Polish Ambassador Trampczynski said.

A Polish newsman went further, expressing pessimism about the future of the summit.

"It's directly hitting Soviet interests and prestige, and impairing the freedom of navigation. One report says we have a Polish ship in Haiphong. Another says no."

An Isvestia man inquired if he was speaking to an American. "Today and yesterday, I am angry at Americans," said Alexander Artamonov, sipping his drink and moving off.

The press attaches of the Soviet Union, Bulgaria and Hungary were in another clique. "We display the unanimity of the socialist countries," Alexandr Yevstafyev, the Soviet press counselor, said.

In the periphery, the Nepalese, Belgian, Nicaraguan, Brazilian, Swiss and Argentine ambassadors, and British Minister Anthony Elliott, hovered among the pockets of military men talking avidly about the Haiphong development.

The State Department's ranking guests at the reception covered both areas—Asst. Secretary William Sullivan for Vietnam, Asst. Secretary Davies for European affairs.

"Yes, we talked a lot about politics," Sullivan said carefully, as he left after a short while.

"This is a very dangerous time. It's a question of when, how and who." Chilean military attache Mandujano told a Soviet lieutenant commander and a Czech army colonel, his English suddenly deserting him when queried by a reporter.

"I don't know the difference in English between a blockade and a mining," a Hungarian army attache offered. "It all depends what they will do."

The President avoided the word 'blockade.'" Soviet military attache Gen. Tovma, said. "It's a complicated matter. Everyone understands it in his own way. It's not how you call it, but what it amounts to that matters."

Chilean ambassador Letelier, who doesn't attend many embassy functions, was drawn into conversation wth the Soviet, Czech, Hungarian and Polish ambassadors.

"Oh, yes, we were talking about the political situation," he said carefully afterward. "But we really can't guess yet, what the reaction from the Soviet Union will be."

A lone congressman ——— came in toward the end of the reception. "I think it's important to be here, to demonstrate the continuation of friendship . . . " he said.

A member of the European Affairs subcommittee of the House Foreign Affairs Committee, he chatted with the urbane, pipe-

smoking host, who recently arrived in Washington from the United Nations.

"There's certainly a lot of concern in this room," ——— told his host, gesturing.

"I'd have preferred for there not to have been this concern," Spacil answered.

On the semantics of the crisis ——— insisted that the word "blockade" not be used. "It's a terribly important distinction. A 'blockade' says. 'We will blow you out of the water, we will fire our guns at you.' The mines say, 'We are here.'"

To the Czech ambassador ——— said: "You can understand our position."

To the congressman, Ambassador Spacil replied: "You can understand ours."

[From the Washington Evening Star, May 11, 1972]

TWO RUSSIANS, NIXON TALK

(By George Sherman)

President Nixon today held a surprise meeting with two top Soviet officials—confirming other indications that his Moscow summit meeting may go on as scheduled.

Foreign Trade Minister Nikolai Patolichev and the Soviet Ambassador to Washington, Anatoly F. Dobrynin, exchanged smiles and jokes with Nixon for photographers in the White House office before they began a discussion.

Press secretary Ronald L. Ziegler said that Patolichev, who has been in Washington since Sunday conducting trade talks, paid a "courtesy call" on Nixon. The minister is leaving today on a trip to different parts of the United States, before returning home Tuesday.

The President was joined in the meeting by presidential adviser Henry A. Kissinger, Commerce Secretary Peter Peterson and Peter Flanigan, presidential assistant for international trade.

The meeting lasted about an hour. There was no indication of what was discussed.

The meeting took place shortly after the Soviet government released its first official response to Nixon's announcement Monday night that the United States is mining North Vietnamese harbors.

The 890-word statement, considered surprisingly mild in expert circles here, made no mention of the President's visit to Moscow to begin May 22. It also did not make any specific threats against the United States, going no further than "resolutely insisting" that the new American actions against North Vietnam cease.

Experts here immediately concluded from both the statement and the Soviet officials' appearance at the White House that Moscow has decided for the time being to keep the disruption of Soviet-American relations to a minimum.

But nothing in the Soviet statement or the meeting this morning, experts added, precludes a new Moscow decision in the next 10 days to withdraw the invitation to Nixon.

The Russians have made no secret of their intense desire to expand trade with the United States—through obtaining financial credits here and ultimately receiving most-favored-nation treatment for their imports into the United States. The trade minister has been here with a top-flight delegation, negotiating terms for improved trade.

U.S. officials said they doubted that these talks will get far enough to yield any overall agreement by the time Nixon is to travel to Moscow. But, these informed sources indicated, the Dobrynin-Patolichev visit shows the continuing Soviet desire to keep the talks alive.

BRITISH WERE BRIEFED

The Soviet Union and Britain, co-chairmen of the 1954 Geneva accords on Indochina, were the only governments to receive special White House briefings Monday night on President Nixon's new Vietnam tactics.

White House sources said that the British ambassador, Lord Cromer, spent half an hour alone with Kissinger that evening before Nixon went on nationwide television to announce the mining of North Vietnamese ports.

The White House earlier had confirmed that Dobrynin spent an hour that same evening with Kissinger discussing the President's new move.

All other ambassadors—including Lord Cromer—were briefed after Nixon's White House talk by various officials of the State Department.

NEW CONFERENCE SOUGHT

On Tuesday, British Foreign Secretary Sir Alec Douglas-Home formally proposed to Soviet Ambassador Mikhail Smirnovsky in London that their governments join in calling a new conference to negotiate an end to the Indochina war. The two governments were chairmen of the 1954 conference which achieved a settlement of the war then raging in Indochina against French rule.

Smirnovsky told the foreign secretary that he would forward the British proposal to Moscow.

In Delhi today, Indian Foreign Minister Swaran Singh told parliament that India—which is chairman of the International Control Commission setup in the Geneva accords—is consulting with Britain and the Soviet Union about next steps.

He added that London and Moscow are also "talking with each other," but did not go into specifics.

Official sources have refused to confirm or deny that Kissinger and Lord Cromer discussed return to a wider international forum for settlement of the war. But officials acknowledged that a new conference—including the big powers and against the backdrop of threatening military confrontation between Moscow and Washington over Vietnam—is one possible way out of the crisis.

"GENEROSITY" NOTED

Administration sources continue to point to what they called the "generosity" of the limited military settlement which Nixon proposed in his Monday night speech. They said that an "internationally supervised cease-fire" is obviously a subject for negotiation, while noting that the President specifically refrained from talking about the political settlement which, he said, the Vietnamese themselves should negotiate.

All previous attempts to convoke a new international conference have broken down on the refusal of Hanoi to go along—and the willingness of Moscow and Peking to accept the North Vietnamese veto.

Officials here today said they were not certain that that veto still exists. Hints of differences have surfaced in the Chinese and North Vietnamese reaction to the American mining and Moscow is displaying indecision about how to handle the crisis.

The Chinese official newspaper, People's Daily, today ran its first commentary on the mine-laying and interdiction of North Vietnamese rail links, which it said "U.S. President Nixon brazenly declared."

NO CHINA ROLE

Observers immediately noted that the article, while assuring "full support" for the "peoples of the three Indochinese countries"—Vietnam, Laos and Cambodia—did not indicate any Chinese actions were upcoming.

The article repeated previous Peking assurances that the Chinese people share "weal and woe" with their Vietnamese "comrades," and that "the vast expanse of China's territory is their reliable rear area."

But Nixon's name was mentioned only in the opening sentence, and, according to analysts, the general level of vituperation against American actions in Indochina was well below that existing before Nixon's visit to Peking last February.

CASE FOR WILDERNESS

HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RONCALIO. Mr. Speaker, Wyoming lawmakers, at the present time, are rounding out the legislation carving certain high country in our State into wilderness legislation according to early acts of Congress and providing for other areas in the high country equally attractive and equally of great value to the people to continue as high country campsites with the improvements that can give visitors a contrast to the wilderness experience in visiting these comfortable camping accommodations.

The Bridger is complete, soon the Washakie will be, Senators GALE MCGEE and CLIFFORD HANSEN and I are working on the Gros Ventre; it is hopeful that the Cloud Peak Wilderness Area will be defined soon by statute, and this will leave a small, remaining area near the Laramie Peak for possible wilderness classification.

Few letters have so eloquently stated the case for wilderness in certain places and for care and discernment in picking the precise wilderness boundaries in Wyoming as does the letter of Ray D. Lowe of Worland, Wyo. Because of its general excellence, I feel that my colleagues may find it of interest in helping them with the oftentime difficult matters of boundary designations as between high country wilderness envisioned in the congressional wilderness legislation now being studied and perfected.

His letter follows:

WORLAND, WYO., *April 21, 1972.*

Hon. TENO RONCALIO,
House of Representatives,
Washington, D.C.

DEAR MR. RONCALIO: From time to time I receive invitations from you to discuss freely the things of concern to me in relation to State and National questions. I have been reluctant to express my views because I know you and your staff are busy and I get the feeling that many other persons have already expressed views very similar to mine in a more competent manner. For the past couple of months, however, I have felt that I should write the senators and representative from this State and discuss my feelings in relation to the proposed boundary extension of the Cloud Peak Wilderness Area in the Big Horn National Forest.

So that my stand is clearly understood I would like to say that I am in favor of leaving the boundary of the Cloud Peak Wilderness Area as it now is, and I am definitely opposed to enlarging the Wilderness Area.

My first visit into the Wilderness was in 1942. I walked in, using a pack frame, carrying a bedroll and supplies. From my base camp at Lake Helen I hiked to Marion, Misty Moon, Fortress Lakes, Lake Solitude and to other un-named lakes. I was greatly impressed with the beauty and grandure of this area. At that time trails were not too well defined and such things as toilets, culverts, and camp site improvements were not in the Wilderness Area. I have returned frequently since my first visit.

My latest visit to the Cloud Peak Wilderness was last July. As I have always done, I again walked in. The lakes and mountains had retained their original beauty and freshness. For variation on this trip I left the trails and hiked some of the high ridges. I

saw new lakes. I saw elk, deer, coney, bobcat, coyotes, martin and signs of bear just as I did in 1942. On my ridge hikes I saw little, if any, signs of man. Upon returning to the lower trails, changes were very apparent. I am sure with the visitor in mind, the Forest Service has improved the trails, installed culverts at stream crossings, provided toilets and furnished limited camp site facilities. The tourist pressure has greatly increased since my first visit in 1942 and it is very noticeable with the influx of people and horses along with the improvements, the Wilderness atmosphere is fast disappearing.

The point I would like to make is that there are thousands and thousands of acres of land in the Cloud Peak Wilderness as it now exists, and the average visitor is only using and seeing what can be used and seen from the improved trails. Why consider enlarging the existing Wilderness when we are using and exploring such a small fraction of what we already have?

I know the management of the Wilderness can best be left to the Forest personnel, but inasmuch as I have a thought on this subject, I would like to express it, not in the way of criticism, but in good faith and in light of visitors to the area enjoying true wilderness experiences. I am in favor of removing all unnatural man-made improvements which now exist in the Wilderness. This would include the culverts, any camp ground improvements, and toilets, even though removal of the toilets and resulting water pollution is not generally consistent with the anti-water pollution policies of the Forest Service. It seems to me that management of Wilderness would be better defined and better understood by everyone if a hands-off Wilderness policy were adopted and that money and labor now being used in the Wilderness would be directed toward building, improving and maintaining camp sites outside the Wilderness Area. This policy, if adopted, would afford the visitor two very constrasting camping experiences: one being the camping with comfortable accommodations and the other being a truly Wilderness experience.

I would have a feeling of ingratitude if I did not express my appreciation to Forest Service personnel with whom I have had dealings since 1942. I truly appreciate the cooperation and guidance I have received from them in my associations and use of the National Forest.

I wish to express my appreciation to Mr. R. N. Ridings, Sheridan, Wyoming, and Gary Oliverson of Worland for providing the people of this area an opportunity to participate in an open hearing on management decisions pertaining to the Big Horn National Forest. It rekindles my faith in our democratic process when we can meet and discuss our mutual problems in a neutral atmosphere attempting to arrive at the best solution to our problems considering the best interests of all concerned.

Very sincerely,

RAY D. LOWE.

NEWS CONFERENCE OF SECRETARY OF DEFENSE MELVIN LAIRD, WEDNESDAY, MAY 10, 1972

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD I would like to include the text of the news conference held Wednesday, May 10, 1972, at the Pentagon with Secretary of Defense Melvin Laird:

NEWS CONFERENCE BY SECRETARY OF DEFENSE MELVIN R. LAIRD AT PENTAGON, WEDNESDAY, MAY 10, 1972

Secretary LAIRD. Ladies and gentlemen, I want to make five points before taking your questions this morning.

1. As I meet with you today United States air and sea forces are fighting Communist aggression in Southeast Asia.

2. South Vietnamese forces are at the moment holding fast in a very difficult ground combat situation caused by the massive Communist invasion across the Demilitarized Zone. The South Vietnamese face additional attacks by the enemy that has been made possible by the heavily supplied equipment, of new and modern types, which are being used in South Vietnam, supplied by the Soviet Union for the first time this year.

3. General Abrams will continue our troop withdrawal program directed by the President of the United States. We have brought home 500,000 Americans and we will meet or beat the President's goal of 49,000 Americans in-country by July 1, 1972.

4. The President has presented the most forthright and generous peace offer at any time in history. If the enemy agrees to an internationally supervised ceasefire and the return of our prisoners of war, we will withdraw our forces from Vietnam within four months. This will bring an end to the war and a return of our prisoners. It will allow us to continue the movement toward a generation of peace, which is the goal of all Americans and is the goal of the Nixon Doctrine foreign policy, which is supported worldwide by our national security strategy of realistic deterrence.

5. The American people always have supported our President when Americans are endangered and the cause of freedom has been threatened. This is no time for quitters or for a lot of talk about instant surrender. I don't think the American people want to clamber aboard some sort of a bugout shuttle. I think they join the President and me in supporting General Abrams and our men and in opposing Communist aggression.

Ladies and gentlemen, I will be glad to respond to any questions.

Question. Mr. Secretary, when you speak of quitters, to whom are you referring, Democratic presidential candidates?

Secretary LAIRD. I am referring to those individuals that would give the world the impression that the United States is willing to abandon its allies that we have become associated in four multilateral and four major bilateral treaty commitments, which have been approved under our constitutional process by the United States Senate.

Question. Mr. Secretary, you say we're not going to abandon our allies. I would like to ask you if the President's ceasefire proposal is accepted and that means that the South Vietnamese and North Vietnamese are allowed to negotiate politically, is that not abandoning our allies?

Secretary LAIRD. That is not abandoning our allies. The peace proposal of the President, as far as the internationally supervised ceasefire, has no conditions attached to it. The matter is subject to negotiation and should be decided at the negotiating table. Certainly this proposal for a ceasefire which has been made before is not an abandonment in any way of our allies.

Question. Mr. Laird, you have continually said that U.S. intelligence has been quite accurate in assessing the Communist capabilities in the Vietnam theatre. Why, in view of that good intelligence which indicated there were heavy Russian armaments available to the North Vietnamese, do we today find the South Vietnamese in kind of ragged retreat in many parts of the country?

Secretary LAIRD. I do not believe the intelligence assessments which I gave to you on many occasions here in this room were in error. We notified you earlier of the road building that was taking place in the DMZ. We also notified you of the military buildup of the North Vietnamese in the military regions opposite Military Region III, opposite Military Region II, and also north of the DMZ.

The difference, of course, in this invasion is the fact that North Vietnamese are using the Demilitarized Zone in violation of the 1954 Accords, as well as the 1968 understandings. This has given them a very short logistics supply route, particularly in Military Region I. They have been conducting this invasion across the DMZ in Military Region I now for approximately five weeks.

During this five-week period, they have been able to push into Vietnam some 22 miles in the five-week period. The situation that exists today is different than any other military situation in view of the use of Demilitarized Zone in Military Region I. During this period of time I might point out that there has been only one provincial capital taken in South Vietnam, and in that area where the massive invasion started during this five-week period they have advanced some 22 miles.

Question. Mr. Secretary, would you clear up what kind, if any, Soviet response has been made and if there are any Soviet naval movements of any kind towards the area?

Secretary LAIRD. There has been no indication along that line. We have, of course, various discussions going on with the Soviets at the present time. Many of you who cover the Pentagon regularly know that the Incidents at Sea negotiations are presently in progress here in Washington. The negotiations continued yesterday and are continuing today. As far as Helsinki is concerned, those negotiations went forward yesterday and are continuing today.

As far as naval movement—to answer that specific part of your question—there is no such evidence; as of the time of this press conference, no such evidence exists.

Question. Mr. Secretary, the mining of Haiphong and other harbors indicates to some people that your Vietnamization program has been a failure since you had to go to these extreme measures to do so. Isn't it true that you did not expect to go to that extreme?

Secretary LAIRD. Lloyd, I appreciate your asking that question and I want the visitors here in the Pentagon to know this morning that I did not put you up to asking that question but I am delighted that it has been asked.

Question. I am a little more belligerent than that.

Secretary LAIRD. Normally, you are.

The Vietnamization program has to be assessed on the basis of where we were in 1969 when the Vietnamization program was first announced.

As you know, it was announced in Midway, the first decision of the President to start a withdrawal and turning over the responsibility on the ground and to start the turnover in the air logistics and artillery area also as a part of the Vietnamization program. This program of Vietnamization applies to the military, economic and political problems that confronted Vietnam in 1969. At that particular time there was no plan, no program to withdraw Americans from that area of the world and to turn over the responsibilities to the people of South Vietnam.

The time that that announcement was made we had a troop ceiling in Vietnam of 549,500. Today, we have a troop ceiling of 49,000 and we will meet or beat that figure on July 1, which has been established by the President. So, during this period of a short three years, we have withdrawn 500,000.

More important in my mind than the withdrawals was the fact that when this program was announced and during the period immediately preceding the change of Administrations, casualties in South Vietnam as far as fatal casualties were concerned for Americans fighting on the ground, and we had 11

divisions there at that time with the ground responsibility; today every one of those 11 divisions is back home or has been taken out of our force structure. Those casualties were averaging 300 a week—approximately 300 a week. As you know, our casualty figure has been reduced to where it is now averaging 10 or less a week.

The President of the United States will not be satisfied until those fatalities, those Americans killed in action, reaches zero. When one wants to point to progress in the Vietnamization field in turning over this responsibility and we move to get our casualty figures to zero, and that's what our goal, of course, is, and that's what part of the Vietnamization program was all about, one cannot help but point to the progress that has been made during that short three-year period—from 300 to less than 10 a week.

In addition to that, one should point, I believe, to the fact that at the time this program was announced, the total cost figures of the Vietnam conflict as far as the United States Government budget was concerned, the total cost figure was up as high as $30 billion. The incremental costs in the year 1968 were approximately $22 billion. Those figures and those costs in terms of resources devoted from our federal budget have been reduced during this particular period of time by a approximately two-thirds—a reduction of two-thirds as far as costs are concerned.

I could point up to many other areas where I believe progress can be cited. We have sort of an expansion ball club that's fighting in Vietnam at the present time. They've come into the fighting and have taken over the ground combat responsibility. I have told you on many occasions that the South Vietnamese will not win every battle or every encounter, but they will do a very credible job in the vast majority of encounters which they will have.

The fact that three divisions of the regular forces of the North Vietnamese have only been able to move 22 miles in five weeks in the area where the attack first started, I think, speaks well. I don't want to say that everything is perfect as far as the South Vietnamese forces are concerned because it is not. In some cases these Vietnamese have not fought as strongly as they should and have not had the strong leadership that is needed and necessary to have success on the ground battle that is going forward.

But in most cases this leadership and this ground combat capability has been performed by these individuals in a very credible fashion. I only would recall the fact that in 1968 when the attack reached a very high level there were equivalent of 11 American combat divisions on the ground and with the exception of perhaps the First ARVN Division, the responsibility of facing the VC and the North Vietnamese attackers was an American responsibility. Today, it is a South Vietnamese responsibility and we are giving air and sea assistance to the South Vietnamese in carrying on this responsibility.

I agree, as your question implied, that the decision will be made and the battle decided by the effectiveness of the ground combat but we will continue to give the air and sea support that is necessary.

Question. Mr. Secretary, is our air and sea buildup continuing? Do we expect to see more aircraft and ships being sent to Southeast Asia?

Secretary LAIRD. It is continuing. We have on the line today for the first time the Newport News with its nine eight-inch guns and our insurance reserve or our augmentation force is continuing to be expanded as far as the air and sea is concerned.

We also have the notification ships which are on station at the present time, notifying all vessels in the area of North Vietnam of the mining operation and the fact that the mines will become active Washington time 6:00 a.m. Thursday.

Question. Mr. Secretary, speaking of sea and air power and in the event Mr. Nixon's program goes through and the other people agree to it and we remove all of our forces from South Vietnam within four months after that, do we still plan to come to the aid of South Vietnam if the North renews the struggle on the battlefield, with sea and air power?

Secretary LAIRD. The question you ask is if the ceasefire is violated by the other side, would the United States continue to use air and sea power at that particular time. A decision would have to be made at that particular time. Your question is a rather iffy question. I don't like to conduct contingency plans, but I can certainly tell you that would be my recommendation should the internationally supervised ceasefire be violated.

Question. Your recommendation would be to come to their aid——

Secretary LAIRD. To use the air and sea power. That would be my recommendation. That's very iffy question you ask. First, we have to acquire the internationally supervised ceasefire that is in the President's peace proposal before that question even should be answered directly. We have some distance to go to acquire that internationally supervised ceasefire. As I said earlier, this is the most comprehensive peace proposal ever made in our history, I believe, and I would hope that the enemy would realize the wisdom in accepting the proposal of the President.

Question. Mr. Secretary, regarding the mines. What's the United States going to do if the Soviet Union attempts to remove any of the mines the United States has laid? Secondly, could you tell us how long those mines will remain inactivated? As I understand it, there is an automatic deactivation period, and what have they been set for?

Secretary LAIRD. First, we will take all steps that are necessary in order to maintain an adequate mining operation. As you know, mines are a passive weapon. No one has to get involved with a mine. That is a decision that is made not by us, but is made by those people that confront the mines.

As far as the mine technology is concerned, the second part of your question, I will not discuss or divulge U.S. mine technology at this press conference and I would hope that that technology not be made a part of the public record.

Question. Mr. Secretary, would you give us an explanation and definition of what the Administration means by blockade with with these factors in mind? Senator Scott, who is something of an admiralty lawyer, says blockade is a legal term and it has a lot of support in international law. Yesterday, Mr. Kissinger and the State Department's spokesman said we were not having a blockade. Could you talk to that?

Secretary LAIRD. Of course, this is not in the terms that you refer to it, in Senator Scott's terms, and you quote Senator Scott, a blockade in the international sense, that we are challenging ships beyond the territorial waters of North Vietnam. We are merely giving notification to all shipping that the harbors of North Vietnam have been mined and we have notified the entire world and we have notified the United Nations that we will not permit the landing of supplies in North Vietnam.

This is a much different type of action than the international blockade to which you refer, that applies on the high seas beyond the territorial waters of a given country, so there is a difference.

Question. Mr. Secretary, in response to this attack by North Vitetnam, does the United States plan to send more sophisticated weapons to South Vietnam to respond to the Soviet sophisticated weapons—defensive weapons?

Secretary LAIRD. As you know, the United States military assistance program has different restrictions and policy determinations that apply to it than the military assistance programs of the Soviet Union. Evidently, the Soviet Union has seen fit not to place restrictions on the military equipment that is sent to one of their allies and they have placed no restrictions on the use of the military equipment thus far that has been sent to the North Vietnamese.

In the United States, of course, because of provisions in the Military Assistance Act, as well as in the Defense Appropriation Act, and in our justification of these programs, we have always placed very strict constraints upon the use of military equipment which is supplied by the United States. We have made it evident to all countries accepting our military assistance that it must be used for defensive purposes and cannot be used to carry on aggression or to carry on an offensive act.

This is the real difference that exists between the military assistance programs being carried on presently as they apply to North Vietnam as far as the Soviet military assistance programs that we are carrying on in South Vietnam and as a matter of fact, throughout the world. These restrictions that we have apply, of course, to Israel. They apply to the aid that we are giving to the Greeks. They apply to the aid that has been given and military credits that have been made available to our Latin and Central American neighbors.

The Congress has always insisted that any military sales credit or military assistance program be applied in this way. As a matter of fact, there is a restriction in our programs for military assistance that prohibits even the transfer of those military equipments that are purchased or given on a grant basis to another nation, one of our allies. They cannot transfer any of these equipments to a third country.

This is the basic difference between the Soviet's program and the United State's program. The Soviet's program is now being used and has been used but presently is being used to help the violation of the 1954 Accords, the 1968 understandings, and they are carrying on aggressive acts in violation of these international understandings and accords.

Question. Mr. Secretary, have any ships gone in or out of the harbor during the two daylight hours or have any ships stopped or turned back outside the mine field and do you see any signs they are trying to sweep up the mines or they are sending minesweepers down from Russia to sweep them up?

Secretary LAIRD. There are four questions there. I will take the last part of your question first. No, there is no evidence of a sweeping activity going on.

The third part of your question has to do with the turning around of any ships. When the A–6's left the two carriers and went in and carried on their successful first drop of mines at 9:04, I believe the exact time was Washington time, on Monday evening, there were some ships that were in the process of transit in the particular area and there is some evidence that there was some change in course in some of these particular ships.

The second part of your question has to do with the ships in port, whether there is any evidence of a change in their particular movements during this time. As you know, there's one more daylight period for ships to move out of the port area before the mines become activated in the Haiphong channel. At the time the mines were being laid, there were some 36 ships that were in Haiphong—16 ships of the Soviet Union; five ships of the People's Republic of China; four ships which were carrying the flag of British Hong Kong, they were British flag operating out of Hong Kong; there were two Cuban ships; one East German; three Polish ships; and five from Somalia. Those made up the total of the 36 ships.

Thus far there has been no major movement out of port or into port as far as these

ships or the ships that were at sea destined for Haiphong. During the last daylight period there has been some ship movement within the port itself but there has been no massive movement of ships out of port or into port during this period.

I think that answers all four sections.

Question. Mr. Secretary, in the event of the success of the mining operation, presumably as they turn then by the North Vietnamese to attempt to supply themselves by rail and by road, presumably U.S. bombing will have to increase at that time. With all of the statements by the North Vietnamese about civilian areas being bombed, what precautions are we taking and what about charges that civilian populations have been bombed?

Secretary LAIRD. Every effort is made, of course, on behalf of the United States to minimize civilian casualties and that is, of course, the instructions that our pilots will operate under as they interdict the rail lines and they take out the POL facilities in North Vietnam as part of this overall interdiction campaign. This campaign, which we refer to as Linebacker, is a campaign to stop the movement of supplies and the targeting is such that the civilian casualties will be very minimal. I do not want to say that there will be absolutely none. We will certainly carry them out in that fashion.

I would only point that the enemy continues its complete destruction and lack of respect for human life and civilian casualties. Let me give you a few examples.

Let's look at An Loc. It is a piece of territory two miles square. It is in Military Region III. Those of you covering this building know the situation there from the briefings that you've had. During this period of time this two-mile square area concentrated with civilian population, has had a bombing raid on it from artillery, which is very effective, 35,000 rounds have been placed against that civilian center by the enemy.

Let's move on up to Quang Tri, just a few miles across the DMZ. The enemy had to move its artillery about two or three miles down over the DMZ and be in a position to carry out a bombing attack through the use of artillery on Quang Tri. The four days before Quang Tri fell, the enemy was putting into that civilian population area a total of 3,000 rounds a day. Then on the last day they put 4,600 rounds of artillery in on that civilian population center. They showed a complete lack of regard for the civilian population. They sprayed artillery into those civilian centers just as if they were using a water hose. I think that this lack of regard for civilian population centers should be called to the attention of the entire world.

Question. Mr. Secretary, there is a report in the morning paper that Soviet missile-bearing submarines have been in Cuban waters, which would seem to violate an understanding we had with them. Is that report correct?

Secretary LAIRD. That is correct. We announced this port call of a Golf 2 class missile submarine here in this building sometime last week. We also announced, I believe, yesterday the departure of this submarine from Cuban ports. This, of course, is not a nuclear-powered submarine, but such a port call was made by the Soviet submarine. There was also a port call of a support-type ship, tender-type, which had a training group on it, possibly 300 cadets, that also made a port call in Cuba. We have no information of any missile-carrying submarine operating and using Cuban ports as an operating base. A port call has been made. The submarine has left that port.

I can give you the other ships that are in the port down there but, Peter, I think the question that you have asked we have handled that on a regular basis here in a routine fashion here in the Department of Defense at our regular briefings.

Question. Mr. Secretary, you said shortly after the invasion started we would continue our air and naval support until there was a withdrawal. Has there been any change in that position? Would the United States now be willing to accept a ceasefire that took existing battle lines in order to bring an end to the immediate fighting?

Secretary LAIRD. It is true at my press conference I said that we would not entertain negotiations until the enemy had crossed back across the DMZ. That position, of course, has been changed by the President of the United States and my position, as expressed at that time, is no longer the position of our country. My position is out of date.

Question. Mr. Secretary, once the mines are activated how soon do you expect it to affect the battlefield in South Vietnam? How deeply do you think the blockade, or whatever you want to call it, will affect the progress of the battle?

Secretary LAIRD. To answer your question, you have to take certain assumptions and it depends on what those assumptions might be to give you a clear and precise answer. The conditions could vary somewhat. I can only say in some areas the North Vietnamese have supplies on hand of two to three months. In other areas they may have supplies on certain items for a longer period of time and some a shorter period of time.

The effect upon the battle area will be whether or not the enemy makes the decision to continue an all-out effort and go to zero as far as their supplies are concerned or whether they feel that because of the interdiction or the stoppage of supplies that they can anticipate in the future, this will have an effect upon the level of battle in the particular area.

So, the proposition that you place before us this morning is one that is difficult to answer because the intentions of the enemy have to be read into the equation, and I am not prepared to read those intentions, whether they are willing to go for broke in four or five weeks or whether they are willing to use their supplies in a much more measured manner depending upon the success or failure as they see it of the supply movement and the logistics movement into North Vietnam.

Question. Mr. Secretary, in light of your statement that this war is going to be won on the ground, shouldn't we be having a massive airlift of tanks to the South Vietnamese now to help them increase their fire power and shouldn't we be bombing the tunnels on the three railroads coming in from China?

Secretary LAIRD. First, logistics supplies to the South Vietnamese, I can assure you that the logistics supplies that we are giving the South Vietnamese are adequate and every effort is being made to give the South Vietnamese the supplies and equipment and the logistics that are needed to carry on their defense of their homeland.

I've had a mission out there which has been reporting to the President of the United States and been reporting to me, headed by the three logistic generals in charge of all our three military services here in the United States, as well as the J-4 of the Joint Chiefs of Staff. This group has been chairmanned by the Assistant Secretary of Defense Barry Shillito. Every effort has been made to supply the needed logistics support for the South Vietnamese and we have given them those assurances.

As far as tanks are concerned, the South Vietnamese have not encountered great difficulty with the tanks thus far. The first two or three days, the South Vietnamese were somewhat caught by surprise at the massive movements of tanks into the battlefield area. They found out after a short period of time they were able to destroy these tanks very effectively and they have done a good job. This is particularly true of the airborne and it's true of the marines up in Military Region 1. They have done a tremendous job as far as tank destruction is concerned. They have been aided, of course, by our tactical air.

One of the main problems that they have faced has been the artillery fire. The knocking out of the North Vietnamese artillery has not been a question as to whether we had the weapons to knock out the artillery, the weapons are there, both as far as air is concerned and other means that are available to the South Vietnamese to knock out the artillery. The problem has been the location of the artillery and the South Vietnamese are moving in this area. I've had the opportunity to meet with several of our younger military advisors who've come back, captains and majors, and I have them in and I've talked to them about this. They feel that the South Vietnamese will have to move out to locate this artillery. We have the means of knocking the artillery out as soon as it is located and pinpointed.

It is not a question of the weapons at the present time. It's a question, of course, of the aggressive leadership of the forces of South Vietnam. President Thieu has taken actions recently, I believe, which are very important as far as this leadership question is concerned, and they will have to understand and they do now understand this very grave responsibility which is theirs, the ground combat responsibility, but they have been assured logistically that we will support them. They have also been assured that we will give them the air and sea support which is needed and necessary to influence this very important decision on the ground.

Question. Mr. Secretary, two points of clarification. You say there have been no massive movements into or out of Haiphong Harbor since the bombing. Has there been any movement of any ships out of its harbor or estuary since the mining?

Secretary LAIRD. Yes, there has been some movement but the problem is, and I am not trying to hedge on your question one bit, some of the ships were in the particular area of movement and before they actually got into the docks and alongside the docks. There is a difference and that's why I answered the question in the way I did earlier this morning.

Question. The second has to do with the interdiction in the territorial waters or claimed waters of North Vietnam. Should any flagship belonging to a country other than North Vietnam attempt to enter those waters to land cargo on the shore, is it our policy to attack those by land or sea?

Secretary LAIRD. Our policy is to stop the delivery to the North Vietnamese of these supplies and we will take those actions that are necessary to stop that delivery.

Question. How about an airlift of AN-22's coming into North Vietnamese airfields? What do we do about those?

Secretary LAIRD. We will take those actions that are necessary to interdict and stop the supplies of equipment to North Vietnam.

Question. So we have to interdict those aircraft?

Secretary LAIRD. I am not going to get into a discussion of the operational orders and the contingencies that may arise. I can tell you that we will take steps that are necessary to see that these supplies are cut off that are being used to carry on this aggression and this marauding throughout Southeast Asia.

Question. Mr. Secretary, the President obviously sought advice from many quarters before this decision was made. Was the mining of Haiphong Harbor your personal recommendation to the President and are there any contingency plans for the landing of ground troops in either North or South Vietnam?

Secretary LAIRD. I don't believe it serves any useful purpose to get into a discussion of possible contingency plans. We will take the action that is necessary to see that the program that has been ordered by the President of the United States, supported by the National Security Council, supported by his Cabinet, are carried out fully.

As far as the proposal as to when the de-

cision was made, the decision was made by the President of the United States on Monday afternoon. Planning, of course, had gone on for a considerable period of time and it should be of no surprise to you that such planning was going on. I was asked the question before the Foreign Relations Committee several weeks ago as to whether such planning was in progress and whether it was a possibility. I gave a short answer and the answer was yes, and that was three weeks ago.

Question. Mr. Secretary, if the North Vietnamese go for broke in the next month or so, can the South Vietnamese withstand this all-out military offensive with the sophisticated Soviet weapons?

Secretary LAIRD. The South Vietnamese have the capability, they have the equipment, they have the manpower to be able to do this.

Question. But, can they do it, do you think, in your evaluation?

Secretary LAIRD. My evaluation is on the best information that's been made available to me by our military commanders, that they do have the will and the desire to carry out this defense of their home country.

Question. I think you should clarify one point that is at variance with Dr. Kissinger. At his briefing yesterday he said there was no intention to stop ships going in, the mining was the only thing. You are leaving the implication here that this is a possibility. Is that what you meant to leave?

Secretary LAIRD. That is what I meant to leave.

Question. That is a possibility?

Question. You said the mines will be activated at 7 o'clock tomorrow morning. On your information, when will the first Soviet freight thereon now run the risk of going into those minefields?

Secretary LAIRD. I'm not scheduling the Soviet freighters. There was one scheduled to go in, I believe, today or yesterday. It did not go in. I am not in charge of positioning the Soviet freighters and scheduling their movements into these particular ports. There was one scheduled that did not choose to go in. I believe that question is a question that might at some future date cause me a credibility problem and since I have been here I have tried to cause no credibility problems and that's the reason I am not giving you a specific answer.

Question. Mr. Secretary, what was that freighter carrying and do you have any description by name or number?

Secretary LAIRD. We do have the information, but I'm not going to make it available.

Question. What did that freighter do? Is it standing off outside?

Secretary LAIRD. That freighter is at sea beyond the territorial waters of North Vietnam.

Question. Mr. Secretary, of the ships that choose to remain in the harbor and continue to offload cargo after tomorrow morning, are they susceptible to attack?

Secretary LAIRD. I have answered that question. We will take those actions that are necessary to prevent the delivery in North Vietnam of these supplies. Actions will be taken that are necessary to see that those deliveries are not made in North Vietnam.

Question. What do you consider deliveries being made, at the dock?

Secretary LAIRD. In the land mass of North Vietnam. I'm not going to get into any specific dock. I consider the entire land mass of North Vietnam would be a delivery, if that is the question.

Question. Mr. Secretary, does your earlier statement that we have notified that we will not permit the landing of supplies in North Vietnam, does that include delivery by air?

Secretary LAIRD. We will take those steps that are necessary to prevent the delivery of supplies that can be used to assist the North Vietnamese in carrying out their military aggression in Southeast Asia. I don't know how I can be any more forthright or make it any clearer than I already have.

Question. In other words, Mr. Secretary, you are not playing games with the ideas that they can offload the material and then we hit it on the dock. You're saying we are not going to allow them even to put in on the dock?

Secretary LAIRD. I am saying that we will take those actions that are necessary to prevent delivery into North Vietnam.

Question. Mr. Secretary, if the North Vietnamese do break through around Hue, are any American troops close enough there to be threatened by that action?

Secretary LAIRD. Of course, we have a large number of Americans that are not far from there, at Da Nang, which are, of course, in the general area. These troops are in the general area of Military Region I. I would point out, however, this has been going on for five weeks in Military Region I. If you will go back to 1968, it was just a question of a few days before the North Vietnamese were able to, with the assistance of the VC, take over and almost control Hue. The situation in 1972 is somewhat different than the situation that existed in Hue and in Military Region I where you compare these two large actions of the North Vietnamese forces.

Question. Mr. Secretary, in the mining and in the interference with shipping deliveries, as I understand it and maybe I am incorrect, is this a warlike act? Are you really in effect carrying out a warlike act against other nations' shipping and, therefore, does that not require a declaration of war?

Secretary LAIRD. The situation is such, Lloyd, that mines have been used by the enemy in the South and in the tributaries and in the rivers in the South over a period of time. We have had damage done to ships from the mines that have been laid by the North Vietnamese. These have been in most cases Soviet mines that have been placed in those particular entrances to river facilities and in other areas in the South. I think it is important to point out that mines have been used by the enemy in South Vietnam.

Question. In other words, you are justifying your action on the basis of what the enemy has done in the South?

Secretary LAIRD. We are justifying our action on the fact that we perhaps need Congressional authorization to place Americans and to commit more and more Americans to South Vietnam. At a time during 1966 to 1968, the force structure of the American forces was on the up and up and up. At that particular time, as a Member of Congress, I felt that Congressional authority was needed and was necessary in order to increase the commitment of American forces in that area of the world. We are reducing the commitment of American forces in that area of the world, and we are on the decline.

This is true whether you go to to Thailand. Some people like to say we're increasing forces in Thailand. In 1968 or at the time of the Midway Conference when President Nixon announced this program, those of you in this room know there were 48,000 Americans, almost 50,000 as a matter of fact, in Thailand. At the present time we are down to around 35,000 or in that general area, but we are 10,000 below in Thailand where we were at the point of the Midway Conference.

I can take you to the Philippines, Japan, in all of that area of the world. The reduction is significant on the part of American military forces. This is something I think that has been overlooked during the last few weeks.

Question. Mr. Secretary——

Secretary LAIRD. We have to take care of the regulars around here. It is nice to have all of you visitors, but it is nice to have the regulars.

Question. Is there a brigade of the Third Marine Division afloat off Vietnam?

Secretary LAIRD. I am not going to give you the precise whereabouts of any of our forces. You've covered this building for a long period of time and you know that we have had Marines embarked upon certain ships in that area for a good, long time and I am not giving you any other answer than saying that from your own personal knowledge, you of course are aware that Marines do exist and are embarked upon certain ships in the Seventh Fleet.

Question. Mr. Secretary, should Hanoi announce tomorrow that it accepts the ceasefire, what could or would be done about the mines?

Secretary LAIRD. I am not going to get into the mine technology. I do not believe it serves a useful purpose for us to discuss mine technology, which is a very important—there have been very important improvements as far as mine technology is concerned over the years, and we are not going to discuss mine technology today or we are not going to divulge the technology that the United States has acquired in this particular military field. We feel that it is a very fine passive weapon, and we've made improvements in this program. I know I went on the Defense Appropriations Committee back in 1952 and I have been familiar with these programs over the years, but I am not going to discuss the technology or the evolvement of that technology over the last 10 or 15 years.

Press. Thank you very much.

OUT NOW

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. ROSENTHAL. Mr. Speaker, on May 4, 1972, the Nation observed a day of conscience and moratorium on the anniversary of the Kent and Jackson State killings. I would like to insert in the RECORD my comments at a vigil of conscience sponsored by the Peace Action Committee of Queens, N.Y.:

We gather here this evening at a time of national mourning. As so many times before when we have gathered in recent years, it has been a time of mourning. We have mourned for more than a decade over the bloodshed in Southeast Asia. We mourned two years ago today. And we mourn again tonight.

We say tonight, as we have had to say too many times before, that this war is not worth the agony of even a single American death. It is not worth the despair of one serviceman's family; it is not worth the destruction of one peasant's hut; it is not worth the disillusionment of an entire nation. It has never been worth one single day of fighting. It still isn't.

The words that defend this war are not worth the breath expended on them. The military strategy is not worth the ink used to plot human destruction. The egos that ride on military victory are *not* important to the nation. The lives of American men and the Vietnamese people are far more important. They are, indeed, the only importance.

So, tonight, we must examine what exactly *is* our government's commitment to peace in Southeast Asia and the world. All we have seen so far is the wasteland of pitiful promises and sorrowful neglect; a Congress which seeks absolution of its guilt by abdication of its responsibilities, and a president who bemoans the prestige of his office while betraying his promises of peace. Peace is a fragile commodity, Mr. President, it cannot be bought by falling bombs. The politics of this Administration has displaced peace from its paramount position in this country's priori-

ties to one manipulated into limbo. Our commitment to peace has been conspicuous only by its lack of conviction and accomplishment.

The recent action of the House Democratic Caucus in ordering the Foreign Affairs Committee (on which I serve) to consider and approve legislation to set a date certain for U.S. withdrawal is the only hopeful sign we have here this evening. For this government suspended indefinitely the Paris Peace Talks, and it looks like there is more belligerence to come. We have backed away from negotiations again and appear headed back to the battlefield again.

I beg my colleagues tonight to act, for there has been too much time and too much life wasted already.

If ever there was a need for true patriotism, it is now. If ever there was a need to save the soul of our Republic, it is now.

America, her leaders and her Congress must at last be great and strong—great enough to love peace; strong enough to embrace it.

KAM-ISAIAH ISRAEL TEMPLE CELEBRATES THE 125TH ANNIVERSARY OF ILLINOIS JEWRY

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. MIKVA. Mr. Speaker, I take special pleasure in joining with the congregation of KAM-Isaiah Israel Temple who, on June 11, will formally celebrate the 125th anniversary of the founding of the first Jewish congregation in the city of Chicago and the State of Illinois.

In 1847, 20 American pioneers came together in Chicago to form Kehilath Anshe Maarav—Congregation of the Men of the West—and laid the foundation stone of organized Jewry in Illinois. Recently KAM merged with the second oldest congregation in Illinois, Temple Isaiah Israel, and together they have sworn a new commitment to remain in the urban community where they were founded and to work to ease the problems of the inner-city.

As a member of the KAM-Isaiah Israel Congregation, it is for me a special privilege to be able to participate in this remarkable anniversary—125 years of a tradition of service by these two oldest Chicago congregations. Age alone is not the reason for this pride. It is the accomplishments that make the anniversary significant. Throughout Illinois history, these two congregations have been in the forefront of every chapter of social struggle and progress. Most recently it has been the battle to live in the city.

Two distinguished emeritus leaders of the congregation, Rabbi Morton Berman and Rabbi Jacob Weinstein, had the vision and courage which were especially vital in strengthening the social fabric and cultural welfare of Chicago's inner heartlands. This inner-city commitment was particularly manifest during the crucial and difficult decade from 1948 to 1958 when Hyde Park-Kenwood made its successful transition into a fully integrated community.

The current work of Rabbi Maslin and Rabbi Perelmuter is encouraging evidence that this progressive example of social, spiritual urban presence will be continued and expanded. For they too exemplify the Jewish ethical mandate that while their obligation may not be to finish the task, "neither art thou free to desist therefrom."

Mr. Speaker, at this point I insert in the RECORD several articles relating the proud history of KAM-Isaiah Israel Temple:

A VITAL JEWISH PRESENCE IN HELPING TO SHAPE THE CITY OF TOMORROW

In the year that the Chicago Tribune made its first appearance on the muddy streets of that promising little town on Lake Michigan called Chicago, a handful of Jews established the first Jewish Community in Illinois with a synagogue on Jackson at Dearborn where stood the old Post Office Building and the new Federal Building is rising.

K.A.M. Isaiah Israel, grew as Chicago grew, moved as Chicago moved, shared its buoyant growth, suffered in its disasters, and after its nrst half century, located itself in Hyde Park Kenwood, where it looks ahead for the next 125 years with a vision of a new Chicago that will deal with the problems not of size, but of quality of life.

K.A.M. Isaiah Israel is the result of the union last year between the founding congregation (K.A.M.) and Isaiah Israel, which separated itself in 1852 and had 120 years of independent existence.

Both congregations, for the last half century were situated in close proximity to each other in Hyde Park Kenwood. It was these in the late forties and early fifties that gave leadership to the forces that brought into being the Hyde Park Kenwood Community Conference, which contributed to saving the area.

Out of it has emerged a concept of urban living, and adjustment to urban realities, which brings together wide diversities in a dialogue of constructive communication that spells the hope for the city of tomorrow. Each in its way led the fight to stay, with K.A.M. keeping its total facilities in the area, and Isaiah Israel experimenting with a branch school, and returning this facility to Hyde Park two years ago.

With an awareness of common purpose, the two congregations joined forces with an imaginative and creative team ministry, consisting of Simeon J. Maslin and H. Goren Perelmuter, and a decision to expand its facilities effectively to serve the immediate community and the community at large.

This is a congregation which through its ministry and its people has shaped every aspect of the Jewish and general community. from the Michael Reese Hospital, to the shape of the community institutions whether it be Jewish Federation or the causes of Zionism, or Hadassah, Council of Jewish Women and B'nai B'rith; that has given to the general community its financiers and labor leaders, patrons of culture, leaders in the political and social advance.

This is the congregation served by Liebman Adler, whose son Dankmar Adler was a distinguished co-worker of Louie Sullivan, by Rabbi Gerson Levi, one of whose sons Edward, is President of the University of Chicago and by Rabbi Joseph Stolz whose son Leon was a distinguished chief editorial writer for the Tribune. It is the congregation that has had one of its sons on the Supreme Court (Arthur Goldberg). A congregation whose Rabbis have played their significant roles in leadership.

It is a congregation that faces its 125th Year with buoyancy and optimism, committed to the conviction that a significant Jewish presence is vital to shaping the city of tomorrow, which will not be two cities in the image of apartheid, but one city, where all its people communicate with each other, like in close and creative proximity with each other, building a city that can be a model for a world capable and deserving of survival.

The spirit of the celebration of 125 years of Illinois Jewry as it will be marked by the founding congregation is this: Chicago, which has been a city of neighborhoods must become, all of it a city that is a neighborhood.

K.A.M.—THE CENTENNIAL CELEBRATION IN 1947

The 99th Annual Meeting held in June of 1946 was a vivid reminder to the congregation that preparations had to be made for the celebration of the 100th Anniversary in 1947. The International Harvester Co. and the Chicago Tribune were also to celebrate their centennial year in 1947. We were impressed by so many evidences that we were an old institution in a young community and that the observance of our century of existence had a significance far wider than the pride and joy of the congregational family. Therefore, vast energy was expended in making this an event worthy of its historic importance.

A series of nine special services were written by Rabbi Weinstein to correlate with nine discussions worked out by the Discussion Group and held in conjunction with the temple services. The subjects discussed and the participants are detailed in the facsimile of the 100th Anniversary Institute accompanying this text. A special musical service, Avodath Hakodesh, by Max Janowski was published and distributed to the Reform Congregations of America. This publication contained an entire Sabbath service of representative compositions by K.A.M.'s gifted composer and musical director, who was extremely successful in recapturing the full flavor of the traditional cantillations within the framework of modern musical settings. Mr. Janowski's compositions have become part of the standard repertoire of most of the temple choirs in our land.

The culmination of the many special events took place at the Stevens Hotel Grand Ballroom on the evening of November 2, 1947—100 years to the very day since that devoted band of loyal Jews organized the first congregation in the middle Northwest. The dinner program reproduced here details the nature of the program and the dignitaries who participated in it. The address of the lamented Dr. Joshua Liebman will long be remembered by the great audience privileged to hear him.

THE SCHISM

During the elaborate preparations for the Centenary, incidents multiplied revealing a serious difference between the senior rabbi and the president of the congregation. One of the primary differences revolved around the speed and the tempo with which the lay participation program was to be introduced into the congregation. The rabbi had seen considerable evidence that many of the activities had the earmarks of made work and as such were arousing the resistance of laymen who felt that their time should be given to worthier purposes. He had come to realize also that the indirect approach of bringing Jewish education to committee personnel while the committee was engaged on any one of a hundred practical problems had its serious limitations. It was an approach that, at best, had to be supplemented by more conventional classroom procedures. He recognized also a tendency to derogate professional training and the authority derived from such training—a tendency, so fatal to democracy. He was reminded of Goethe's warning of the dangers of active ignorance, and he resolved, therefore, to prevent, if possible, a distinguished congregation from being converted into a glorified service club.

The president and a group of devoted disciples whom he had enlisted, trained and encouraged to accept responsible positions in the synagogue, were convinced that their plan of total involvement, of education through activity, was the only way of saving the temple from stagnation and petrifaction. They interpreted the senior rabbi's cautions as an attempt to undermine the lay par-

ticipation program. They believed that the rabbis stood in the same relation to the Congregational Board as did any paid executive to the legally constituted management of a corporation and that the rabbis should, therefore, take their orders from the executive lay leadership.

In perspective, these issues appear hardly serious enough to have caused such intensity of emotional reaction. So, too, it is hard to understand how the differences of opinion that sprang up between the moderate reformers, and the radical reformers in 1857 could have led to the split of 1861. The bitter election of 1857 found the moderate group embattled behind the banner "Peace, Harmony and Moderate Reform" and the "radical" group entrenched behind the motto "Equality, Reform and Education." The historian of our Golden Jubilee Volume explains the rancor of that election in these terms: "The fight was hard and bitter, for in those days, the Jews took a warm interest in their religion and in the affairs of their religious institutions."

The present historian aided by more subtle psychological tools for understanding the motives of men is compelled to add a few more considerations to this "warm interest in religion." There were, of course, the normal jealousies, frustrations and personal rancors that are part of our unregenerate human nature. And strangely enough, a religious institution or a religous dispute often adds to the stubbornness of the person the rigidity of a dogma, a development uncongenial to compromise. It must also be remembered that the Great World War was not so far in the past. The pent-up fears, the cumulative frustrations of the war years found an outlet in fervid partisanship in this dispute. The real issues at stake were unfortunately covered by a turgid blanket of hair-trigger emotions. A series of dramatic board meetings failed to bring the opposing groups together.

The group led by the president was confident that their position would be sustained by a majority of the congregation. When, however, ⅞ of the congregation signed petitions backing the position of Rabbi Weinstein and his advocates, the opposition decided to withdraw and organize a new congregation under the leadership of Mr. Schrayer. Rabbi Friendland joined this group and became its first rabbi. This solution was approved at the Annual Meeting held on June 16, 1948. Thus in its hundred and first year, K.A.M., in stormy parturition, gave birth to another congregation in Israel. Our tradition admonishes us that those divisions that are "leshem Shomayim", for the sake of Heaven, prosper, but those disputes that are not for the sake of Heaven do not. Only time will tell into which of these categories this schism falls.

THE SCAR HEALS

The 700 families that remained with K.A.M. more eagerly dedicated themselves to the work of the temple. Many who had taken the temple pretty much for granted realized more keenly what it meant in their lives. Some had been induced by the raging dispute to rethink their whole attitude toward religion and the institutions dedicated to religious life. Theodore Stone, who, as a former vice-president, had bravely stepped in as interim president when the officers of the congregation resigned at the Board meeting of April, 1948, was elected president at the Annual Meeting in June for a two-year term. He immediately set about the task of recruiting new leadership for the various agencies of the temple. He was reassured to discover that there was a large reserve of fine manpower available. Mrs. Herbert Hauptman undertook the presidency of the Sisterhood; Frank Chayes, of the Men's Club; Herbert M. Hymen, of the Senior Society and Betty Rosenthal, of the Youth Council.

THE K.A.M. COMMUNITY HOUSE

Strengthened by this new leadership and the many competent members who accepted positions on the various committees, the Board of Trustees faced the challenge of the uncompleted business of building the new Community House. The temple had long realized the inadequacy of its quarters for its religious school and youth activities program. In 1939, Irving Solomon and Mrs. M. L. Weinstein had organized a series of earning events—a night at the opera and a grand bazaar which had netted sufficient funds both to renovate the temple auditorium and to purchase the lot immediately east of the temple. In 1944, on the occasion of his Fifth Anniversary as rabbi, a group of friends and admirers had presented Rabbi Weinstein with pledges of $50,000 as the start of a Building Fund Campaign. Under the able leadership of Samuel S. Weil and Reuben L. Freeman this sum was raised to $140,000. The campaign had lain dormant during the celebration of the 100th Anniversary. Now Alfred Wittert undertook the task of completing the campaign. Aided by Mrs. Arthur Feldman, he organized a successful dinner at the Palmer House on December 11, 1949 at which an additional $60,000 was pledged. Aiding to achieve this grand total were the generous gifts of Mr. and Mrs. Walter Jacobs to dedicate the library in memory of their son, Walter Jacobs, Jr., a naval pilot who lost his life in the Pacific in February of 1945. Memorial rooms were established by Leonard Ashbach in memory of Barbara Dea Ashbach and by David Himmelblau in memory of Rhoda Himmelblau.

The Sisterhood under its new president, undertook to raise the necessary means for the furnishing of the classrooms and the complete equipment of a modern kitchen. A bazaar was decided upon as the proper money-raising medium. First under the chairmanship of Mrs. Sidney Moyer and then under Mrs. Jesse Cook with the constant aid of the sub-chairman, Mrs. Sol Fox, Mr. Erwin Levy, Mrs. Eli Baron and Mrs. Herbert Hauptman, the Sisterhood held a Grand Bazaar on November 15, 1950, which netted the K.A.M. Community House Furnishing Fund some $26,000. The Bazaar was not only a magnificent financial success but a wonderful revelation of the loyal devotion of the great bulk of the membership and of the splendid esteem in which K.A.M. is held by the wider outside community.

The Men's Club under the able chairmanship of David Rosenthal has undertaken by means of this New Century Book to raise the balance of the sum needed to pay completely for the building and perhaps to cover the cost of completing our much-needed chapel.

A THING OF BEAUTY AND A JOY FOREVER

Except for the chapel, our building is complete and in use. We are proud of it. These pictures can only partially tell you why. Thanks to the meticulous supervision and the painstaking care of Howard Landau and Herbert H. Heyman, our Community House combines the best of modern design and modern material with the functional purpose for which it is intended. It also fits beautifully into the architecture of our temple and the old community building. It has a dignity and simplicity of line which says eloquently that the building is to serve the needs of young and old. It has a warmth without being garish. It has a work-a-day familiarity which invites the fullest possible use. The colors and materials are in exquisite taste with not even a hint of pretentiousness. It is the kind of building that a congregation can live with; and know that it will, with the fewest possible demands in upkeep, become ever more comfortable with the years. With the new building there also came a new spirit in the character and ability of the man elected to be the President of K.A.M. in June of 1950. Mr. Sol S. Fox came to this office with a warm love of the synagogue and a keen appreciation of what it could do to bring to Jews a high standard of personal and social values.

It has already become the home of our advanced religious school students, our Youth Council and Senior Society. Our young people are celebrating their Bar Mitzvahs in it. They are being married in it. More and more of the congregation are celebrating the significant occasions of their lives in it. Thus it is truly becoming the Beth Ha-Kenesseth, the House of Assembly, which is, in our tradition, as vital an aspect of the synagogue as the House of Prayer and the House of Study. Thus the life patterns of the membership are being bound into the very structure of the synagogue and are depositing a radium stuff of sentiment which permeates the brick and mortar with spirit and imparts a living soul to an institution.

THE NEW CENTURY

We have hardly put our toes into the New Century and we have already found it burdened with the shadows of war and the fear of war. One need not stand on a very high hill to see that the coming years will call upon our every ounce of courage and dedication. The outcome of the ideological dispute that cuts athwart the entire globe will depend more on spiritual reserves than on material forces. Only those who know in their hearts, when the barrage of propaganda is lifted and the winds of specious doctrine blow themselves out, that they fight for the right—only those will have the physical stamina to survive. And that physical stamina can come only from spiritual integrity, from the wholeheartedness of inner honesty. The synagogue must bring more and more of its devotees into the ways of integrity. It must be ever at hand to console the sorrow stricken, and goad the smug. It must serve as the guardian of our democratic values. It must be fearless as the prophets of Israel were fearless to say "this is not the way" when leaders through malice or ignorance would lead us away from our ideals.

Here at K.A.M. we have a further challenging opportunity. We can imitate the God we worship by treating the Negro in our midst as we treat our home-born. We have the chance to engage in an experiment in inter-racial living that will not only test the validity of our faith and bring the boon of good neighborliness but which will add to the very necessary testimony upon which the vast colored populations of the earth will judge the sincerity of American leadership. It may very well be that the attitude of the Chinese, the Indians, and the Africans toward us and the placing of their weight in the world struggle will depend on the multiplication of such patterns of equality and good neighborliness as we can forge here.

Who better than the children of Israel can bring faith and hope to a weary and confused generation? Have we not survived such crises before? Have we not drawn from the nettled dangers of these crises in the life of nations, the roses of opportunity and extracted from the leaden pointed whips of adversity the strength to overcome the obstacles on our way? This record of one congregation in Israel is but one specific testimony to the fact that man made in the image of God and sustained by faith in his creator can summon the necessary powers to survive the forces of destruction. The establishment of the State of Israel in the wake of the worst tragedy that has ever befallen the people of Israel should renew in us the homely optimism of our fathers who often repeated the saying: "God prepares the remedy before he sends the affliction."

One hundred and four years ago, fourteen resolute men constituted themselves the Kehilath Anshe Mayriv, in the firm faith that the new and budding continent of 19th Century America was congenial to the thirty centuries old faith of Israel. Their faith has been justified. Judaism has flourished in

this happy land—still the last best hope on earth. As they gave the strength of their faith to the very foundations of this republic, so they learned from America the lessons of its rugged frontier: that which is rutted is lost. Survival is only to them who change with the ineluctable changes of time. The descendants of these pioneers have been loyal to the spirit of the founders who affirmed enduring values in the midst of changing circumstances. Though the earth wax old like a garment the generations of K.A.M., faithful to Him who is the confidant of all the ends of the earth, will keep alive the sacred flame of our ancient faith and with that faith infuse their lives with beauty, truth and goodness.

THE K.A.M. CONGREGATION 1947 TO 1967

The celebration of KAM's Centenary had reminded Chicagoans that Jews were among the pioneer founders of America's second largest city and that they were able to establish a congregation only ten years after the incorporation of the city and only ten years after the founding of the first Protestant congregation. The occasion stirred new efforts on the part of Jewish historians to continue the orderly gathering of archive material to fish out the general outlines of the three great migrations—the Sephardic, the German-Ashkenazim and the East-European.

It was also a time for soul searching, and re-evaluation on the part of many of the leaders of the congregation. The tremendous burst of activity begun by President Schrager with the full cooperation of Rabbi Weinstein had developed a pattern of activity for activity's sake, a proliferation of committees on committees in the midst of which the fundamental purposes of a synagogue were often lost. The split which developed during the preparations for the Centenary and came to a head the following year was largely caused by profound differences between the Rabbi and the President as to which of them should have the right to determine the ultimate objectives of the lay committees. While the line-up of partisans was often determined by personal loyalties, the acceptance or rejection of the Rabbi's social and political views were also involved serving sometimes as prime motivation and with others as a rationalization of motives which they could not understand or were unwilling to admit.

However painful the split became, it proved a blessing in that it left a congregation smaller by some 200 members but much more unified in its objectives and in its confidence and respect for its Rabbi. These were the objectives the renewed congregation elected to pursue.

(1) To complete the fund-raising and the plans for the new community house, not only to provide needed facilities for the religious school, the youth groups, the Adult Education operation, the auxiliaries but to give a dramatic testimony to the viability of the Neighborhood for Jewish residency. The pent-up Negro ghetto to the west was beginning to burst its boundaries on Cottage Avenue and rumors were already rife about the Black flood and the deterioration of property values. This fear rode side by side with another and quite different development in the post war prosperity years—the growing affluence of Jewish businessmen and professionals. The in-thing for the successful and the public declaration of their ascent was the move to the more elegant and restricted suburbs largely to the north and some extent to the south. It became apparent that the future of the Temple in the Hyde Park Kenwood Area would depend on our ability to hold a considerable portion of our membership in the area without adopting restrictive polices whch would be a violation both of our ethical commitment as Jews and our loyalty to American democratic ideas.

This objective became our major concern and was the focus around which all other activities revolved for the decade from 1948 to 1958. One of the first acts of the congregation was to rescind the restrictive covenant clause in the deed of sale of our Temple property and to enlist other congregations in the neighborhood to do the same. The next step was to galvanize the Hyde Park Council of Churches and Synagogues to put the racial question in general and the objectives of an integrated Hyde Park-Kenwood in particular high on its agenda. The third step was an approach to the Chancellor and Board of Regents of the University of Chicago to take active leadership in creating the conditions in which an orderly transition could be made from a 95% white and 5% Negro mix to one that was closer to a 50–50 mix. The fourth step was the approach to the Chicago School Superintendent and its Board of Supervisors to work toward quality education on an integrated basis in the Hyde Park Area. The fifth and most difficult step was the organization of the Hyde Park Community Council to organize street by street Associations of persons who would agree to rent or sell to qualified Negro tenants and to employ tested sociological criteria to determine the absorptive capacity and tolerance level or turning point for each block in the neighborhood. The sixth and most delicate step was the enlistment of Negroes in the neighborhood as well as the professional leadership of the Urban League, the NAACP to cooperate with us in a plan that involved some form of benign quota.

KAM members were active in every one of these steps and often found themselves engaged in law suits with slum landlords and block-busters or in delegations to City Councils and Illinois legislative committees that would help us to preserve existing housing ordinances and safety regulations and in providing new ones to meet the exigencies of the so-called "invasion" which was more often the suction to fill the vacuum made by the flight of the whites.

KAM as one of the front leaders in this task had to be the very model of a good neighbor in opening its facilities to Negroes and in seeking every opportunity to work with the Black organizations. The congregation encouraged and backed knowledgeable and liberal members to run for positions on the Aldermanic Council, on the State legislature and most especially on the Chicago School Board. For the 20 years from 1947–1967, there was hardly a single year when a KAM member was absent from these three bodies.

The impact of this struggle was apparent in every phase of the congregation program. The members recalled and relieved the experience of their own people as an unwanted and persecuted minority. The history of our own painful struggle against discriminatory barriers became poignantly real. The question asked by Amos in the name of God: "Are Ye not as the children of Ethiopia unto Me?" stung with a keen relevance for the first time in the life of many of our members. Many of our youths, especially those of college age, who had gone through the period of authority rejection and general scepticism of religious premises were persuaded that the prophetic role of the synagogue more than compensated for some of its theological hold-overs. Many congregations throughout the land inquired about our program of social action and invited KAM's Rabbi and its laymen to lead seminars of their own boards of social Action Committee. It was largely in recognition of this leadership in this cause, that the Central Conference of American Rabbis elected KAM's Rabbi as its President in 1965. Earlier in 1961, President Kennedy recognized the importance of this work when he appointed the Rabbi to his Commission on Equal Employment Opportunity. The reputation of the congregation as the leading Social Action Congregation in the land attracted many sensitive and influential leaders from the ranks of labor, from the faculty of the University of Chicago and from the liberal professions. By 1958, there were enough lay leaders in the congregation to assume much of the responsibility for this work so that the Rabbi could give himself to the equally urgent problems of the Jewish people.

THE IMPACT OF THE STATE OF ISRAEL

The State of Israel was established in 1948, hardly six months after our Centenary. Considering that KAM had been for 25 years under the Rabbinic tutelage of Rabbi Tobias Schanfaber a Classical Reformer with the vigorous and vocal anti-Zionism which was the badge of most of that tribe, the congregation responded most enthusiastically to this crucial event. Some saw it as the only effective answer to Auschwitz and Dachau, some looked at the State as a safer refuge for disadvantaged and persecuted Jews, one where the philanthropic dollar would go further in the work of relief and rehabilitation. Others thought of it as a grand opportunity to answer once and for all the mistaken notion in many a gentile breast that Jews could never be Nation builders and defenders—that they were by conditioning and nature parasitic. But there were in the congregation a fine nucleus of men and women who knew the work of Achad Haam, of A.D. Gordon, of Weizman and Brandeis and who remembered the powerful religious implications of Zionism in the Bible and the prayer book and who saw the event of 1948 as the fulfillment of a Messianic hope as well as an act of belated justice on the part of the Nations of the World. They were most responsive to my many appeals for increased aid to our struggling new State. Some who were on the Board of the Jewish Welfare Fund and the United Jewish Appeal became important factors in changing the priorities of Chicago's giving and in raising the sights of the Community Fund Raising Drives. No less than four members of KAM became Chairmen of the Annual UJA Drive in the crucial two decades following the establishment of the State. They brought to this demanding task not only a keen knowledge of the techniques of money raising but a real understanding of the profound implications of these campaigns for Jewish survival and Jewish self-fulfillment. The very example of these laymen helped the Rabbi in his plans to intensify the teaching of Hebrew to our adults and our children. Hebrew classes were offered to those adults who desired both a reading and speaking knowledge of modern Hebrew. Our religious school students were offered Hebrew classes two afternoons a week in addition to the period devoted to the language in our Saturday and Sunday classes. The busing of the 60 children who on the average enrolled for these classes proved quite expensive but our Board was easily persuaded that the language was in itself a powerful spiritual identifying force and deserved whatever sacrifice the teaching of it entailed. Prominent visitors from Israel were invited to our pulpit and to our forums. The labor leaders in the congregation became active in aiding the Histadrut to enlist the American trade union movement in the building of the State of Israel. The Rabbi assumed the Chairmanship of the National Committee for Labor Israel and the congregation gracefully accepted the shorter rations of time available to the Temple as a result of the many hours he devoted to this crucial work in the ten years of his leadership of this vital force in building the economic strength of Medinat Israel.

While the building of an integrated neighborhood and the building of the State of Israel at first attracted different groups in the congregation, the groups intermingled and some crossed over from one activity to the other. A gradual subtle conviction became more and more pervasive that there was a profound kinship between the Black Man's search for identity and dignity and the Jews long battle for equality without assimilation. When the Black Man accepted some parts of our integration program and rejected

others out of the conviction that they unconsciously encouraged the sublimation of Black uniqueness, the congregation recalling our own ambivalences was able to sympathize and not take it amiss that Blacks wanted to maintain their own cohesive groups in some neighborhoods, worship in their own churches, eat their own favorite foods, elect their own as representatives to legislative bodies. Among the other by-products of the Hyde Park-Kenwood Integration experiment was this complex and profound revision of the melting-pot thesis of American acculturation. It was rewarding and fascinating to see the growth of the affirmation by both Blacks and Jews—that an ethnic group need not surrender its integrity, its unique self-hood to be entitled to equal opportunity and equal rights under a democratic government.

THE PASTORAL WORK—THE ONE TO ONE RELATIONSHIP

The pastoral work of the Rabbi has become in America one of his most important and exacting roles, although it was not a part of the Rabbi's image before the 20th century. At KAM the role was made central by Rabbi Schanfarber almost totally neglected by Dr. Solomon Freehof, and modified into a semi-psychiatric counselling by Joshua Leibman in the short period of his incumbency. Rabbi Weinstein soon realized that his ability to speak freely from the pulpit and to enlist men and women in his social action program would be greatly enhanced if he could build strong personal ties through pastoral visits and intimate conversations at the coffee table. He took advantage of the seasonal celebrations — the circumcision ceremony, the Bar Mitzvah, the Confirmation, weddings, anniversaries, funerals, hospital visits to discover the inner thoughts of the congregants, their family problems, business worries, religious doubts, yearnings and groping toward some hierarchy of values, some priorities in commitment. He discovered that Freud, the scepticism inherent in all sophistication, and the alienation of most Jews from the sources of their culture had built a wary resistance to much of the counsels and mandates in the Bible, the Talmud and the Codes. The curriculum of the Hebrew Union Colleges during his seminary years had not taken cognizance of this change. In 1954, he persuaded Dr. Roy Grinker to organize a Joint seminar with ten chosen rabbis and the staff of the P&PI of Michael Reese Hospital in order to gain an understanding of the differences in the manner and goals of the Rabbi and Psychiatrist and to establish if possible, some lines of cooperation between these healing agencies. The seminars were helpful but not decisive and unfortunately were not followed up after the first year. They made clear to the Rabbi of KAM however that the Rabbi should never attempt to be an amateur psychiatrist—but that he can learn to detect the symptoms of serious psychological problems and be helpful as a referral resource in these instances.

But for the most part he can find in the wholesome ethical teachings of Judaism the armament for sound counsel to the normal and to the moderately neurotic. His best materia-medica however is his personal example. This speaks louder than his words. His pulpit utterances, his teachings in the class room, his community standing all develop credits for him and build an authority for his counsel, while his humanness, his sense of humor, his compassion can often be more persuasive than his logic. Forty-three years of experience in the Rabbinate has convinced the Rabbi that there is no real distinction between the work of the pulpit, the classroom and the pastoral visit. They are all of a piece, each a form of communication. The Mensch has to precede the Rabbi, the personality the precept, the heart the mind. The Rabbi is a jack of all trades, and often feels the terrible frustration of being a generalist in an age of specialization but he can have the compensatory consolation of knowing that what he is often gives an acceptable dimension to what he says. The personal warmth and affection he has gained in sharing the joys and sorrows and crises of his congregants can often bridge even deep differences on political issues. He often misses the more obvious rewards of other professions, the more tangible monuments left by the movers and shakers of the industrial world, but he constantly stumbles into unexpected dividends—people in every walk of life who remind him how crucial in their own growth was a word, a teaching, a friendly act of the Rabbi. Surely the search for roots, for continuity, for meaning is one of the distinguishing features of this mobile, nomadic age. The fact that more and more of our young Jews are searching in their own tradition for this unifying spiritual element is proof that our efforts have not been in vain.

It is a matter of the profoundest satisfaction to Rabbi Weinstein that he was instrumental in selecting his successor Rabbi Simeon Maslin in 1967. The five years of his Rabbinate have been a blessing to the Congregation and a boon to the community. He has bravely undertaken and forwarded the Social Action Program of his predecessor, intensified and improved the Jewish consciousness and pride of the congregation, and the adult education on which it is soundly based. He has become a devoted friend, teacher and inspiration to our youth and has cradled and inspired the merger with Isaiah which has so greatly strengthened the Jewish presence in the community and has already given the congregation the added financial strength and lay leadership to assure a more rounded religious life and cultural experience than the congregations have ever known before. This Rabbi Emeritus can joyously sing with the Psalmist that his successors with God's help have established the work of his hands!

TEMPLE ISAIAH ISRAEL CELEBRATED 95TH ANNIVERSARY IN 1947

Temple Isaiah Israel celebrated its 95th anniversary on May 9–11, 1947. Members of K.A.M. Congregation were guests at the service on Friday evening, May 9, and its rabbi, Jacob J. Weinstein, conducted the service together with Rabbi Berman. Special tribute was paid to Ralph M. Gerber, who had completed forty years of service as choirmaster and organist. Participants in the three day program were Dr. Solomon Goldman, who preached on Friday evening; Mrs. Louis Rosett, National President of the Temple Sisterhoods, who was the speaker at the Sabbath morning service; and Dr. Stephen S. Wise; Dr. Maurice N. Eisendrath, president of the Union of American Hebrew Congregations; and Dr. Samuel Blumenfield, who spoke at the banquet. Rabbi Berman dedicated the Plaque honoring Temple Isaiah Israel's men and women who had served in World War II; five of them had died in the service of their country. At the annual meeting, which had been combined with the banquet, George G. Fisher (1947–1949) was elected president of the congregation.

On our 95th birthday plans were ready for the new Community House and School. In November the United Nations voted to partition Palestine, making possible an independent Jewish Homeland. The Truman Doctrine and the Marshall Plan were instituted to save Europe from Communism. At home eggs were $1 a dozen, butter $1 a pound, and income taxes at their peak. The world had its old look but the women adopted the New Look. In 1948 Czechoslovakia fell into Russia's lap. The U.S. began to rearm and renewed its draft. Truman was elected to everyone's surprise but his own. The Kinsey report told more than we would admit about the sexual behavior of the male.

While Isaiah Israel went on to build its Community House and School, Jews in Palestine moved forward to fulfill the fond dream of a Jewish State. It was not to be realized until much Jewish blood had been shed. Here at home Jews gave, as they never gave before, to make that State possible and to build it as a secure home for the thousands who were coming into Israel. On May 14, 1948, the State of Israel was proclaimed and Jews rejoiced everywhere. Rabbi Berman, as Chairman of the Chicago Zionist Council, had worked with the Chicago Zionists to help secure the ratification of the UN resolution of November 29, 1947 and President Truman's recognition of the Israel as a *de facto* State.

GROUND BROKEN FOR COMMUNITY HOUSE

And two days after the State was founded, Isaiah Israel broke ground for its new Community House and School. The ceremony was conducted by Rabbi Berman. The children of our school had their part in this historic occasion when each of them turned over a spade full of sod. Mr. George G. Fisher, president of the congregation, and Mr. Herbert J. Buchsbaum, chairman of the Building Committee, were the speakers. The cornerstone was laid on June 20, 1948.

During the summer of 1948 Rabbi Berman as president of the Chicago Division of the American Jewish Congress, attended the second sessions of the World Jewish Congress at Montreux, Switzerland, where he was one of the praesidium. The World Jewish Congress which was made up of the representatives of sixty-five national Jewish communities, dealt with the problems of postwar Jewry. It was unhappily marked by the beginnings of the split in world Jewry between those beyond the Iron Curtain and those outside of it. From the World Jewish Congress, Rabbi Berman flew to Israel for a survey of its needs for the United Jewish Appeal. The new nation was again under Arab attack, but before truce came, Rabbi Berman had been able to see a good part of Israel, including the new section of Jerusalem. From Israel, Rabbi Berman returned to Europe where, in addition to visiting principal Jewish communities in both the West and the East, he investigated conditions among the liberated Jews of the concentration camps.

On the High Holy Days of 1948, the congregation met for the first time in dual services i.e., an early and late service on Rosh Hashanah eve and morning, and on Yom Kippur eve. On Yom Kippur day, the congregation met in services held simultaneously, one at the Temple and one at the International House. The dual services made possible the attendance of many more members and their families, particularly young people who had been denied this opportunity under the old system of a single service.

Dr. Stephen S. Wise was the guest of the congregation on Friday evening, March 11, 1949, on the occasion of his seventy-fifth birthday. A great outpouring of members of the congregation and of the community heard him in his last message to Isaiah Israel, which had looked upon him as one of its cherished guides and friends, attested to its love and regard by naming the portal leading from the Temple into the almost completed Community House and School "The Stephen S. Wise Portal."

The Confirmation class of June 5, 1949 had the distinction of being televised by the National Broadcasting Company. This was the first time a full Jewish religious service had been given over television on a national broadcast. Rabbi Berman prepared the class. Ralph M. Gerber and Andrew Foldi had charge of the music. Rabbi Phineas Smoller of the Chicago Federation of the Union of American Hebrew Congregations was the narrator.

COMMUNITY HOUSE DEDICATED

The new Community House and School of Temple Isaiah Israel was dedicated on Friday evening, September 9, 1949. Participants in the program were Dr. Maurice N. Eisendrath, president of the Union of Amer-

ican Mebrew Congregations; Dr. George G. Fowler, president of the Church Federation of Greater Chicago; Dr. Louis L. Mann of Sinai Congregation; Rabbi Jacob J. Weinstein of K.A.M., and Rabbi Berman. Sylvan E. May, the president (1949–) introduced the speakers. A year later the Social Hall of the New Community House was to be decorated with twenty Biblical murals, a gift by the Kaufman family in honor of Charles D. Kaufmann.

The period after the war had seen a number of innovations in the program of the congregation. The Oneg Shabbat after Friday evening services was made an occasion for general discussion of important questions of the day. A nursery school was opened for pre-school children in cooperation with the Jewish Community Centers Association.

The Sunday Breakfast Discussion Club, more popularly known as the "Lox and Bagle Club" was organized, sponsored jointly by the Brotherhood and the Parents' Association. Leonard Becker has been chairman in charge of programs. The Parents' Association had played an important part in stimulating parents' interest in the work of the school. Its Gift Shop, supplying ceremonial objects, had been a significant factor in introducing Jewish practice into the home. Another innovation was the Social Action Committee of the congregation which cooperated with the Sisterhoods' excellent Community Relations Committee in many civic and social matters.

Year 1949 saw fear rising. Robert Hutchins defended his University against the charge of Communism, but Alger Hiss was not so successful. Then President Truman announced: "We have evidence that within recent weeks an atomic explosion occurred in the USSR." 26,000 Jews a month were finding a new life in Israel with the help of American Jewry. Israel now had its first President, Chaim Weitzmann, and its first Prime Minister, David Ben-Gurion. 1950 found 325,000 Jews in Chicago and the city had 3,600,000 inhabitants in an area of 211 square miles. In June we were at war with Korea, and the whole nation was again gearing itself for what many believed would be World War III—but the sense of sacrifice and the readiness to do without were not yet present.

REPORT ON REFORM PRACTICE

The General Assembly of the Union of American Hebrew Congregations in November, 1950 was well attended by the delegates from Isaiah Israel. These delegates supported vigorously both the Rabbinical Placement Plan proposed by the Central Conference of American Rabbis and the ten percent tax on all members of the Union, but both measures were defeated. One of the highlights of the sessions was Rabbi Berman's report of the Committee on Reform Practice, which revealed a widespread return to ceremonialism in Reform congregations. While no action was taken at the General Assembly on the issue of codification or preparation of a guide, the Council asked Rabbi Berman to continue his Committee's study of the subject and report back with a recommendation at the next Biennial.

Temple Isaiah Israel celebrated the twenty-fifth anniversary of the ordination of Rabbi Berman, at a special service on Friday evening, May 18, 1951. K.A.M. Temple, of which Rabbi Jacob J. Weinstein is the spiritual leader, joined Isaiah Israel for the service. Dr. Maurice N. Eisendrath of New York, president of the Union of American Hebrew Congregations, reviewed Rabbi Berman's contributions to the Reform movement as a member of the Executive Board of the Union and of the Board of Governors of the Hebrew Union College—Jewish Institute of Religion. Rabbi Jacob J. Weinstein of K.A.M. paid tribute to Rabbi Berman for his contributions to the Jewish community as president of the Chicago Rabbinical Association, as chairman of the Zionist Council, and as president of the Chicago Division of the American Jewish Congress, and as Associate General Chairman of the Combined Jewish Appeal. Dr. George G. Fowler, president of the Church Federation and Greater Chicago, appraised Rabbi Berman's civic and humanitarian efforts as a member of city and state Boards. Sylvan E. May presided.

PLANS MADE FOR CENTENNIAL

As the congregation was about to enter its hundredth year, plans were made for the celebration of its 100th anniversary. At the June 12, 1951 Board meeting, Harry S. Himmel was appointed General Chairman of the Anniversary Committee, Eugene I. Stein, Jr., as Co-chairman, and Howard Wolfson, Chairman of the Centennial Fund. A large and active committee was later named to assist Mr. Himmel in the shaping up of the plans for an appropriate celebration. One of the goals of the 100th anniversary program was to free the congregation of all its indebtedness for the first time in its long history. To this end a dinner of the membersip was convened at the Standard Club, September 6, 1951, at which $58,000 in gifts were contribtued toward a $100,000 Centennial Fund. On November 13, 1951, it was announced at the Board meeting that all indebtedness had been lifted from the congregation through the use of part of the gifts. The congregation of eleven members in 1852 had now 800 families.

Year 1952, and our 100th anniversary year witness more billions poured into defense and foreign aid. In addition to giving millions to the Combined Jewish Appeal, Jews are now buying Israel bonds. A peace treaty with Japan has been signed. Germany has been befriended in the hope that it will serve as a buffer against Russia. Only a few have protested Germany's re-Nazification, and even less have scorned to take Franco's hand. A truce is being sought with the Communists in Korea. There, more than 100,000 of our men have been casualties in what is called a "police action."

Fears fill the world, and man stands tremblingly seeking through the darkness that surrounds us to discern the signs of a brighter future. Of this we are convinced, that we need desperately the faith of our fathers in these times. We need the faith of the founders of this congregation who believed that by walking in God's ways and fulfilling His commandments we might help to build His kingdom on earth. As we pay tribute to them who built our house of God, we rededicate ourselves to Him.

THE TEMPLE ISAIAH ISRAEL, 1952–72

The centenary celebration of Isaiah Israel in 1952 was a high-water mark in the history of the Congregation. It had recovered from the setbacks of the years of the Great Depression, and placed the congregation in the forefront of leadership in the trend then beginning in the Reform movement to alter radically the historic opposition to the Zionist movement and Jewish peoplehood; and to a more sympathetic response to traditional values in Judaism.

A new zest and impetus came into the life of the congregation, and it grew rapidly into new strength and vigor. At the time of the hundredth anniversary (1952), the congregational membership stood at 1,000, an all time high in its history.

But once again the pendulum swung, and the unpreparedness of the Hyde Park Kenwood area to cope with blight and decay resulted in a massive exodus of middle class whites and many middle and upper class blacks from the area.

It was during these years of flux and confusion, that it appeared that the area would suffer the fate of other areas of change and its institutions could not survive.

At approximately this time the decisions were taken by Michael Reese Hospital and the Illinois Institute of Technology not to move and to redevelop their environments; while in the Hyde Park Kenwood area, the activities of K.A.M. and Isaiah Israel among the Temple and churches, and the Hyde Park Kenwood Community Conference, followed by the involvement of the University of Chicago and the Southeast Chicago Commission, set into motion the preliminary studies and massive planning designed to stabilize and ultimately save the area.

In those years the planning was beneath the surface, and the surface surge of events spelt out change and crisis. The membership dropped sharply; families with children left the area rapidly. A core of members remained in Hyde Park, and a supportive core of members who had moved to the Near North Side, continued their support.

The vast majority of the members with children who remained, had moved to South Shore, and were clamoring to be serviced for school purposes in their area.

By 1957, after twenty years of dedicated service to the Chicago community, and thirty years in the active Rabbinate, Dr. Berman was invited to Jerusalem to serve as head of the English Speaking Desk of the Keren Hayesod; and was granted Emeritus Status by the Congregation, to serve in Israel in the name of Isaiah Israel.

Invited to succeed him was a young colleague, also a student of Dr. Stephen Wise, Rabbi Hayim Goren Perelmuter, who had served for fifteen years as Rabbi in Waltham Massachusetts and Johnstown Pennsylvania.

There were doubts in the community whether the congregation would survive, but there were not doubts in the mind of the core leadership and the core membership who were confident not only in the future of the congregation, but the future of the area as well.

Rabbi Perelmuter shared this conviction. A Montrealer by birth and backgrounded with experience in ministry in metropolitan areas like Boston and New York, and with more than a decade in a small city where he helped develop a vital and alive Jewish community, he elected to come to Chicago, and precisely to Hyde Park, out of a conviction that here more than anywhere else in the United States the survival possibility of a big city was being worked out much ahead of its time and would be a pattern for the future.

The decision taken by the congregation for its pragmatic survival was direct and simple: The core of the congregation with its magnificent sanctuary would remain in Hyde Park. One third of their membership was there; and a significant number of its members with historic ties they would not rupture remained.

The families with school age children were south of Jackson Park, and it was decided to provide a branch school facility to service this group, with the knowledge that it was to be a temporary (ten to fifteen year period), with an ultimate return to Hyde Park.

Facilities were rented in the Horace Mann School and an effort to raise funds to provide for a Branch was launched, and with the stimulus of a $75,000 grant from the Late Albert Steindler and with generous response from the rest of the membership, some $300,000 was raised and the Steindler School at 87th and Bennett was acquired.

To link all families with the Hyde Park Center, the upper years of religious school (Grades 9 and 10) would meet for class in Hyde Park on Saturdays and worship in the sanctuary.

The very fine school facility in Hyde Park which had been completed in 1948 was not allowed to remain empty, but was put at the disposal of the Board of Education until the Shoesmith School in Kenwood was completed; and then occupied by the Retarded Children's Aid which remained there until the merger in 1971.

This neighborly Association of a multi-racial school for retarded Children spoke

volumes about the relationship of the Temple to its environment and of the meaningful and constructive sybiosis that it represented.

The concept that Isaiah Israel was now a neighborhood institution and a metropolitan congregation, with an understanding and concern for the real needs of the total city was carried forward and developed.

The ministry of Rabbi Perelmuter combined an approach designed to bind a diverse group, diverse in age and interest, into a homogeneous family, without losing the broader range urban vision and concern for the world needs of humanity in general and the Jewish people in particular.

Leaders of the congregation played their role in guiding The United Jewish Appeal, Jewish Federation, the Reform Movement, the Board of Jewish Education, B'nai B'rith, Hadassah, Council of Jewish Women and every vital Jewish movement, playing their role in the general areas of society.

As President of the Hyde Park Council of Churches and Synagogues, Rabbi Perelmuter played a significant role in bringing about a dialogue and rapprochement between the Woodlawn Organization and the Hyde Park Community, and was instrumental in the efforts to help in the development of Community Organization in North Kenwood.

In the education and youth programming, the necessity of dispersion was turned into the virtue of creative youth programming. A youth program that developed exchanges with other cities large and small took our young people each year for weekends to Detroit, Cleveland, St. Louis, Cincinnati, Springfield and Toledo; each year bring the youngsters from those cities to Chicago for a special look at Hyde Park and the diversity of Chicago that gave our own young people, and their guests, a sense of excitement about the kind of community in which they were living.

The young people were individually guided, and encouraged to participate in Jewish camp experience and Jewish travel experience, that gave them a world view of themselves and a capacity to relate to their Temple in Hyde Park as the one force for continuing stability in a torrent of change.

The manner in which this played a significant and stabilizing force upon countless young people in process of constant change was not insignificant.

The dedication and devotion of those who had been at the core, and those who joined them, beggars description, but it is the brick and mortar out of which the continuing survival was fashioned.

Many were the patterns, as the realities of the change in the community became apparent, as area after area in Hyde Park was rebuilt and redeveloped and as the flux of movement continued. By this time, the psychological boundaries of Hyde Park-Kenwood expanded enormously, and it became as much a state of mind as an area, and this state of mind, developed by institutions like Isaiah Israel (and K.A.M. and Sinai and Rodfei Zedek), became a reciprocal process.

It was during this period, in the mid-sixties, that the Isaiah Israel Foundation was established as a long range process designed to strength and secure the presence of the Congregation in Hyde Park.

It was during this time that the Morton B. Weiss Memorial Museum of Judaica was established; rapidly establishing itself as one of the significant museums of Judaica in the Chicago area with a gem-like setting within the monumental sanctuary attracting visitors from all over the world to see its collection, which includes one of the finest collections of Iranian Judaica in the Middle West.

Many things happened to strengthen this but the best single example is Artexpo, whose concept was to use the architectural beauty of the Saturday and the Morton Weiss Museum as the background of a quality art event.

In rapid succession the featuring of Jerusalem Artists House, Shalom of Safed, and the Goldman Galleries of Haifa, along with a galaxy of outstanding local artists, Artexpo became a unique annual experience, winning unprecedented attention from all the media.

The very night the furies of the Minutemen Riots swept Chicago's near north side, Hyde Park-Kenwood was one of the quietest places in Chicago, with thousands coming from all over the metropolitan area to visit and enjoy Artexpo; while a few blocks away St. Thomas the Apostle Church was happily observing its hundredth anniversary.

By 1967 the process of change began to catch up with South Shore, and massive population shifts began. This time, many began returning to Hyde Park while others scattered to the suburbs. There were those who thought that congregations should combine for strength, and shortly thereafter there were talks between South Shore Temple and Isaiah Israel looking to a possible merger of the two congregations in Hyde Park. Although these talks ultimately failed, a union of the religious and Hebrew Schools of the two Temples at the Steindler School resulted, to be joined in later years by Beth Am and B'nai Yehuda Temples.

It became clear, however, that the time to return to Hyde Park was at hand, and the decision for the return was timed to continue to serve those in the South Shore area, as long as there remained families to serve.

But the decision to move back was taken in the summer of 1970, and that fall the congregation was back as a unit in its Hyde Park structure, its membership less than one half of what it had been in 1952, but fiscally strong, psychologically secure, with a creative, dynamic and meaningful program animating its constituency.

It was a year of exciting creativity all the way from a school-without-walls program to the culmination of the creative union with its neighbor K.A.M. which has resulted in a uniquely strong and imaginative coalition of effort which gives new strength and vitality not only to one of the country's most creative and exciting cosmopolitan areas, but to the future of the Jewish community of Chicago as well.

CULVER ANNOUNCES RESULT OF SECOND DISTRICT QUESTIONNAIRE

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. CULVER. Mr. Speaker, again this year, I have prepared and mailed to my constituents a detailed questionnaire in order to obtain their opinions on the critical issues which we are called upon to consider in this House.

There has never been a greater or more obvious need in this country for participation by the widest section of our population in this decisionmaking process.

The problems we face today, both foreign and domestic, are problems which affect every man and woman in this country, regardless of where they live or what type of job they hold.

I am pleased by the size of the response to my questionnaires, which has increased each year, and particularly by the extensive comments which so many of my constituents added in their replies. We have tabulated the initial returns of this questionnaire, which has already been returned by more than 13,000 men and women in the Second District.

These responses indicate the opinions of a representative sample of people in my district, from every one of the 11 counties, the three major cities, and the more than 115 communities, and from the farms. They include responses from workingmen, farmers, businessmen, housewives, professional persons, and students.

The Congress cannot be guided by public opinion polls alone, but because my district represents such a broad cross section of interests and opinions, I think that the results of this latest questionnaire should be of interest to every Member of this body.

This year's survey was organized into two parts. The first had questions about issues likely to come before the Congress during 1972. The second part asked constituents for their views concerning the shaping of public policy for the future. By looking ahead 10, 20, and 30 years, we can begin thinking about some of the crucial policy decisions that must be made during the balance of this century and avoid merely reacting to crisis conditions.

The decisions we make now, and the action we take now, will determine the course of the future, for ourselves and for our children and grandchildren.

The questionnaire follows:

QUESTIONNAIRE

The economy

Do you think the Administration's economic program has been successful in curbing inflation and reducing unemployment?

Yes—17.4%.

No—68.7%.

Undecided—14.0%.

Vietnam war

Which of the following do you consider the most preferable course of action in Vietnam at the present time?

Continued phase withdrawal of American combat forces, with the possibility of increased bombings of North Vietnam and other countries in Southeast Asia until the South Vietnamese government is sure of its ability to survive—23.8%.

Setting a specific date for complete withdrawal of all American troops in exchange for guaranteed release of all U.S. prisoners of war—62.4%.

Resumption of full scale attacks on North Vietnam with any necessary increase in American men or material—3.8%.

Undecided—10.1%.

Agriculture

Do you favor Congressional action to establish a strategic grain reserve to improve farm income and to provide a guaranteed source of supply in times of natural disaster or emergency?

Yes—60.0%.

No—21.4%.

Undecided—18.6%.

The draft

Which of the following alternatives do you prefer?

Continuation of the present draft lottery system—19.7%.

Creation of an all-volunteer army—34.4%.

A national service system which would allow a young man to choose between military service or alternative civilian public service—37.3%.

Undecided—8.6%.

Rural communities

Do you favor H.R. 7843 which would provide federal funds to small towns to assist in fixing up business districts and providing a center for community activities?

Yes—51.1%.
No—34.6%.
Undecided—14.3%.

National priorities

Present inflationary pressures and large budget deficits require both restraint and priority allocation in federal spending. Please indicate those areas of the federal budget which you feel should be decreased, increased, or held at present spending levels.

[In percent]

	De-creased	In-creased	Held	Un-decided
Control of drug addiction	5.4	65.8	23.4	5.4
Crime prevention	3.6	65.3	24.4	6.8
Public education	14.1	32.7	44.2	9.0
Medical care	12.5	42.2	37.8	7.5
Aid to the elderly	5.1	57.7	31.0	6.3
Improving conditions in small towns	17.0	35.2	37.9	9.9
Increasing farmers incomes	14.6	35.6	40.0	9.8
Pollution control	8.3	59.9	24.0	7.8
Job training	14.7	36.5	39.8	8.9
Housing	25.0	22.4	41.8	10.8
Welfare reform	36.5	28.5	25.1	9.8
Highways	23.9	21.6	44.3	10.2
Military spending	65.3	6.9	21.6	6.3
Foreign aid	80.4	2.0	11.3	6.2
War in Southeast Asia	83.0	2.3	7.7	7.0
Consumer protection	10.2	51.3	31.5	7.0

Life in the future

I have listed below some of the many predictions which have been made concerning life in the future. Please check each according to whether you would find it desirable or not.

[In percent]

	Yes	No	Undecided
Increased affluence and leisure	28.7	42.6	28.7
Elimination of poverty and hunger	81.8	5.3	12.8
Further replacement of small farms and businesses by large corporations	4.7	83.2	12.2
Decline in importance of religion	7.0	75.6	17.4
Disarmament	45.7	33.0	21.3
Change in role of the family and marriage in society	9.5	69.5	21.0
4-day workweek	33.4	43.3	23.2
Less emphasis on technological growth and achievements	30.7	42.6	26.8
Greater consumer voice in corporate decisions	64.2	15.6	20.2
Medical advances in genetics and transplants	53.7	18.9	27.4
Less emphasis on nationalism and increased sense of world community	49.9	25.6	24.4

Leisure time

Which of the following do you think would be helpful to assure that increased free time is enjoyable?

Greater spending at all levels of government for readily accessible recreational facilities.
Yes—32.8%.
No—54.6%.
Undecided—12.6%.

Development, with government help, of more retirement communities.
Yes—42.7%.
No—44.8%.
Undecided—12.5%.

Establishment of a minimum income so that everyone will not be economically prohibited from enjoying leisure time.
Yes—37.3%.
No—50.3%.
Undecided—12.4%.

Institute changes in educational programs to promote appreciation and fruitful use of leisure, and rely on the mass media to influence and fill our leisure time.
Yes—38.3%.
No—45.1%.
Undecided—16.6%.

Transform many of the state's natural resources into recreation areas.
Yes—44.8%.
No—42.6%.
Undecided—12.6%.

Emphasize participation activities—local softball leagues, drama workshops, painting clubs—instead of spectator activities—major league sports, professional theater, etc.
Yes—65.3%.
No—20.8%.
Undecided—13.9%.

Greater stress on opportunities for artistic and cultural experience.
Yes—59.6%.
No—24.4%.
Undecided—16.0%.

Education

What direction should be taken in the next 25 years?

Deemphasize college education and improve the opportunities for vocational and craft training.
Yes—74.8%.
No—16.0%.
Undecided—9.2%.

Provide that the federal government guarantees 2–4 years of post high school education—college or vocational—available in parts or as a whole at any time in one's life.
Yes—38.3%.
No—51.9%.
Undecided—9.8%.

Restructure teaching so that students are taught to think more about the possibilities and probabilities of the future.
Yes—78.1%.
No—12.6%.
Undecided—9.3%.

Finance secondary education through a combination of state and federal funds and not through the local property tax.
Yes—74.2%.
No—16.6%.
Undecided—9.2%.

Quality of life in Iowa

If you were to consider the kind of Iowa you would like to see in 25 years from now which of the following aspects of our present situation do you consider enduring assets which largely need protection, and which would require improvements and change through citizen and government action? Check no more than four in each column.

[In percent]

	Asset	Problem	Undecided
Environmental quality	36.7	17.4	45.8
Population increase	7.4	24.6	68.0
Drug use	3.7	50.2	46.1
Educational system	32.9	15.3	51.8
Public safety	18.8	13.6	67.6
Sense of community, general interest in welfare of neighbors	28.7	9.4	61.9
Opportunities for meaningful employment	22.7	20.4	56.9
Transportation and housing	8.6	12.2	79.2
Personal freedom and privacy	41.9	8.8	49.3
Health care	16.4	14.9	68.7
Equal opportunity—racial, sexual, ethnic	16.1	13.9	70.0
Care of elderly	15.0	24.3	60.6
Divergence of values between generations	4.8	9.6	85.6
Cost of living	11.8	37.3	50.9
The family farm	32.0	11.4	56.6
Prison system	5.1	19.5	75.4
Government	10.2	23.6	66.2

Public leadership

In general, which of the following should be more involved in public leadership for the future?

[In percent]

	More	Less	Same	Undecided
Artists	10.6	19.5	37.9	31.9
Bankers	17.2	20.1	36.6	26.1
Blue collar workers	49.1	4.7	23.0	23.2
Business leaders	32.7	14.0	28.7	24.6
Doctors	22.0	12.4	37.5	28.1
Economists	41.7	7.7	25.3	25.3
Farmers	43.5	6.8	26.8	22.8
Labor leaders	15.4	38.8	19.6	26.2
Lawyers	15.9	26.0	30.7	27.5
Movie and TV celebrities	5.7	44.6	19.8	29.9
Scientists	35.7	7.5	28.8	27.9
Sports figures	8.3	32.8	28.7	30.1
Teachers and educators	45.2	7.6	24.0	23.2
White-collar workers	29.4	9.1	33.0	28.5
Women	44.6	7.3	24.6	23.5
Young people	56.1	6.0	18.5	19.4

REFORMS NEEDED IN VETERANS' ADMINISTRATION DRUG TREATMENT PROGRAM

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. BINGHAM. Mr. Speaker, the drug treatment program administered by the Veterans' Administration is seriously in need of reform if it is effectively to serve our veterans who have become caught in the tragic web of drug abuse. I have been appalled to learn that the Veterans' Administration offers only one form of drug treatment to veterans; namely, methadone maintenance, a rather drastic form of treatment for the many young veterans who are relatively recently and "lightly" addicted to drugs. I have been disappointed to learn, also, that the drug treatment offered by the VA is only available in VA hospitals, and involves weeks of confinement to bed—hardly a way to entice addicts to seek and undergo treatment. The Veterans' Administration has resisted taking treatment to veterans by opening storefront and other community-based treatment centers, or contracting with outside agencies to provide needed drug treatment services to veterans. Finally, Mr. Speaker, VA facilities in the New York area are currently treating only about 400 of the more than 10,000 addicted veterans in that area, indicating a serious failure to focus VA drug treatment resources on areas where the need for these services is greatest.

Mr. Speaker, I have reviewed these serious shortcomings of the VA drug treatment program and urged several specific changes to greatly improve the program in the following letter to Veterans' Administrator Donald E. Johnson:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 10, 1972.

HON. DONALD E. JOHNSON,
Administrator, Veterans' Administration, Washington, D.C.

DEAR ADMINISTRATOR JOHNSON: A review I have conducted of the operation of the Veterans Administration's drug treatment program has revealed a number of severe shortcomings which force me to conclude that the current effort of the VA to retrieve veterans from drug dependence is in many ways ill-conceived and unimaginative. The purpose of this letter is to urge you as Administrator

of the Veterans Administration to take specific actions to improve drug treatment for our veterans in New York and across the nation, and to suggest some specific means for doing so.

I am particularly disturbed that methadone maintenance is the only form of treatment being offered veterans by the VA. While I wholeheartedly support methadone maintenance as treatment for some addicts, it is clearly not appropriate for all. Fortunately, many of our veterans have become addicted only relatively recently. For them, methadone maintenance is far too drastic a treatment, and to offer only methadone to veterans is most irresponsible and inadequate. The Veterans Administration simply must broaden the range of treatments available to meet the varying needs of addicted veterans.

It seems to me, also, that the VA is failing adequately to reach out to veterans in need of drug treatment, and I feel much more can and must be done in this regard. Specifically, exceptions and alternatives should be offered to the lengthy hospital bed confinement currently required by VA hospitals for veterans undergoing drug treatment. Requirement of such confinement is hardly the way to entice addicted veterans to seek treatment. The VA should end its rigid insistence that veterans be hospitalized for drug treatment, and should take treatment to veterans through storefront and other community-based treatment facilities both under VA management and under contract to outside drug treatment organizations.

Finally, I am troubled by the apparent failure of the Veterans Administration to focus its drug treatment resources according to local concentrations of addicted veterans. It is unforgiveable that VA facilities in the New York City area only have resources to treat a little over 400 veterans when there are an estimated 10,000 or more addicted veterans in the City. Immediate action should be taken to reallocate drug treatment resources from VA facilities where the need is less to areas like New York City where the need is extensive.

I recognize that additional funds will be needed to implement some of these recommendations. I urge you actively to seek such funds for those and other essential veteran drug treatment improvements from Congress and from the Special White House Drug Abuse Prevention Office, and I certainly press for positive action on such requests.

However, a number of these recommended improvements can be implemented by administrative decision without further funds or legislative authority, and I urge you to act promptly and positively on those matters. I look forward to your reactions to these proposals, and assure you of my continuing support for your efforts to provide maximum treatment and care for drug dependent veterans.

Sincerely,

JONATHAN B. BINGHAM.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 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.

How long?

U.S. MONETARY CRISIS: ITS THREAT TO LIBERTY AND THE REMEDY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mr. RARICK. Mr. Speaker, the current efforts by our Government to hold down price increases have served to focus the attention of thoughtful students on a little discussed facet of our money system. This system, because of a long process of miseducation and studied silence, is not now understood as it was prior to adoption of the Federal Reserve System more than half a century ago. It is based upon debt, has serious implications for the future of our country, and invites what may be the greatest war in history.

Every debt-dollar demands an interest tribute from our economy for every year that dollar remains in circulation. These interest costs force up the price of every commodity and service and contribute greatly to inflation.

One hundred and ten years ago, on President Lincoln's recommendation, the Congress authorized the issue of interest-free U.S. notes. Many of these notes are still in circulation and their interest-free status has saved the American economy billions of dollars.

Attempts to fight inflation in the United States by the highest interest rates here in over 100 years are bound to fail for high interest rates drive costs and prices up while holding production down. For this reason, the present administration has succeeded only in bringing about the anomalous situation of a depression in the midst of rising prices. The result has been to engorge financiers with profits at the expense of every other sector of the economy.

Moreover, so long as the manipulators of the money seek to maximize bank profits by high interest rates, prices must continue to skyrocket. Only by forcing these rates down can production be encouraged and costs reduced, which will minimize price increases.

Under the Constitution, the Congress has responsibility of issuing the Nation's money and regulating its value—article I, section 8, clause 5. In a recent brilliant analysis of our money system by T. David Horton, chairman of the executive council of the Defenders of the American Constitution, able lawyer and keen student of basic American history, he suggests a proven remedy for our current predicament that will enable the Congress to resume its constitutional responsibility to regulate our Nation's money by liberating our economy from the swindle of the debt-money manipulators by the issuance of national currency in debt-free form.

Early in the present Congress I introduced legislation (H.R. 351) the main aim of which was to accomplish such liberation by authorizing our National Government to purchase the Federal Reserve System and to place it under the control of experienced administrators who recognize the basic soundness of the traditionalist money system and who can be dependent on to act in the interests of the American people and American financial needs.

In order that the indicated analysis and proposal of Mr. Horton may be available to our colleagues, I quote it as part of my remarks and include several related news clippings on the money situation which follow:

MONETARY CRISIS—ITS THREAT TO LIBERTY AND THE REMEDY

(Address of T. David Horton)

In 1797 John Adams wrote to Thomas Jefferson:

"All the perplexities, confusion and distress in America arise, not from defects of the Constitution or Confederation; not from any want of honor or virtue, as much as downright ignorance of the nature of coin, credit and cirulation."

The power to issue money is the supreme prerogative of government.

The history of contemporary money policies may be traced back to what has been called "the crime of 1666" when Barbara Villiers, mistress to Charles II, helped the British East India Company gain a rake-off starting at 2 pence on the pound of the Royal coinage. These corrupt practices were multiplied, and by 1694, William Paterson founder of the privately owned Bank of England would declare:

"The Bank hath benefit of the interest on all monies that it creates out of nothing."

With the crime of 1864, the National Bank Act, we find private banks gaining the power to issue money directly and a struggle commenced that has continued to the present day. Our own national heritage, if we are allowed to know it, is full of emphatic statements upon the subject of money.

Abraham Lincoln was one of our Nation's foremost statesmen on the subject of money.

The great American Monetary Historian Alexander Del Mar declared:

"Money is perhaps the mightiest engine to which man can lend an intelligent guidance. Unheard, unfelt, unseen, it has the power to so distribute the burdens, gratifications, and opportunities of life that each individual shall enjoy that share of them to which his merits or good fortune may fairly entitle him, or, contrariwise, to dispense with them so partial a hand as to violate every principle of justice, and perpetuate a succession of . . . slaveries to the end of time."

What have we done with our money? Over a hundred years ago John C. Calhoun stated that we had given the banks the government credit for nothing, only to borrow it back again at interest.

In the 1930's Marriner Eccles, then Chairman of the Board of Governors of the Federal Reserve System, admitted to Congressman Wright Patman that: What that privately owned central Bank used to buy Three Billion Dollars worth of government Bonds was the *right*, as he called it, to *create* credit money.

Yes, Banks *create* money—ex nehil—out of nothing.

Congressman Usher L. Burkick confirmed this in an interview published in 1959 in which he said:

"We want to sell 4 Billion Dollars worth of Bonds, and we sell it in New York to those who haven't got a dime, and they don't need any money because they simply enter credit to the government on their books! . . . And then before much money is paid out they get the currency because they bundle up those bonds and take them down here to Washington and get an equal amount of currency. Then they've got the money! But they didn't have the money before the government gave it to them."

In the meantime, of course, the government continues paying interest on those Bonds.

There is an incredulity regarding money matters that may be due in part to the fact

that these gigantic legalized swindles simply boggle the imagination.

G. W. L. Day wrote in his book This Leads to War:

"The mystery which has shrouded the subject of banking is every whit as deep as that which obscures the hocus-pocus of witch-doctoring; and with just the same blind respect with which the simple natives of Sumeria once gaped and goggled while their priests muttered their incantations and examined the entrails of chickens. For centuries we have listened with awe to the dictums of Finance, believing that its high priesthood is posessed of knowledge superhuman and that its mysteries are sacrosanct and incomprehensible to the common run of man."

Henry Ford put it this way:

"If the American people knew the corruption in our money system there would be a revolution before morning."

What are the reasons for the disparity that we find in the manner in which we tend to accept some things, but refuse and fail to know some of the simplest of truths with regard to our money? One of the reasons may be explained this way:

We have a situation here where—if one of you deposits a Hundred Dollars in a bank account and if you write checks upon that deposit twice—if you do it in my county, I have to come around and put you in jail and lock you up! You have committed a felony. Yet the very same bank in which you deposited that $100, can write checks on that same $100 not once, not twice, but five or ten times, even twenty times, and can do so with impunity. This is called the fractional reserve system.

We penalize one man who writes checks on the same money twice and send him to jail.

We glorify the banker who writes checks on the same money ten times and send him to Congress.

The difference between the Banker's activity and the "paperhanger's" activity, as we'll call him, (who writes checks on the same money more than once) is that the banker charges interest for lending the same money ten times!

Dr. Carl F. M. Sandberg stated:

"From those not previously familiar with these things, have come expressions of interest and enthusiasm, but also reluctance to accept as truth the fact that our government, without getting anything whatsoever in return, gives the Federal Reserve Notes to private bankers for them to loan out at interest even back to the government itself. To them this seems so senseless as to be unbelievable."

This is one reason why we find a certain incredulity with regard to accepting some of the basic facts of life that relate to our money system. But it is not the enormity of the outrage that is most important. It is not the fact that the swindles of high finance amount to billons of dollars. It is the fact that our present debt money system does not work, that is doing us the greatest injury.

Let us consider two points about our present system.

First: That every dollar we carry around in our billfolds is a debt dollar.

Dr. Willis A. Overholser states:

"Our present Federal Reserve System is a flagrant case of the government conferring a special privilege upon bankers. The government hands to the banks its credit, at virtually no cost to the banks, for their private profit. Still worse however, is the fact that it gives the bankers practically complete control of the amount of money that shall be in circulation. *Our present money system is a debt money system. Before a dollar can circulate a debt must be created.*"

The foregoing statement with regard to the money we use for our trade today, applies alike to the dollars we carry in our pockets *and also* to the so-called checkbook dollars that banks create when making loans. These two sources of debt dollars make up our money.

Who profits from having all our money based on debt? To find the answer to this question, we can refer to the controllers of our commerce themselves.

Brooks Adams, the brother of Henry Adams, wrote in his book the "Law of Civilization and Decay":

"Perhaps no financier has ever lived abler than Samuel Loyd. Certainly he understood as few men, even of later generations, have understood, the mighty engine of (money). He comprehended that, with expanding trade, an inelastic currency must rise in value; he saw that, with sufficient resources at command, his class might be able to establish such a rise, almost at pleasure. . . . He perceived that, once established, a contraction of the currency might be forced to an extreme, and that when money rose beyond price, as in 1825, debtors would have to surrender their property on such terms as creditors might dictate."

Mr. Loyd was father of the Bank Act of 1844. He was no idle theoretician. He obviously knew what he was doing, and he knew that his clique could profit immensely by causing a boom-bust cycle to periodically ravage the economy.

The importance of controlling the volume of currency in circulation is pointed out by President James A. Garfield who remarked:

"Whoever controls the volume of money in any country is absolute master of all industry and commerce."

Added to the fact that all of our money is *debt money* we need to consider a *second* point, and that is our profit system: I remember as a small boy, puzzling myself over a problem that arose when I was reflecting upon the profits that I was making out of shoveling snow, mowing people's lawns, delivering newspapers, or whatever, saving up for the day when I would go to college. I figured: If I make a profit (and I'm supposed to be working to make a profit) and if everybody else is making a profit, where is the money to come from? I take my quarters and put them in a little bank—I was taking money out of circulation. My profit is what I took out of circulation. If everybody else did the same, a problem might develop.

I didn't come to any conclusions, but it was obvious to me, and it is probably obvious to any other ten-year-old, that there is a problem with regard to our money if we are to operate on a profit system.

If every busines is run at a profit, then every business is creating a partial vacuum in the money supply and this can lead, and always has led, over a period of time to a cataclysm.

This is the assistance that the free-enterprise system affords to the controllers of our money system, when it is decided by those controllers to cause a depression.

Unwittingly, so long as we tolerate a debt money system, we contribute to our own undoing.

Periodically, we get into a depression, and we're not able to distribute to our own people the very necessaries of life. Willing workers are left idle, producing nothing, while products rust and food rots—for want of the money which our debt-money system deprives us.

A physician told me recently that the second most common diagnosis made today by the General Practitioner is malnutrition. This is America in 1972.

At the same time, we are sending over $100 Million worth of wheat to Russia, to feed their workers, who make more guns to kill our boys (and more ICBMs to threaten our cities).

Our own people are hungry, and the manipulators of our debt money system decree that we send our food to our enemies!

This is insane!

But we are not without remedy.

First, we must understand that our debt money system creates a vacuum in the money supply. Second, we must understand in order to have a healthy economy with everybody making more and more goods and reflecting more and more profit we must have an expanding money supply. So, our debt money system is exactly the wrong kind of money system that we need for a healthy economy. Rather than continually expanding the supply of money to meet the demands of ever increasing goods and services that are being placed on the market, our debt money system decrees that that money supply shall contract because every dollar that is in circulation has a little tag on it, called interest, which commands that there must be withdrawn from circulation six cents or nine cents or twelve cents or whatever the interest tag dictates, in order for that dollar to remain in circulation for another year.

The solution to this problem is not new. We can find it in the works of Abraham Lincoln that are now over 100 years old. These quotations are from Lincoln's speeches on money reform:

"Money is the creature of law and the creation of the original issue of money should be maintained as an exclusive monopoly of the national government.

"The wages of men should be recognized in the structure of and in the social order as more important than the wages of money.

"No duty is more imperative on the Government than the duty it owes the people to furnish them with a sound and uniform currency, and of regulating the circulation of the medium of exchange so that labor will be protected from a vicious currency, and commerce will be facilitated by cheap and safe exchanges.

"The monetary needs of increasing numbers of people advancing toward higher standards of living can and should be met by the government.

"The circulation of a medium of exchange issued and backed by the government can be properly regulated . . .

"Government has the power to regulate the currency and the credit of a nation.

"Government possessing the power to create and issue currency and credit as money and enjoying the right to withdraw both currency and credit from circulation by taxation and otherwise need not and should not borrow capital at interest as the means of financing government work and public enterprise.

"The Government should create, issue and circulate all the currency and credit needed to satisfy the spending power of the Government and the buying power of consumer. The privilege of creating and issuing money is not only the supreme prerogative of government, but it is the government's greatest creative opportunity.

"By the adoption of these principles, the longfelt want for a uniform medium will be satisfied.

"The taxpayers will be saved immense sums in interest, discounts and exchanges.

"The financing of all government enterprise, the maintenance of stable government and ordered progress, and the conduct of the Treasury will become matters of practical administration.

"The people can and will be furnished with a currency as safe as their own government.

"Money will cease to be the master and become the servant of humanity. Democracy will rise superior to the money power."

What Lincoln was referring to was the issuance of a national currency. These sometimes are referred to as Lincoln Greenbacks. I don't know how many here have seen or remember seeing what today are the remaining issue of about 300 Million Dollars that was put into circulation over 100 years ago. They are the United States Notes which bear the Red Seal. Our ordinary Federal Reserve Notes, bear, appropriately enough, a

dour Black Seal. These Black Seals are debt money. Before they may circulate, a debt must be created. A United States Note with a Red Seal is spent into circulation and is interest free. There is no interest incurred in the issuance of it. There is no interest incurred in maintaining it in circulation.

It may be interesting to note how much this original issue of Lincoln Greenbacks has saved the American taxpayer since its original issuance.

February 25 of this year is the 110th anniversary of the statute authorizing the issuance of Lincoln Greenbacks. 300 Million Dollars of them is supposed to be maintained in circulation under statute, but they have been withdrawn, or at least placed into some form that the common variety of people rarely gets to see them. They have been outstanding for 110 years.

If we compute the amount necessary to redeem the principal and interest of this 300 Million Dollars that was saved 100 years ago by the issuance of Lincoln Greenbacks, we find that, at merely 3 percent interest, the amount of indebtedness which would be represented, had Bonds been used instead, would be 7.75 Billion Dollars. We are dealing of course with an exponential, and we find that if we paid 6 percent, the amount that the Lincoln Greenbacks saved our taxpayers and our commerce is 182.5 Billion Dollars; and the amount at 7 percent is 511.6 Billion Dollars.

The importance of this device that Lincoln initiated during the Civil War (which we need to copy if we are to emancipate our commerce from the thraldom of debt money) is recognized by the bankers themselves. The London Times is quoted as being the mouthpiece of high finance in John Howland Snow's book Government by Treason. The Times is quoted as follows, referring to the Lincoln Greenbacks:

"If that mischievous financial policy, which had its origin in the North American Republic during the late war in that county, (Civil War) should become indurated down to a fixture, then that Government will furnish its own money without cost. It will pay off its debts and be without debt. It will have all the money necessary to carry on its commerce. It will become prosperous beyond precedent in the history of the civilized governments of the world. The brains and the wealth of all countries will go to North America. *That government must be destroyed . . .*"

This is what the bankers had to say about Lincoln Greenbacks.

If we want to try to remedy the situation where our money system, instead of expanding at a time when we need more money, contracts and thereby forces us into periodic depression, we need to adopt the measures that Lincoln initiated: Namely, the issuance of a National Currency. If, coupled with this, we require the banks to lend our money not ten or fifteen times, but limit them to three times, (this would be enough) and this can be done by setting the reserve requirements at 33⅓ percent: If these two things are done, it will not only provide an immense source of tax-free revenue and provide our commerce with a source of money that is interest free, but also, it will keep the banking institutions from taking away the control of the *amount* of money in circulation, which they now do by their fractional reserve system.

As it stands now, by multiplying the number of times that the same Dollar is loaned out, the banking fraternity in fact controls much more of the total purchasing power available to bid for goods than the control that is exercised by the original issuing authority. This can be stopped by doing these two things: Issuing United States Notes on the one hand, and increasing reserve requirements on the other.

It has been wondered why it is we are drifting slowly, but apparently uncontrollably, toward Socialism. The secret to that perplexing question can be found in our debt money system. If we have a situation where there are two things that are drawing money out of circulation, namely the debt issuance of the currency in the first place and the profit motive in the second place, we find that it is necesasry, in order to make the economy run at all, for this vacuum to be relieved.

The manner in which this is characteristically done in modern times is by means of a government deficit: Namely, the government spending out more money than it takes in. The theory apparently is, that if the government operates at enough of a loss (and we've lost over 400 Billion Dollars) then this will keep enough money in circulation to make up for the vacuum that the debt-money system on the one hand and the profit motive system on the other creates in the money supply. Yet, we all know, it is impossible to borrow our way out of debt. We know that sooner or later in this type of an operation there must be an accounting, and with that accounting we find depression.

When we come up to a period of recession or depression we find that the Socialists and the Communists are the *only* ones around with available remedies. The remedy that they suggest for the problem that is created by a restricted money supply, of having more productivity than you can distribute, is the same remedy that was advocated by the fellow who decided to kill the goose that laid the golden eggs. They can take care of the problem—too many golden eggs to distribute—by killing the goose. And there is no doubt that it is possible to eliminate these unmarketed surpluses by restricting production. But restricting production is not the answer. It's comparable to killing the goose that laid the golden eggs.

The answer is to have sufficient money—Sufficient blood supply in our economy, to have it stay viable and to have it stay prosperous. This can be done only if we get away from our debt-money system which forces us periodically into depression.

Another measure that we may consider in attempting to deal with the problems that we have in a money system that is basically diseased, is to try to establish some means of local control of local purchasing power.

The Roman Empire survived for many hundreds of years on the basis of a split control, a split authority over its money system.

The pounds, shillings, pence system in England (which is being phased out only last year) is the vestigial remainder of the original Roman Monetary System. The pounds, the gold coinage, were the exclusive prerogative of the Pontifex Maximus, or Caesar; the silver coinage was vested in certain favored municipalities and, *ex senatus consulto*, in certain favored princes. The bronze coinage however, which, as the coinage of every day commerce allowed the Roman Empire to survive, was *de*-centralized.

And in our own country the original theory behind the Federal Reserve System was that it would provide de-centralized control. With twelve de-centralized Federal Reserve Banks, we were told, we would have an ability to adjust local needs to local demands. We know now that this was merely a pretext. It was a gigantic fraud. It never did and never was intended to do any such thing. It was a European-style central bank subject to the control of money manipulators which would keep us from having any local control of our local purchasing power.

What can we do individually in our States to offset this? One suggestion is to have other States follow the example of North Dakota. North Dakota has a Bank. North Dakota is the only State in the Union that does have a Bank. The Bank of North Dakota is owned and operated by that State. It allows them to have a certain limited amount of local control of their own local purchasing power.

Local improvements are financed through that Bank. Student loans are supported through that Bank. You would not find it possible in North Dakota to get the people there to give up the Bank of North Dakota.

We have in other parts of the country, banks that are similarly named, but the "Bank of Nevada" or the "Bank of Oregon" or the "Bank of California" in every instance is a State chartered, privately owned, financial institution.

If we wish to copy the example of the Bank of North Dakota we will find that the Bank provided its people with a source of credit that survived even the great depression of the thirties.

Coupled to this we can institute in our local communities a certain amount of local purchasing power issued by the community itself. This can be in either one of two forms:

In one case, the merchants of a particular community can agree to honor each other's checks, payable to bearer and insured against being cleared through the bank, which would cancel them, but intended to circulate as a local currency. Those merchants in that particular community will find that they will have authority to control a certain amount of their own local purchasing power. They will find that their own people, on whom they depend for livelihood, are less likely to trade elsewhere than they will in their own local community, as long as the currency that is there is circulating locally.

The other way to obtain local control of local purchasing power is by means of local or county vouchers circulating as currency. These vouchers can be made substantially interest-free under most State statutes. If this is done, local improvements can be made without our local governments going to the lending institutions to borrow back the very tax money that the local communities have with the commercial financial institutions.

These two means can combine to give us a certain amount of local control of local purchasing power. But the most important thing for us to concentrate on is the emancipation of our entire national economy from the thralldom of control by the money manipulators. This we can do by concentrating upon the issuance of national currency, in debt-free form.

In case too many people become alarmed of the consequences of this, it is to be pointed out that we now have a certain amount of non-interest bearing money in circulation. All of our fractional currency: That is to say, the pennies, the nickels, the dimes, the quarters and the halves, all of these are noninterest bearing in their form. They are manufactured in our mints; they are paid into circulation; circulate freely; they do not draw interest, and they provide the Government with a very valuable source of revenue.

In the fiscal years 1966 through 1970, inclusive, the amount of seigniorage paid into the Treasury by the Mints amounted to over 4 Billion Dollars. The profit ratio on this type of currency is something on the order of six-to-one. (You end up with six times as much currency as you have cost going into making the fractional coinage).

The cost ratio in making the Federal Reserve Notes is more on the order of 600 to 1. And during these same four fiscal years, in spite of the fact that over 50 Billion Dollars in Federal Reserve Notes was manufactured by the Bureau of Printing and Engraving and turned over to the Banks—not One Cent in seigniorage was paid into the Treasury!

In arresting this swindle and in emancipating our commerce from a debt-money system we will find that the threat that is now posed by the Socialists and the Communists largely disappears.

Their remedies for our ills are being accepted gradually for two reasons:

One—there are no competing remedies being offered.

Two—Our debt-money system compels the Government to spend more than it takes in, because this is the only way we can keep the economy going!

And this defect, this use of a debt-money system, is what is forcing us gradually, and sometimes more rapidly than many of us like to think, down the tube to Socialism.

By liberating our economy from its debt-money system, we will be safeguarding our own freedoms. Further than this, we will be protecting the world from a threat which seems ominous enough now, but if we usher in the era of prosperity that is available to us and that the bank controllers themselves admit will come to us, we will find that the threat of Socialism and Communism even on the international scale will largely dwindle and fade away.

Therefore, we must order our priorities. We must decide as individuals whether we are going to address ourselves to the problem of correcting a grave injustice that is perpetrated on our economy and on our Government, by getting rid of a debt-money system. We must decide that we are going to spend our money and give of our substance and ourselves to this fight, rather than be distracted by the current basketball game, football game or by any number of other diversions that are continually waved before us.

If we want bread and circuses, then what we're going to get is Socialism. If we want to make our principal past time, our principal activity, the running of our own affairs and the reinstallation of Constitutional control over our currency, then we will find that the support of such organizations as the Oregon Legislative and Research Committee will reward our individual efforts, which will be responsive to a real national and local need.

Therefore, those who have elected to forego the entertainments of the hour to come here to study the question of what to do about our money system are to be commended. It is the people right here in this Auditorium upon whom the well being of our Republic rests.

Those of us who have studied the American Revolution realize that it took a very small percentage of the American people to accomplish that feat. The burden rested upon relatively a few shoulders. The fact that we can see about us others who appear to be more interested in other things should not dissuade us. We should be prepared to give of our substance and our time to such organizations as this, that have a positive remedy that is something other than a Socialist remedy: A remedy that has been proven; a remedy that will work; and a remedy for which our posterity will thank us, if we are able to accomplish it.

[From the Evening Star, May 11, 1972]

THEORIES SHIFT, BUT GOLD STILL HAS THE GLITTER

(By J. A. Livingston)

If you say the same thing often enough, it ceases to register. That even applies to 24-carat gold. It has pushed above $50 an ounce. But the old flight-from-paper-money explanation is being rejected. It's too standard.

So, a new explanation has been "invented": Gold production is insufficient to satisfy climbing industrial use. In the modern world of electronics, space exploration, and computers, annual purchases by major industrial organizations have risen.

But are these increases large enough to warrant the conclusion that consumption promises to outrun production?

For perspective, consider this: The United States is the largest gold-using nation. Its use of gold in electronics, computers, etc., has increased from 1.5 million ounces in 1965 to about 2 million ounces in 1971.

JEWELRY USAGE

Such use is only half that of the jewelry industry, which absorbed 3.4 million ounces in 1965 and 4.3 million last year. The third major U.S. use is in dentistry—400,000 ounces in 1965, about 800,000 last year.

Combining jewelry, dental, and industrial consumption, annual absorption of gold in the U.S. amounts to about 7 million ounces.

No definite figures are avilable for the rest of the world. But a guesstimate is possible, using silver consumption as a guideline.

According to data of Handy & Harman, metal refiners, about 360 million ounces of silver are consumed each year in industry. (This excludes coinage.) Of this amount, 37.5 percent, or 135 million ounces represent U.S. consumption.

The U.S. probably consumes a higher proportion of the world's silver than of gold. But it's not unreasonable to think that the U.S. use of gold is about one quarter of world consumption as against more than a third for silver.

SPECULATORS' SHARE

On that basis, the world's use of gold would come to 28 million ounces. This would leave 12 million ounces—$600 millions at $50 an ounce—available for hoarders and speculators, inasmuch as annual output of newly-mined gold amounts to 40 million ounces.

But don't conclude that gold is plentiful. South African production has been dropping slightly. And the Soviet Union has been sparing in its recent sales to the western world. Demand does exceed supply—but not industrial demand alone. The gold avidity of hoarders and speculators must be included.

Both types of demand have been rising. In an era of inflation, people turn to gold as a refuge from the depreciating purchasing power of paper money. These doubts about paper money are evident in the upgrading of purchases of jewelry. This takes some explanation.

Up until March 1968, the United States and other nations sold monetary gold in the London market to keep the market price even with the $35 monetary price. However, purchases by hoarders and speculators pulled so much metal from monetary vaults that the "gold pool" disbanded. Thereafter, only priavtely-owned gold (newly-mined or specualtive) was available in London.

"CHEAP" GOLD

All the while, prices of other commodities were raising. So gold, at $35 an ounce looked inexpensive. Purchasers of jewelry recognized this. Adornment—rings, charms, bracelets, and necklaces—became a store of value. Solid gold jewelry often was bought instead of costume jewerly. This was considered "an inflation hedge"—and still is today.

Today's $50-an-ounce price could arrest the rise in sales of solid gold jewelry. Some manufacturers may use filled gold or low-carat gold to keep prices down and sales up. And substitutes may be sought by industrial users.

But that doesn't change the message of the gold market: "The flight from the management of money hasn't stopped." Though the U.S. Treasury officially says the role of gold in the monetary system should be diminished, people throughout the world are betting that gold will increase, not lessen, in value.

DOLLAR FACING TEST

(By Edwin Darby)

MONTREAL.—A new crisis for the American dollar? Many bankers attending the International Monetary Conference here think the next six months will be crucial in determining whether the currency crises that have erupted periodically in the last few years, undermining business confidence, are going to continue.

The international monetary conference is entirely an unofficial meeting. It is sponsored annually by the American Bankers Assn. and a board of directors made up of leading bankers from the United States, Europe and Japan. The current president of the board is Felix W. Schulthess, chairman of Zurich's Swiss Credit Bank.

UNIQUE FORUM

But even though the conference has no governmental status and doesn't even attempt to adopt resolutions or make policy statements, it does provide a unique forum for the discussion of vital world money and finance problems.

It brings together in one place the chief executive officers of 115 banks, 59 of them leading American banks and 56 foreign banks. Top government finance men and central bankers also sit on the sessions, many of them closed door meeting where the talk is straight from the shoulder.

It is evident from a number of conversations at the Montreal meeting that many Europeans are upset over what they think is the failure of the United States to move faster on the monetary front. That is, the Europeans want to get going on permanent reform of the international currency system.

PERMANENT SYSTEM

They want a permanent system of currency stabilization as a solid follow-up to the emergency measures initiated by President Nixon last fall—the devaluation of the dollar, the divorce of the dollar from gold, and the force revaluation of major world currencies.

Above all, they want gold kept in the world monetary picture.

On the other hand, the United States would seem to be more interested in how much trade the United States is doing with other countries—profits and jobs—than it is in the complicated mechanics of a world currency system.

DOMESTIC STRENGTH

Finally, assuming the next six months or so pass without a truly disruptive currency crisis, it is going to be the strength of the U.S. economy that rescues the dollar from the peril—not agreements on mechanics.

Here's one delegate to the Montreal conference talking about the future:

"It was easy to expect miracles after all the fanfare we had 1st December over the realignment of currencies. Mr. Nixon did call it the greatest monetary accord since coins replaced clam shells.

"Since then, instead of a remarkable improvement in our balances with other countries, the trend still continues in the other direction with horrifying figures on our deficit position in the world.

OVERALL IMPROVEMENT

"It is a matter of time. When you devalue the dollar, it means that the American who buys a Japanese car, for instance, pays more dollars for that car. So immediately the effect is to make our position worse. But it could be assumed that over the course of the year fewer Japanese cars will be bought so the total U.S. trade position will improve.

"On the other hand, even though U.S. manufacturers are now able to sell at more competitive prices overseas, it takes time to develop and exploit the markets that the changes in currency rates opens up for our companies.

"Meanwhile, assuming we can slip by the new Vietnam crisis, the U.S. economy is improving while inflation is a bigger threat in Europe and Japan than it is here—factors that add to the strength of the dollar and the U.S. world trade position."

ESCALATION OF THE WAR

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 11, 1972

Mrs. ABZUG. Mr. Speaker, Mr. Nixon's latest and most dangerous escalation of the war in Vietnam has served to broaden the war in Indochina, violate international law and totally disregard the constitutional powers of the Congress to declare war. Mr. Nixon's most recent action of mining the ports of North Vietnam and his continued massive bombings of North Vietnam constitutes the most flagrant violation of United States and international law in history.

Because of the President's violation of the Military Procurement Act, Public Law 92–156, section 601, which declares it the policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indochina and to provide for the prompt and orderly withdrawal of all U.S. military forces at a date certain subject to the release of all American prisoners of war, his violation of article 1, section 8, clauses 11 and 14 of the Constitution which assigns the power to declare war solely to the U.S. Congress. I am a cosponsor of House Resolution 976, impeaching the President for these high crimes and misdemeanors.

The President in guiding this country on this reckless path has usurped the powers of the Congress and expanded the powers of the Presidency to dictatorial proportions. He has acted in defiance of the will of the American people to end this illegal war. I submit the following telegrams as a sample of the overwhelming positive response I have received to House Resolution 976.

NEW YORK, N.Y.,
May 10, 1972.

Mrs. BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Full support for movement to impeach Nixon. Congress must stop him and war immediately.

ROBERT and MARSHA DENNIS.

DORCHESTER, MASS.,
May 11, 1972.

Congresswoman BELLA ABZUG,
Washington, D.C.:

Nixon latest action crime against all humanity. I urge you to impeach Nixon immediately.

ROBERT E. REED.

NEW YORK, N.Y.,
May 11, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Because of latest actions against Vietnam we urge you to impeachment proceedings against President Nixon.

Mr. and Mrs. PAUL SPERRY.

COCHRANVILLE, PA.,
May 10, 1972.

Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:

People for Peace, Kennett Square, Pennsylvania support impeachment of President—17 people at meeting.

JOE LEVINSON.

PULLMAN, WASH.,
May 10, 1972.

Congresswoman BELLA ABZUG,
Washington, D.C.:

We the Citizens Mobilization Committee to End the War of Washington State University fully support your congressional proposal towards impeachment proceedings against President Nixon.

CITIZENS MOBILIZATION COMMITTEE TO END THE WAR OF WASHINGTON STATE UNIVERSITY.

EDWARDSVILLE, IOWA,
May 11, 1972.

Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:

I support your movement to impeach Richard Nixon. Inform me if I can help you in any way.

MICHAEL HILL.

PARK FOREST, ILL.,
May 10, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Support your call for impeachment. President makes a mockery of constitutional government.

MARY SMERKEN,
HARRIETT SWANSON.

NEW YORK, N.Y., *May 11, 1972.*

Representative BELLA ABZUG,
Washington, D.C.:

Congress must act now. Cut off funds for this criminal war.

CONSTANCE R. KLEIN.

BRYN MAWR, PA.,
May 11, 1972.

Mrs. BELLA ABZUG,
Washington, D.C.:

Support completely your proposal to impeach Nixon the elected dictator. Get out of Vietnam now.

Mr. and Mrs. MARK BITTERMAN.

NEW YORK, N.Y.,
May 11, 1972.

Congresswoman BELLA ABZUG,
Washington, D.C.:

Strongly approve moves to impeach Nixon and urge continuing efforts to do so.

MARGARET GRESH.

OLD GREENWICH, CONN.,
May 11, 1972.

Representative BELLA ABZUG,
House Office Building,
Washington, D.C.:

Bully for you. High time someone pinpointed the basic problem right on.

MARY MORRIS.

SALT LAKE CITY, UTAH,
May 10, 1972.

Mrs. BELLA ABZUG,
House Office Building,
Washington, D.C.:

Thanks for your courage in the impeachment efforts. I wish to express my support.

LYNN MERRELL.

BALTIMORE, MD.,
May 11, 1972.

Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Get that man out of White House. You got Chutzpah. We love you. RSVP.

VINCENT GLORIOSO.
DAVID BLACKBURN.

CATONSVILLE, MD.,

ST. LOUIS, MO.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Are in support of your move for impeachment.

Dr. and Mrs. WILLIAM E. HOLT.

NEW YORK, N.Y.,
May 11, 1972

Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.

Stop business as usual. Stop Nixon's mad scheme for super escalation.

MARION SHAPIRO.

JACKSONVILLE, FLA.,
May 10, 1972.

Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Impeach Nixon before he destroys the world for his own ego and corporate greed.

Mr. and Mrs. HERBERT FURMAN.

DURANGO, COLO.,
May 11, 1972.

Representative BELLA ABZUG,
House Office Building,
Washington, D.C.:

Complete support impeachment resolution. Get us out Vietnam and Southeast Asia now.

Dr. JAY GURIAN AND FAMILY.

BROOKLYN, N.Y.,
May 11, 1972.

Congresswoman BELLA ABZUG:
House of Representatives,
Washington, D.C.:

We heartly support your impeachment legislation.

Dr. and Mrs. R. GROSKIN.

PONTIAC, MICH.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Impeach Nixon before his madness destroys our world leadership.

RICHARD and JEAN MORGAN.

NEW YORK, N.Y.,
May 11, 1972.

Representative BELLA ABZUG,
House Office Building,
Washington, D.C.:

The American public is not willing to bear consequences of this criminal escalation.

Dr. KEVIN R. LEONARD.

CHAMPAIGN, ILL.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

We support your efforts to impeach President Nixon.

HERBERG and MARIANNE BRUN.

CHAMPAIGN, ILL.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Fully support your effort to impeach President Nixon.

CHARLOTTE KEYES.

CANTON, OHIO,
May 11, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Demand immediate impeachment of Nixon and end to war. You have my fullest support.

MARC RYSER.

PADUCAH, KY.
May 11, 1972.

Representative BELLA ABZUG,
U.S. House of Representatives,
Washington, D.C.:

Strongly support impeachment. President far outside constitutional power. Congress must assume responsibility to preserve Nation.

Rev. TIM TAYLOR,
Grace Episcopal Church.

MONROVIA, CALIF.,
May 11, 1972.
Congresswoman BELLA ABZUG,
Washington, D.C.:
We support the impeachment of Nixon.
Mr. and Mrs. DAVID V. MACDONALD.

ARMONK, N.Y.,
May 10, 1972.
Representative BELLA ABZUG,
U.S. Congress,
Washington, D.C.:
"Only the Congress shall declare war." Either vote to declare war or stop the President from subverting our constitution or resign.
JEROME WIENER.

NEW YORK, N.Y.,
May 10, 1972.
Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual. Block Nixon's schemes for super escalation in Vietnam.
ELLA ROMANOWITZ.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
I support your bill to impeach President Nixon. It is a definite means to reach the source of our problem.
GALEN ROBINSON.
URBANA, ILL.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
I support your bill to impeach Nixon. Let's put ethics into action.
KEITH A. DENNIS.
URBANA, ILL.

SANTA FE, N. MEX.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
DEAR BELLA: In Santa Fe Square News your proposed Nixon impeachment 100% support.
B. ZIMMET.

SANTA FE, N. MEX.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We support your motion. Go to it.
SHEILA SULLIVAN.

SAN FRANCISCO, CALIF.,
May 10, 1972.
Congresswoman BELLA ABZUG,
Washington, D.C.:
Impeach Nixon Agnew war criminals and their Supreme Court soon and stop war funds.
PETER WINTER.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We support your efforts to impeach Nixon now.
RICHARD and ANGELA NIELSEN.
URBANA, ILL.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
Strongly support your bill to impeach Nixon.
ARTHUR and MARGARET SNYDER.
URBANA, ILL.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
I support your effort to impeach President Nixon.
SCOTT HARPER.
URBANA, ILL.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
I support your efforts to have President Nixon impeached.
DIANE FRANK.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
I support your efforts to impeach Mr. Nixon.
PAT RIDDLE.
URBANA, ILL.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We support your attempt to impeach President Nixon.
THEODORE and DOROTHY MAY.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
Support your effort to impeach Nixon as constructive means to Vietnam disengagement.
HELEN SATTERTHWAITE.

CHAMPAIGN, ILL.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We support your effort to impeach President Nixon.
LAWRENCE and ROBERTA JONES.

AKRON, OHIO,
May 9, 1972.
Congresswoman BELLA ABZUG,
Longworth Building, Washington, D.C.:
Congratulations for your courage in this difficult time. You have my support. Stop the war.
Mrs. SHIRLEY BROWN.

NEW YORK, N.Y.,
May 9, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
Until now you have talked about ending the war. The time for talking is past. The threat of nuclear holocaust is dangerously imminent. You must try to stop Nixon in the legislature. We will try to stop him on the streets. We are prepared to do anything and everything necessary to return the power of the government to the people. Now is the time for you to demonstrate the depth of your commitment to peace. We demand you take immediate action on the floor to forestall the mining and or blockading of all Vietnam seaports. We demand you initiate immediate impeachment proceedings against Nixon. We demand you support all UN efforts to resolve the Indochina conflict. We the Vietnam Veterans against the War and our friends around the country will mobilize the people to take to the streets in condemnation of Nixon's insane action. For you to do anything less at this point is hypocrisy.
NATIONAL COMMUNITY OF VIETNAM VETERANS AGAINST THE WAR.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual. Block Nixons schemes for super escalation in Vietnam.
CHELSEA WOMEN STRIKE FOR PEACE.

NEW YORK, N.Y., *May 9, 1972.*
BELLA ABZUG,
House Office Building,
Washington, D.C.:
Fight against Nixon's action in Vietnam.
BARBARA DUDITSKY.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual. Block Nixon's schemes for super escalation in Vietnam.
SAMUEL ZELITAN.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual. Block Nixon's schemes for super escalation in Vietnam.
NINA PERRIN.

SANTA ROSA, CALIF., *May 9, 1972.*
Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Right on Bella. Impeach him. You have our support.
C. ESTRADA,
D. ERWIN.

AKRON, OHIO, *May 9, 1972.*
Congresswoman BELLA ABZUG,
Capitol Building,
Washington, D.C.:
We of Akron University support your actions of impeachment of the thoughtless and immoral President.
CATHY PHILLIPS,
MICK VERHOFF.

CHARLESTON, ILL., *May 9, 1972.*
Hon. BELLA ABZUG,
House of Congress Building,
Washington, D.C.:
Support your intention to introduce impeachment motion against Nixon. Every good wish.
ROBERT W. WEIDNER.

CAMBRIDGE, MASS., *May 10, 1972.*
Representative BELLA ABZUG,
Washington, D.C.:
Genocide. Always illegal war. Impeach Nixon, Agnew, Kissinger administration.
JACQUELINE SCHWARTZ.

BERKELEY, CALIF., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
Impeach that maniac.
Mr. and Mrs. RON GOLDSTEIN.

LOS ANGELES, CALIF., *May 9, 1972.*
Backing you all the way.
FIVE VOTERS AGAINST THE WAR.

BERKELEY, CALIF., *May 9, 1972.*
Representative BELLA ABZUG,
House Office,
Washington, D.C.:
The mandate is against Nixons war. Do your duty. Impeach him.
JOHN BOOKOUT HOUSEHOLD.

NEW YORK UNIVERSITY,
New York, N.Y., May 9, 1972.
Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:
We have just sent 187 individual telegrams to the White House condemning Nixon's lat-

est escalation and brinkmanship. We urge immediate withdrawal of U.S. forces and material support of the Thieu government. We support any actions you take opposing Nixon's war policy including impeachment proceedings. We must stop this disaster now.

PSYCHOLOGY OF WOMEN
SEMINAR AND STAFF,
GRADUATE SCHOOL OF ARTS AND SCIENCES.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman B. ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual in Congress. Call for impeachment of Nixon.

Mr. and Mrs. ISIDORE KAHN.

KENT, OHIO., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
Bless you, hang in, fight on. Stop the mad man.

JAMES W. RION,
Veteran,
ELIZABETH H. FLEJING,
FRANCES M. CHITWOOD.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:
Stop business as usual. Block Nixon's schemes for super escalation in Vietnam.

MIRIAM GILL.

HOUSTON, TEX., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
We strongly support your move to impeach Nixon.

DAEFLOWER FREE SCHOOL.

NEW YORK, N.Y., *May 8, 1972.*
Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Urge you to fight for peace. Stop the President.

Dr. and Mrs. GERALD SHAPIRO.

CHAMPAIGN, ILL., *May 9, 1972.*
Representative BELLA ABZUG,
Washington, D.C.:
I support your bill to impeach President Nixon.

JERRY MENEHHOFF.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
U.S. Congress,
Washington, D.C.:
Nixon is greatest war criminal since Hitler. Impeach Nixon.

Dr. and Mrs. ALBIM.

MIDDLETOWN, CONN.,
May 10, 1972.
Representative BELLA S. ABZUG,
Longworth House Office Building,
Washington, D.C.:
We the undersigned strongly support your statement of opposition to President Nixon's dangerous escalation of the war in Southeast Asia.

Mark Warren, Ted Perlmutter, Lisa Anderson, David Harrison, David Terry, Alice Wilson, Edward MacDonald, Steven Bland, Diane Revels, Martha Malave, Phil Gear, James Howard, Lizette Cantres, Peter Green, Jeffrey Schneider, Paschalis Kitromilides, Gary Gan, Rob Holmes, Wendy Frosh, Ellen Robinson, Don Moon, Arnold Hendrik, Gerry Tracy, Samuel Gilmore, Carolyn Kopp.

Larry Harding, Steve Himes, Ann Roberts, Mike Donnelly, Adrienne Bentman, Clifford Chanin, Vin Broderick, Steve Anderson, Doug Stuart, David Babcock, Bob Knox, Rich Lery, Jeff Clark, Don Lewis, Barbara Sarshik, Jeff Kutscher, Cathy La Conterie, Bill Holder, Dick Bernstein, Leo Le Fuchs, Steve Zemke, Josh Boger, Al Mydlinski, Alex Shuttenberg, Brad Klafehn, Steve Riegelhaupt, Bruce Reot, Athan Billias, Brad Miller, Bruce Davies, Dave Hagerty, Jeffery C. Van Nest, Nat Hanson, David Rynick, Peter Stansky, Rod Lawrence.

Steven Greenhouse, Mark Testa, Tesi Kohlenberg, Danny Des Roches, Geoffrey Rips, William Schultz, Miguel Morales, Nils Finne, Anne Geer, L. Cummin, L. Charles Shipee, Ann Johnson, Timothy Brown, Eric Leavitt, Cynthia Rhodes, Earl Rhodes, David Ross, Sally Ross, Arthur Abbott, Jr., Carol Dick, Bob Kurlantzick, David Leisner, Doug Pressman, Bill Kordas, Jeff Melien, Frances Harwood, Steve Blumenthal, Meckle Elston, Nancy Smith, Bill Meissen, John Grunert, David Nelson, Anne Nugent, Jeff Record, Bob Withey, Jay Geller, Jon Siegel, James Kaplan, Anne Jacobs.

Anne Murphy, Bruce Duncan, Janet Bradlow, Matt Brock, Nancy Luberoff, Hap Clark, Debbie Paul, Rick Worthley, Phil Marzullo, Robert Rosenbaum, Deborah Alexander, Eddie Ohlbaum, Lloyd Mueller, Maarta Rediniss, David Mayerson, Bob Leroy, Mike Busman, Gerry Morrissette, Ida Masselli, Jill Fuller, Kate Gilbert, Peter Oldziey, Richard Simpson, Steve Forman, Ben Busman, Jim Trump, Adriana Bock, James Bock, Linda Stevens, Karen Kawaguchi, Tracie Baker. Maryann McGeorge.

John Cavadini, Don Gavin, Stu Kerridge. Lee Atwood, Steve Grayson, Rachel Klein. David Drake, Lee Henderson, Norman Chapman, Barb Bradewick, Mr. Richard Slokin (Slotkin), Richard Greeman, Mrs. Richard Slotkin, Jamie Forrester, Norman Rudich, James C. Sheepherd, Steve Kallaugher, Mike Ray, Dave Eddy, Tony Caruso, Manuel Amaez, Robert Phelps, John L. Harter, Bob Savage, David Aufhauser, John Glendon, Garr Delehanty, Blaise Noto, John Scheibe.

Phil Casnoff, Wendy Erslev, David Sellin, Doug Abrams, Kenneth Levinson, William Chapman, Mrs. William Chapman, Harold H. Lund, Skip McClean, Wendy Liebow, Risa Korn, Ron Denett, Sam Saracino, David Mayerson, Barbara Bachtell, Timothy Klemmer, Rick Kronick, Rich Holmes, Jom Sarbaugh, Mark Reel, Ann Ostheimer, Debbie Anderson, Francisco Chaves, Stephen Brady, Charles Brady, Charles Steinhorn.

Alan Weinshel, Joseph F. Whall, Tex Haeuser, Roger S. Day, Jack Brundage, Ran Goldman, Pantelis Nicholaoulos, Frank Levine, Arthur Fierman, Bob Snowdale, Daniel Cantor, Chuck Blakinger, Barbara Coven, Gary Davis, Barbara Roessner, Richard Charney, Niel Rindlaub, Rebecca Ramsey, Tracy Killam, Ellen Driscoll, Garry Adams, Kathy Kleinbard, Stanley Benally, William B. How, Sandra How.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Vigorously protest President's extension and deep ending of war. Fight him.

MILTON AND HILDA MELTZER.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
Impeach Nixon now.

KEN MCFARLAN.

NEW YORK, N.Y., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
Stop business as usual in Congress. Call for impeachment of President Nixon.

SOPHIA RUPLAND.

PEOPLES COALITION FOR
PEACE AND JUSTICE,
New York, N.Y., May 8, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We demand pou immediately suspend all regular business until appropriations for the war are cut. We also demand you immediately introduce today a bill of impeachment against Richard Nixon for engaging in lawless criminal action against the peace of the world. Request arranging meeting with you to plan massive, peoples actions in Washington and your district in support of immediate appropriations cutoff and immediate impeachment.

BARBARA WEBSTER.

New York, N.Y., May 8, 1972.
Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Urge you fight President to stop unilateral course toward world war.

BEATRICE and SAM SIEGEL.

SAN FRANCISCO, CALIF., *May 9, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
Please do what you can to stop President Nixon.

TOM REEVES.

NEW YORK, N.Y.,
May 9, 1972.
Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Impeach Nixon, impeach Nixon, impeach Nixon now.

COMMITTEE FOR FULL EMPLOYMENT.

NEW YORK, N.Y.,
May 10, 1972.
Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Decisive Congressional action required to countermand Nixon's announced military actions within 3 days allowed.

JOHN B. and VIRGINIA C. RUSCH.

MOSCOW, IDAHO, *May 12, 1972.*
Congresswoman BELLA ABZUG,
Washington, D.C.:
We fully concur with your motion to impeach President Nixon. Not only would such action show the American public horror at the President's trifling with human civilization, resulting from his recent actions, but it would also reinvigorate the congressional roll in the decisionmaking process; that which has been stifled in the last 30 years. Your intention to impeach Mr. Nixon cuts through the mere talk and red tape that has permeated and, sorrowfully, burdened the oposition to the Vietnam War. Now is the time for decisive action. The United States' National interest demands an end to this brinksmanship. Let's "send a message" to the ruling elite in this country that we will no longer tolerate using people as pawns for the purposes of power politics.

DAVID NICANDRI.
THOMAS MALUEG.
Mr. and Mrs. THEODORE S. LONG.

MONTREAL, QUEBEC,
May 11, 1972.
Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:
Congratulations and all possible moral support for current impeachment proceedings from many Canadians and especially from me. American emigre, formerly of Albany, N.Y.

LUCIA KOWALUK.

PHILADLEPHIA, PA.,
May 10, 1972.
Representative BELLA ABZUG,
Washington, D.C.:
We support and encourage your efforts to impeach President Nixon.

JOHN and CAROL FISCHER.

WHITEWATER, WIS.,
May 10, 1972.

Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:

I cannot accept Nixon's blockade and I demand his removal and end to the war.

GAYLE PRUS.

WHITEWATER, WIS.,
May 10, 1972.

Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Stop the war machine. I support impeachment of Nixon to end this immoral war.

MARK STRATTMAN.

CHADDSFORD, PA.,
May 10, 1972.

Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Whole heartily support your move to impeach Nixon.

DEIRDRE and CRISTOBAL BONIFAZ.

NEW YORK, N.Y.,
May 10, 1972.

Hon. BELLA ABZUG,
House of Representatives,
Washington, D.C.:

I support any legal impeachment processes of President Nixon.

RENNY and ANITA TEMPLE.

NEW YORK, N.Y.,
May 11, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

I urge you to support the impeachment of President Richard Nixon.

DAVID WALLACE.

NEW YORK, N.Y.,
May 11, 1972.

Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:

This megiomaniac must be contained. Behind you all the way. Frustration, democracy hell.

DORIS REID.

SEATTLE, WASH.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Do stage talkathon on unconstitutionally heading into war with China, USSR. Inform, arouse bamboozled Americans.

ALICE FRANKLIN BRYANT.

CHAMPAIGN, ILL.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Right on, Bella. Vigorously support motion to impeach Nixon. Don't forget Agnew.

C. FIDLER and J. ARNOLD.

NEW YORK, N.Y.,
May 10, 1972.

Congresswoman BELLA ABZUG,
Washington, D.C.:

Demand immediate action to impeach Nixon.

DAVID MCREYNOLDS.

SARASOTA, FLA.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Right on.

ROBERT J. LEVY.

BOULDER, COLO.,
May 11, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Support impeachment move. Will petition help. Please, what can citizens do?

PAMALA BUDD.

NEW YORK, N.Y.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Congress must act now—cut off funds for this criminal war.

CONSTANCE R. KLEIN.

WESTCHESTER, PA.,
May 11, 1972.

Hon. BELLA ABZUG,
Washington, D.C.:

I support your stand to impeach Nixon.

DOROTHY C. LENK.

GREAT NECK, N.Y.,
May 11, 1972.

Congresswoman BELLA ABZUG,
House of Representatives,
Washington, D.C.:

There is no place in democracy for an emperor or dictator. Nixon should be impeached.

MURIEL and MILTON GOLDSON.

CORVALLIS, OREG.,
May 11, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

We support your impeachment resolution.

ORR and ALISON WIEMAN.

EUGENE, OREG.,
May 9, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

The President is continuing to ignore the people, the Congress, the world and reality. We urge you to initiate impeachment proceedings.

HASAN MALIK.

PACIFIC PALISADES, CALIF.,
May 9, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Impeachment of Mr. Nixon very good idea. Help Representative F. RYAN put it through.

DAVID C. SCOTT.

MINNEAPOLIS, MINN., *May 9, 1972.*

Congresswoman BELLA ABZUG,
House Office Building,
Washington, D.C.:

Keep up the fantastic work. God bless you. Impeach Nixon.

LEONARD F. FISH.

SYRACUSE, N.Y., *May 12, 1972.*

Congresswoman BELLA ABZUG,
Washington, D.C.:

Impeach Nixon. He has gone too far. Stop the bombing, end the blockade.

MICHAEL E. PILTMAN.

SANTA FE, N. MEX., *May 10, 1972.*

Congresswoman BELLA ABZUG,
Washington, D.C.:

Please proceed to impeach President Nixon. Thanks for your grand efforts concerning war escalation.

TOBY and BEN LUBECK.

HASBROUCK HEIGHTS, N.J.,
May 10, 1972.

Representative BELLA ABZUG,
House Office Building,
Washington, D.C.:

Strongly approve of your statement concerning Mr. Nixon.

EVELYN CULLIGAN,
DORIS RENTSCH.

SCHENECTADY, N.Y., *May 10, 1972.*

Congresswoman BELLA ABZUG,
Washington, D.C.:

I support you in impeachment proceedings regarding the President.

RICHARD N. MARCLEY.

BEVERLY HILLS, CALIF.,
May 10, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Support you wholeheartedly in impeachment of President Nixon.

LARRY GRUSIN.

CONCORD, CALIF.,
May 9, 1972.

Congresswoman BELLA ABZUG,
Washington, D.C.:

Please proceed with impeachment of President Nixon.

DOROTHY HEINEMANN.

SALT LAKE CITY, UTAH,
May 12, 1972.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

More power to you in your effort to impeach Richard Nixon.

MILDRED L. HINCKLEY.

BERKELEY, CALIF.,
May 9, 1972.

Representative BELLA ABZUG,
Washington, D.C.:

Demand impeachment for Richard Nixon and trial for international aggression and crimes against humanity.

ARMIN WRIGHT.

CAMBRIDGE, MASS.,
May 12, 1792.

Representative BELLA ABZUG,
House of Representatives,
Washington, D.C.:

Nixon impeachment urgent to preserve constitution and prevent total military distatorship. Congress must act.

ALEXANDER P. HOFFMANN.