

## EXTENSIONS OF REMARKS

## KEEP AIR POLLUTION STANDARDS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. WALDIE. Mr. Speaker, I would like to present for my colleagues interest and information, a resolution which was unanimously adopted by the Los Angeles County Board of Supervisors on January 20, 1972. This resolution concerns the supervisors' adamant opposition to a 1-year suspension of the 1975 vehicle emission standards under the Clean Air Act. The supervisors feel that because local agencies have no jurisdiction over the control of vehicular emissions, but are restricted to control of stationary sources, it is up to the Environmental Protection Agency to strictly enforce this standard.

Mr. Speaker, I myself, am not thoroughly convinced that the requirements cannot be met by 1975. The motor vehicle emissions report of the National Academy of Sciences concluding statement cites:

While there is no certainty today that any 1975 model year vehicles will meet the requirements of the Act, the status of development and rate of progress make it possible that the larger manufacturers will be able to produce vehicles that will qualify, provided that provisions are made for catalyst replacement and other maintenance, for the general availability of fuel containing suitable low levels of catalyst poisons. Conversely, if the above provisions are not deemed acceptable by EPA, it appears most unlikely that any manufacturer will be able to meet the requirements of the Act. The Committee believes that the emission levels required in the Clean Air Amendments will not be achieved in service, in any event, unless regular, periodic maintenance of the emission-control system is required of the owner.

I urge that my colleagues consider the provisions made in this report that would make it possible for the automobile manufacturers to meet the 1975 emission standards. If it is possible to meet the standards established by Congress with a device that does not have the specified durability period required by law—section 202(d) of the 1970 Clean Air Act—then perhaps Congress should reconsider the definition of "useful life" with regard to vehicles and engines.

## RESOLUTION BY THE BOARD OF SUPERVISORS, COUNTY OF LOS ANGELES

On motion of Supervisor Hahn, unanimously carried, the following resolution was adopted:

Whereas, air pollution has been defiling the environment of Los Angeles County for more than 25 years and still lingers as a most urgent and sensitive problem; and

Whereas, the Board of Supervisors is responsible for the health and welfare of over seven million residents of Los Angeles County; and

Whereas, medical science has accumulated epidemiological, experimental, and clinical evidence that levels of air pollution in Los Angeles County affect significantly the

breathing of normal subjects during high exposure periods and constitute a hazard to the health and welfare of the people in the County; and

Whereas, the Los Angeles County Medical Association has affirmed repeatedly that air pollution constitutes a hazard to the health of persons living in this County and, because of air pollution, a comprehensive School and Health Smog Warning System has been implemented by this Board of Supervisors, in accordance with the county medical association's recommendations, to protect the health of the students and people of this County; and

Whereas, the Federal air quality standards are exceeded for nitrogen dioxide and hydrocarbons in Los Angeles County, and the standard for photochemical oxidant is exceeded on 250 days per year (and every day in the summertime), and in addition the standards for carbon monoxide are exceeded on 200 days per year; and

Whereas, virtually the only contaminants for which air quality standards are often exceeded are those emitted by motor vehicles, or created by photochemical reactions of contaminants emitted by motor vehicles; and

Whereas, these motor vehicle emissions will prevent Los Angeles County from complying with the Federal air quality standards by 1975, as required by the Clean Air Act; and

Whereas, further delays in compliance with 1975 vehicular emission standards will delay still further the date when compliance with the air quality standards can be attained; and

Whereas, such further delay will subject the residents of Los Angeles County to additional exposure to these harmful contaminants; and

Whereas, this Board of Supervisors as the Air Pollution Control Board of the Los Angeles County Air Pollution Control District has enacted and enforced the most stringent Rules and Regulations for stationary sources in effect anywhere in the world; and

Whereas, local agencies have no jurisdiction over control of vehicular emissions, and are restricted to control of stationary sources; and

Whereas, emissions from stationary sources under this program are now more than 80% controlled; and

Whereas, emissions from motor vehicles contribute more than 90% of the total pollution in this County and constitute its only inadequately controlled source of emissions; and

Whereas, this Board of Supervisors has, since 1953, by repeated communications, strongly informed and constantly reminded the automobile manufacturers of the urgent need to control motor vehicle emissions at the earliest possible date; and

Whereas, the automobile manufacturers, through procrastination, agreement, and other dilatory tactics, have failed and refused to comply with emission standards except when they were forced to do so; and

Whereas, the Committee on Motor Vehicle Emissions of the National Academy of Sciences has recommended to the Environmental Protection Agency that enforcement of the requirements of the Clean Air Act for 1975 vehicles be deferred until 1976.

Now, therefore, be it resolved that the recommendation of the Committee on Motor Vehicle Emissions of the National Academy of Sciences should be rejected, and that any request by any automobile manufacturer for a one-year suspension of the 1975 Vehicle Emission Standards under the Clean Air Act be denied by the Administrator of the Environmental Protection Agency; and

Be it further resolved that any program, procedure, or attempt to delay effective control of exhaust emissions from motor vehicles is unacceptable to the County of Los Angeles; and

Be it further resolved that copies of this resolution shall be sent to the President, each member of Congress from California, and to the Administrator of the Environmental Protection Agency.

STATE OF CALIFORNIA,  
County of Los Angeles, ss:

I, James S. Mize, Executive Officer-Clerk of the Board of Supervisors of the County of Los Angeles, do hereby certify that the foregoing is a full, true and correct copy of the original Minute Entry (No. 4) of an action taken January 20, 1972, by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities, for which said Board so acts, by the following vote:

Ayes: Supervisors Hahn, Debs, Chace, Dorn.

Noes: None.

Absent: Supervisor Bonelli.

In witness whereof, I have hereunto set my hand and affixed the seal of the County of Los Angeles this 20th day of January, 1972.

JAMES S. MIZE,  
Executive Officer-Clerk of the Board of  
Supervisors of the County of Los  
Angeles.

## CORPORATE FARM OPERATIONS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, February 7, 1972

Mr. BYRD of Virginia. Mr. President, the January 3 edition of U.S. News & World Report included an excellent article on the effect of corporate ownership of many of the Nation's farms.

The article points out that the growth in large scale agricultural business has profound effects both on the production of crops and livestock and on the lives of millions of Americans.

The serious issues involved in the question of future control of farming operations are closely examined in this excellent report.

I ask unanimous consent that the text of the article, "What's Ahead for the Family Farm," be printed in the Extensions of Remarks.

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

## WHAT IS AHEAD FOR THE FAMILY FARM?

Today, corporations have only a toe hold in agriculture. Tomorrow, they could move in. Would that be good for the country? It's a growing debate.

Survival of the family farm is a fast-growing economic and political issue in Washington and across the country.

City dwellers, as well as rural people, have a stake in this problem. The reason, according to Don Paarlberg, top economist of the U.S. Department of Agriculture:

"America's system of family farming has produced for this country the most wholesome, nutritious and abundant diet enjoyed

by people at any time in history. All things considered, I doubt that large-scale corporation farming would serve the public as well."

President Nixon's new Secretary of Agriculture, Earl L. Butz, has said that he will do everything he can to get "decent prices and fair income" for family farms. But he points out that neither Republicans nor Democrats have been able to slow the trend to fewer and larger farms in the U.S.

#### DWINDLING NUMBERS

During the Republican Administration of President Eisenhower in the 1950s, the number of U.S. farms declined by 28 per cent. In the 1960s, under Presidents Kennedy and Johnson, there was a reduction of 33 per cent. In the first three years of the Nixon Administration, another 10 per cent drop was recorded.

Latest official figures put the total of American farms at 2.9 million. Secretary Butz predicts that another million or so of these will have been absorbed into larger units by the end of this decade.

This trend has concentrated more and more of farming income in the hands of relatively few operators. In 1970, according to the Agriculture Department, 226,000 large farms—8 per cent of the total—received 55 per cent of cash receipts from farm marketings.

These were farms that sold \$40,000 or more of produce in 1970. Some had sales running into millions of dollars. The majority still are regarded as family farms, but they survive by using big-business methods. And they worry about the future. Take California, which probably has more large-scale farming than any other State.

Near Modesto, Jack Bowen's 350-acre peach orchard displays a sign that proclaims: "A family business for four generations." Sales top \$300,000 a year. Mr. Bowen has replaced hundreds of migrant pickers with a giant machine that clutches trees by the trunk, shakes the fruit onto a conveyor which carries it to waiting trucks.

But California peach growers already are plagued with overproduction. They fear factory-type farming will worsen this problem. One big corporation, an oil company, grew 640 acres of peaches last year as an experiment.

Says Mr. Bowen: "If corporations with plenty of capital get serious about this business, we've had it."

John Cronin owns and operates a 2,000-acre cattle "spread" near Pleasanton in the San Francisco Bay area. He says, "The biggest problems facing cattlemen today are taxes and the rush of people to the countryside." His tax assessment jumped from \$125 an acre to \$1,200 in one year. He managed to get it cut to \$600.

"You've got to be a politician, lawyer, accountant, scientist, public-relations man, environmentalist and just plain hard-working if you're going to cut it," says Mr. Cronin.

New Waterford, Calif., Wes Sawyer and his son run a dairy farm of 1,500 acres. Most of their 1,000 cows never see pasture. Fed a scientifically controlled diet, they are milked at the rate of 130 per hour with the help of automated equipment that washes udders with warm water before milking machines are applied and applies a disinfectant when they are removed.

#### FAMILY CORPORATIONS

Actually, only a small proportion of U.S. farms are now incorporated. Mr. Paarlberg, who is director of agricultural economics for the Agriculture Department, said in a recent speech:

"Only about 1 per cent of our commercial farms are incorporated, and more than 90 per cent of these are family corporations, set up primarily to facilitate the passage of the farm from one generation to another."

Mr. Paarlberg based his statistics on a study, "Farm Numbers and Sizes in the Future," by three economists on his staff.

If there is so little corporation agriculture in the U. S. today, why the deep worry over survival of the family farm?

The answer, according to Mr. Paarlberg, is that in the past "most farm-raised boys would have or could obtain the requirements for successful farm operation: a bit of capital, suitable manual skill, and modest managerial ability." But now, he said:

"With the advance of agricultural science, the burden of management has become intense. The technical knowledge which an up-to-date farmer must master is much broader than is required of most businessmen with equal investment. The capital needed to operate a modern farm is beyond the reach of most farm-raised boys."

#### RISE OF COOPERATIVES

Family farmers have had to adapt to this situation—or get off the land, as millions have done. One way in which they adapt is by forming co-operatives.

"The co-op," says Henry Schacht of California Canners and Growers Co-operative, "is the means by which the relatively small and medium-sized can band together to get advantages of size and a piece of the marketing action."

California leads the nation in business done by farm co-operatives, with more than 2 billion dollars in annual sales and 85,000 members.

Mr. Schacht's group, for example, has combined with Tri-Valley Growers and Pacific Coast Producers to put up more than half the State's output of canned pears, apricots, freestone peaches and cherries.

#### ROLE OF CONGLOMERATES

This past June, four big cotton-marketing co-operatives in various parts of the U. S. merged into AMCO.

This new organization represents 25 per cent of U. S. cotton output, and has worldwide markets.

But many farm-co-operative officials worry over possible competition from conglomerate industries that enter agriculture with access to capital.

Tenneco, Inc., bought out the Kern County Land Company and recently added a large fruit and vegetable-marketing firm to form Heggblade-Marguleas-Tenneco, Inc., which is committed to "a concentrated program to integrate agricultural operations from seedling to supermarkets."

Mr. Paarlberg notes that corporation farming is not necessarily a sure-fire formula for success, citing failure of half a dozen large ventures in recent years. He predicts: "I think we will get more large-scale units, but that this trend will be selective, gradual and never total. I expect to see hog production and cattle feeding move in this direction, but to move slowly."

Mr. Paarlberg expects dairy farming to remain largely in the hands of family farms, because "cows are individual and in need of individual care."

Large farms, says Mr. Paarlberg, are vulnerable to unionization of their labor supply, which can increase costs sharply. Another disadvantage:

"Large-scale farms have very high fixed costs, of which hired labor is perhaps the greatest. In a bad year, these costs eat them up. The family farmer, who supplies his own labor, meets a bad year by paying himself a lower return and taking in his belt a notch or two."

Government payments, in the Paarlberg view, have spurred development of large farms "by providing them thousands of dollars, while giving only nickels and dimes to the small ones."

There is growing pressure in Congress to lower the present ceiling on payments—\$55,000 per farm on major crops. A leader in this movement is Representative Paul Findley, an Illinois Republican, who urges total payments to one farm be limited to \$20,000.

Mr. Paarlberg puts the question of survival of the family farm in these terms:

"We now supply ourselves with food—the best diet ever, anywhere—with something less than 17 percent of our income. If we stay with the family farm and improve its efficiency, the percentage of income spent for food will go still lower. . . ."

"Should we sacrifice a form of agricultural production that has served us well, that has produced good people as well as good crops and livestock? . . . I believe this to be a major farm-policy issue of the decade ahead."

#### FRIENDS FILL CHURCH AT RITES FOR FREDERICK M. DARROW

HON. JOHN H. TERRY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. TERRY. Mr. Speaker, in every community there are people who dedicate themselves to serving their family, their friends and other residents of the area. The village of Solvay, and the entire county of Onondaga in my congressional district, recently lost such a man. Frederick M. Darrow served the entire central New York area as a lay preacher. He communicated his spiritual faith to others, as we would wish to be able to talk with those closest to us.

In his memory, and in gratitude to the service he contributed to countless central New Yorkers, I would like to include in the CONGRESSIONAL RECORD, a report from the January 17, 1972 Post Standard.

#### FRIENDS FILL CHURCH AT RITES FOR FREDERICK M. DARROW

(By Ramona B. Bowden)

People from every walk of life and a wide variety of professions filled the Solvay United Methodist Church to capacity yesterday, to pay their respects to Frederick M. Darrow. This gave eloquent evidence of how greatly he was loved, not alone in the community, but in the Central New York area where he served many denominations as a lay preacher.

Mr. Darrow's death Thursday at Community-General Hospital was a shocking grief to all.

The service was conducted by the pastor, the Rev. Franklin J. Weaver and by Dr. W. Ralph Ward, bishop of the United Methodist Church.

Mr. Weaver declared he was acting as a spokesman for all who came to pay tribute to a common friend.

"Were I not to speak, the very walls would cry out—the Sunday school where Fred learned about the Bible and where he later taught, the sanctuary where he found joy in worship, the choir loft where he sang, the pulpit from which he often preached his faith, the altar before which he knelt experiencing the presence of God, the Communion rail where he was confirmed. All these and everywhere we turn have their own way of telling of the unforgettable Christian who has been ours to love," he said.

"Fred not only believed he should seek the kingdom of God, but should practice God's love in every area of life, and this he did till it touched each one of us and left its imprint for good. His very presence was a priceless treasure of great humility mingled with a warmth of personal concern," said the minister.

"As your spokesman, I hope you will agree when I say, what a man, what a friend, what a God-given spirit and what an honor to

have worked with him and have him teach us how to be an exponent of all that makes life worthwhile," he said.

"To the bereaved family we say 'thank you for letting us share this beautiful fellowship.' May we continue to be strengthened by that life whose remembrance will ever bless us as a benediction," he said.

Said Bishop Ward, "Fred Darrow was not an ordained minister, but as a layman he gave himself to this sacred and singular calling. He was significantly blessed by the presence of the Holy Spirit," he said.

"He was an outstanding preacher, for he had faith in Jesus Christ and he enjoyed testifying to his faith, as his life well illustrated. He was a devoted husband, father and churchman, a faithful servant and a good person to have around in all the offices he so effectively fulfilled. He held the highest office of responsibility in the Central New York Conference of the United Methodist Church, he was active on the laity board, roles he gave himself to fully as he did in a new responsibility he had just picked up—director of the United Methodist Foundation. But essentially Fred was a preacher and he brought life and light to immortality through the gospel he lived and to which he bore testimony in the pulpits in the whole region.

"But more importantly, his business life brought affirmation in a quiet way to the unseen and the eternal. His desk in the bank was an altar, his hobbies and books were his lecterns, and his daily life a litany for praising God," said the bishop.

"He used the pulpit well, but in Fred Darrow the light of immortality came through wherever he was," affirmed Bishop Ward.

Mr. Weaver closed the service by reading one of Mr. Darrow's favorite hymns, "Take my life and let it be consecrated, Lord, to Thee."

#### A NEW CONCEPT OF NEIGHBORHOOD PHYSICAL FITNESS CENTERS

##### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. BOB WILSON. Mr. Speaker, an exciting new concept of neighborhood physical fitness centers which bring families together has been developed in various areas of San Diego by two prominent citizens, Mrs. Deborah S. Szekely, owner of the famed Golden Door health spa, and Dr. John L. Boyer, eminent cardiologist.

I ask to include as a portion of my remarks the following newspaper article which describes the program:

**FAMILY FITNESS AND FUN—A NEW CONCEPT, A NEW EXERCISE PROGRAM, A NEW SUCCESS STORY**

SAN DIEGO, CALIF.—Applaudment to the President's Council/Conference on Physical Fitness and Sports brought together two San Diegans who previously had known each other only by reputation, and out of this meeting grew San Diego's unique program of free Family Fitness Fun Nights, now operating three consecutive nights a week in six centers throughout the city.

"Of course I was familiar with Dr. John L. Boyer's work in connection with the San Diego State College Jogging Clinic," says Mrs. Deborah Szekely. "It was this pioneer clinic which did so much to popularize jogging throughout the country. And I also was aware that Dr. Boyer was an eminent cardiologist. But curiously enough we had never met.

"When we did, we discovered that our very different careers and backgrounds had brought us to a similar conclusion: that to prevent heart disease in adult life, we have to begin with the young. We agreed that to do this we must break up the existing patterns of family life and offer an attractive alternative," Mrs. Szekely continues.

#### BETWEEN THE DARK AND THE DAYLIGHT

"Our principal area of concern is the period immediately after work and after school. This is the time when too many Americans follow hours of daily sitting with even more hours of remaining absolutely immobile in front of a television set.

Unfortunately, according to C. Carson Conrad, executive director of President Nixon's Council/Conference on Physical Fitness and Sports, it is also the most important time of day for the body to release its tensions, carbon monoxide and tissue accumulations.

"It is our hope to keep these people on their feet just before dinner and to start them moving," Mrs. Szekely explains. "Eventually, enjoyable pre-dinner-hour exercise could become a national habit, exactly as all of us now are accustomed to brushing our teeth at about the same time every morning.

"Several years before Dr. Boyer and I had our preliminary discussions, I had had the idea of a fitness program that would utilize existing public facilities. Fortunately, my friend Miss Pauline des Granges saw merit in this plan. An outstanding woman, Miss des Granges is director of San Diego's splendid City Park and Recreation Department. She brought us together with other recreation experts in San Diego City Schools and in our colleges.

"The first three Family Fitness Night programs began October 19 of last year at three City Park and Recreation Centers, Tuesdays through Thursday, 5:30 to 7:30 p.m. They were tremendously successful from the start, maintaining an average of 70-80 participants a night even through the Thanksgiving-holiday week. Three more Family Fitness Centers opened January 11. It is our expectation that eventually we will have a total of 16.

#### THAT MAGICAL NUMBER "3"

"Regular attendance is not compulsory. People are told to attend when they can, but we find most of them signing in three nights a week.

"I cannot place too much emphasis upon the importance of 'three times a week' in a program such as ours. This has been substantiated by other experts. Even while we were training the youthful instructors for the first three centers, D. Jean Mayer, President Nixon's health advisor, stated in an article for the September issue of *Family Health Magazine* that a mere 15 minutes of exercise three times a week can do a lot for your heart. Then, just this year, Dr. James A. Peterson, speaking from the viewpoint of research being conducted at USC's Ethel Percy Andrus Gerontology Center, revealed that three hours of exercise weekly can even help falling memories and make older people younger."

The Centers are open to old and young, beginning with children five years of age. The median adult age has proven to be 32. Single people are welcome, but family fun is the big attraction.

"Today there is general agreement that the problems of lack of exercise, over-weight and heart disease are locked in together. Dr. Boyer's expertise in the latter is one of his chief contributions to the Family Fitness program. As he says, if heart disease is not checked, it soon will constitute the greatest epidemic the world has ever known.

#### HOW TO MAKE A NIGHT OF FAMILY FITNESS AND FUN

"Family Fitness Nights have commenced to spread in San Diego County itself, and we invite others to observe and train with us.

We are also receiving far flung requests for information about how the Family Fitness program works.

"First of all, we explain that it is necessary to back off from the anathema connected with ordinary calisthenics classes. People consider the calisthenics system dull. If it hadn't been dull, it would have become so widespread that we would not be faced with heart disease attacking increasingly younger and younger people.

"Even the first 30 minutes of warm-ups in our Centers are performed to *now* music. Then, as the group really begins to move, the beat grows stronger and the music faster.

"The young Center leaders have a lot of latitude. In the final half hour, some choose to break up their crowds into groups: jogging for men, spot reducing for women, energy-consuming games for children. But we encourage a format that concludes with some rousing games that the entire family can play. Think what this does for a family's together feeling and ability to communicate! Besides, we know from what our participants tell us that those in the program are experiencing a very tangible sense of well-being that grows and grows."

On January 26, Mrs. Szekely will address a meeting of the President's Council/Conference on Physical Fitness and Sports on the subject of San Diego's Family Fitness Centers. In the Spring, between speaking engagements, she and Dr. John L. Boyer will commence preparing a manual to be distributed in response to the many queries asking how to create Family Fitness and Fun Nights—not only for civic recreation centers but for use by industry, schools and churches.

#### URBAN TRANSPORTATION RUSH HOUR PROBLEMS

##### HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. SHOUP. Mr. Speaker, the rush hour traffic problem is one of the major dilemmas our urban transportation systems face today.

I have with me a report, written by my administrative assistant, Chester Roy Julian, when he was with the Department of Transportation. It provides information on a plan for staggering of work hours to relieve peak hour traffic demands.

The paper describes in detail the techniques used and the factors considered in developing and implementing staggered work hours traffic plans. Such a plan has been introduced in the Washington, D.C. area and has had favorable results. Other plans have been undertaken in Atlanta, New York, and Philadelphia, and smaller cities.

The 1971 World Traffic Engineering Conference, which was held in Montreal, Canada, on September 19-24, 1971, recognized the value of this subject by including this technical report in their program on increasing capacity of existing street networks.

I feel this plan provides possibilities for greater efficiency and improved service on streets and highways, and warrants consideration in all areas of the United States where peak hour traffic congestion is troublesome, even in relatively small rural towns that cannot afford expensive bus and subway systems.

I include the text of this report in the RECORD for the information of my colleagues:

**STAGGERING WORK HOURS TO EASE EXISTING STREET CAPACITY PROBLEMS**  
(By Chester Roy Julian)

(NOTE.—Figures mentioned not reproduced in the RECORD.)

**INTRODUCTION**

Staggering work hours in specific areas of a community can contribute to efficiency of existing transportation services and possibly reduce the need for some facilities. While various work hours arrangements are in use today, from "swing" shift factory operations to individuals working more than official hours, there has been little recent discussion about this relatively simple and inexpensive "decongestant" for some of our larger cities' traffic problems.

This paper describes an effort by the Federal government to schedule the official work hours for a large complex housing Federal agencies in an area immediately south of Washington, D.C. It covers the techniques used and the factors that should be considered in developing and implementing staggered work hours plans.

Experience by two governmental studies in the Washington, D.C. area in 1969 and 1970 has shown that our society and its work oriented functions presently will not tolerate drastic changes in work hours. A change of fifteen minutes to one hour—usually to earlier starting and quitting times—is considered not too drastic. Thus, the author is not suggesting optimum usage of each twenty-four hour day, seven days a week. Instead it is suggested that staggering work hours within maximum possible changes would be worthwhile, especially if the bulk of persons involved can shift their work hours by more than 30 minutes. From a traffic congestion reduction viewpoint, one hour time shifts seem more preferable.

**BACKGROUND**

On May 4, 1970, a two-month study was initiated by the Federal Government through the General Services Administration's Task Force for Employee Relocation Assistance. The study was to determine and recommend a plan for staggering the official work hours for those Federal agencies located along the Jefferson Davis Highway (U.S.-1) corridor in Arlington, Virginia. Figure 1 shows the National Capital Region in which the study area commonly known as Crystal City is located. Figure 2 shows the Jefferson Davis Highway (U.S.-1) corridor along which the Federal agencies involved in this study are located. The agencies in the study area included the Navy commands who were moving from Washington and the Federal agencies already located at Crystal City. In all, 18,050 Federal employees in twenty-four agencies or components were located in the area.

The duration of the study was limited in order to establish duty hours for the Navy commands prior to the completion of moves beginning May 15, 1970, to be completed by July 15, 1970.

**STUDY OBJECTIVES AND APPROACH**

The study was initiated to determine a staggered work hours plan which could, if implemented, assist the individual employees with the traffic problems they faced at Crystal City. Because of the limited highway and bus improvements that could be made, it was agreed that staggering work hours should be attempted.

The study benefited from the results of a completed GSA sponsored Personal Transportation Questionnaire which aided in the determination of the travel habits of all involved Federal employees. The results, although highly speculative, formed the core data for this study. Automobile drivers were asked where they parked their car, and work-

ers in car pools were surveyed on driving and parking behavior; bus riders were asked what bus company and bus routes they used.

To determine how the relocated Navy personnel and existing employees of Crystal City would travel to their location, they were surveyed to determine their planned mode or combined modes of travel and the factors influencing their choice of mode.

**MAIN NAVY MUNITIONS PERSONNEL TRAVEL HABITS**

The existing mode of transportation of Navy personnel was 52.5 percent use of private automobile, 44 percent use of bus, and the remaining 3.5 percent walked or used some other mode of transportation.

The transportation survey revealed that the anticipated use of the private automobile increased significantly over existing use. Approximately 28 percent of the personnel indicated they would travel in a car pool, a slight increase over what now exists, and the number of personnel who expected to drive alone increased from the existing 18.8 percent to 28.0 percent.

The increase in auto users can be partly attributable to the fact that there was a very high person per parking space ratio at Navy's previous location (due to very little parking availability) and a much lower ratio (4.5 average) for those occupying the seven buildings at Crystal City.

**AGENCY INTERVIEWS**

Each of the nine agencies already located in the Crystal Mall-Crystal Plaza complex were individually briefed on the staggering of work hours study, and the existing and anticipated traffic problems. The interviewing and briefing proved helpful in obtaining the confidence of the agencies' chief administrative officers and keeping the communications channels open.

An attempt was made to inventory the official constraints and flexibilities of the non-Navy agencies. Each agency was asked:

How many people in your organization?  
What time do these people actually work?  
What is the earliest and latest starting time your agency would consider?

Would your agency consider splitting your work hours?

Their answers were extremely important, particularly because no one, except the Patent Office, would consider shifting or splitting their existing official work hours.

**TRAFFIC CONSTRAINTS**

There are only two major highways capable of serving the area. These are U.S.-1 and the George Washington Memorial Parkway. Usage of the Parkway, however, is somewhat circuitous and involves mixing, on the southern extreme of the Crystal City area, with traffic generated by National Airport (Figure 1). Generally, U.S.-1 was operating at or near capacity, prior to adding new Navy traffic.

The limited accessibility of the Crystal City area prompted an early decision to primarily develop staggered hours plans based on the traffic loads at these three principal intersections of 15th, 20th and 23rd Streets which controlled ingress and egress to the Crystal City complex. The traffic counts at these three intersections along U.S. Route 1 were obtained and were directly used as base data for relating to capacity calculations and evaluating alternative staggered work hours plans.

The capacity figures generally showed, that the three intersections were close to capacity. When Navy generated traffic was added to existing traffic, then the intersections were above capacity.

**BUS REQUIREMENTS**

The results from the survey questionnaire permitted an analysis of existing and anticipated users of buses. The bus riders' desires, especially those living in the Maryland suburbs, was an especially important factor

affecting the possibilities of instituting early work starting times. The unavailability of bus service in the early morning hours on other than the major routes in Washington, D.C. is an example of a constraint requiring remedial action if times other than 0745 and 0800 were to be utilized.

Express bus service was especially arranged by the Washington Metropolitan Area Transit Commission (WMATC) for the Maryland suburbs bus riders. This service developed on the basis that the first Navy unit relocating to Jefferson Plaza would start work at 0715.

While there was no appreciable increase in the peak hours traffic congestion on U.S.-1, there was a drastic reduction in bus ridership which was much lower than the level of anticipated users. Bus rider counts after initiating new and expanding service to the new site revealed a higher loss factor so that the actual ridership totaled about 25 percent vs. the previous 44 percent. The factors for this diversion appear to involve increased distance and travel time, higher fares, transfers between different bus companies, earlier starting times and fewer bus routes directly serving Crystal City area as compared to the original employment site.

**ALTERNATIVE PLANS**

The basis for studying various possible staggering of work hours plans was the need to determine an acceptable one that would aid the relocation of the Navy personnel. Their duty hours needed to be established prior to their relocation or shortly thereafter so employees could make car pool arrangements and determine bus routes and schedules. Also, the existing streets and highways traffic situation in the vicinity of Crystal City was not subject to significant change prior to moving the Navy units. Thus the plan, as finally determined, had to meet the existing situations and still be flexible enough for later revision.

The addition of new Navy units to the relocation sites was originally proposed by Navy in a fashion which would not require any time changes for the non-Navy agencies already there. The first plans that were developed were built around this position.

The Navy further assisted the study by providing their suggested plan in various forms related to the individual building sites within the complex, which would accomplish their general objectives and would place 5,900 of their personnel in the 0715 to 1545 time period. Their reasoning was based on the fact that the units proposed for the 0715 to 1545 times would be located at the two extremities of the corridor, since no other agencies were using that time period, and those hours would get them in and out of the area without conflicting with Pentagon and other large traffic generators (Figure 6 [Navy proposal]).

Since the first Navy unit moved prior to finalizing the study, the 0715-1545 time was temporarily approved. This development was interesting because it permitted some experience to be gained for the early starting time prior to making other changes. The decision proved to be a good one which met with employee approval, permitted good access in the morning, but as expected did not entirely eliminate the difficulties in vacating the area and getting onto U.S.-1, even at 1545 hours. This experience also ultimately convinced Navy officials that it would be helpful to split their starting and quitting times into at least two 15-minute time periods for the large units of more than 1,000 personnel. (Figure 6 [Splitting]).

Six work hour plans were examined. In all cases traffic conditions were determined to be critical at the three key intersections adjacent to the site, when the new Navy traffic was added.

After tabulating the new automotive traffic for each Navy unit by its origin sector, factoring car pool riders at 3 per car, making an arbitrary manual traffic assign-

ment, and routing the vehicles through the three key intersections for determining their additive effects, six plans were graphed to show the traffic for each 15 minutes of the morning hours (0700-0900) at the three intersections for northbound and southbound traffic in U.S.-1. The plans were (a) the Navy's initial proposal, (b) Suggested with Splits in Certain Organizations, (c) Navy in Early Hours—0700-0800, (d) Average Traffic Plan, (e) Recommended Compromise and (f) Accepted Compromise Plan.

The Accepted Compromise (Figures 4 and 5) is the only plan used here to illustrate the technique. The six alternates, as shown in Figure 6 and Figure 7, are derived by plotting total authorized personnel for each 15 minutes between 0700 and 0900 for the three main sites and the total area. However, these figures do not reflect traffic flow, only concentrations of people.

#### COMPROMISE PLAN

The Average Traffic Plan, which did not change the existing agencies, attempted to balance existing and new traffic but was finally rejected. This was because of drastic time changes for some Navy units and the average traffic levels being predominantly greater than capacity at 15th Street for southbound traffic and 23rd Street for northbound traffic. However, the Recommended Compromise Plan was accepted by the Navy. The other agencies remained unchanged except for three units that were already located in Crystal Mall—Crystal Plaza complex, and one existing unit which was shifted to an earlier time.

The accepted plan permitted Navy to change from previous predominantly 0800 hours starting time to 0700, 0715, 0730, 0745, 0800.

#### RESULTS

Subsequent to the initial writing of this paper, the author surveyed the principal affected organization—the various Navy components—to determine the effects of the accepted and applied staggering work hours plan. The survey revealed that the plan was working very well. Congestion levels on the streets were deemed bearable, partly because many employees made adjustments in their arrival and departure routes plus their actual arrival and departure times. The only recorded official complaint was one from a U.S. Congressman, on behalf of a constituent, concerning the early work hours and the need for better bus service.

Also, numerous employees found it difficult, especially during the winter months, to come to work in the dark and leave in the dark. Also, it was difficult for some to adjust from their previous 0800 reporting time to a 0700 or 0715 one. These adjustment problems probably will subside during the late spring and summer months when more daylight hours are available and employees begin to enjoy returning home early enough to run errands, garden or play golf. This latter point is probably one of the most important factors in the employees' initial acceptance of the plan when it was implemented during the summer month of July 1970.

#### SUMMARY

A study of staggering work hours should include considerations of (a) employee preferences, (b) agency or employer requirements and preferences, (c) transit service needs and availability, (d) parking availability and demand, (e) car pools, (f) street and highway capacities, (g) views of public and private persons and agencies charged with implementing necessary improvements, (h) transit operators' preferences, (i) existing and new generated traffic, (j) other public and private traffic generators, (k) costs of transportation, (l) arrival and departure problems at the critical locations and (m) the short and long-range transportation improvement plans affecting the study area.

Practical realities may limit the opportunities for spreading traffic in the best manner, however, in this case using traffic congestion levels proved valuable in obtaining more flexibility in the agencies desired work hours. In the final analysis, the wishes of the administrators and employees partly overrode pure traffic congestion minimizing solutions.

This study attempted to consider all the above factors. The author recommends similar studies including at least these factors. After implementation and a three to six month experience with staggered work hours, it would be desirable to reexamine the conditions and make any necessary adjustments.

Based on the experience in the case study and discussions with experts in various disciplines, the author strongly favors the more widespread use of staggered work hours plans to improve the quality of highway transportation service, and particularly for home-to-work trips.

The D.C. Government used a staggered work hours plan during World War II and more recently GSA implemented a plan in Southwest Washington, D.C. With so many Federal employees in the D.C. area it was an especially favorable setting for such plans. The author recommends that responsible persons should examine their possibilities for using this practical approach to reducing some of the current congestion levels in applicable areas of our large cities.

#### RESEARCH NEEDS

A micro-traffic simulating model using transportation study data and techniques that could stimulate over several hours the effects of traffic on the key intersections and on more than one main roadway would be helpful in such studies as this one. Perhaps it can be developed.

Socio-Economic studies in addition to traffic analysis should be done for staggering of work hours situations prior to making decisions for scheduling relocations. In any case, research on the effects of staggering hours could assist reducing the many problems caused by the required changes of various plans.

Research on the correlation of the many factors involved in staggering work hours is needed to determine the significant relationships that contribute to successful plans.

#### REFERENCES

1. Cohen, Lawrence Berel. *Work Staggering for Traffic Relief*. Praeger, New York, 1968.
2. Manual of Traffic Engineering Studies. Association of Casualty and Surety Companies, New York, 1953, pgs. 97-99.
3. Mills, Frederick Cecil. *Statistical Methods*, 3rd Edition, pgs. 129-130. Henry Holt and Company, New York, 1955.
4. Betz, Mathew J. and Supersad, Jankie N. *Traffic and Staggered Working Hours*. *Traffic Quarterly*, April 1965.
5. *Traffic Engineering Handbook*. Institute of Traffic Engineers, Washington, D.C., 1965, pgs. 260-309.
6. *Highway Capacity Manual*. Highway Research Board Special Report 87, 1965, pp. 111-159.
7. Fowle, Farnsworth. "Staggered Hours East Transit." *The New York Times*, June 26, 1970, pg. 70M.
8. Smith, Wilbur and Associates. *Staggered Hours Plan—Atlanta Metropolitan Area*. State Highway Department of Georgia, City of Atlanta, Fulton County, DeKalb County, Atlanta Chamber of Commerce, July 1970, 25, 1943, p. 23.
9. "260 Cities Stagger Working Hours." *Automotive News*. V. 18, No. 2755, January 25, 1943, p. 23.
10. "New Jersey Staggers Hours by Government Order." *Bus Transportation*. V. 21, No. 11, November 1942, p. 531.
11. "Moscow Staggers Working Hours to

Ease Peak Hour Congestion." *World Road News* (Switzerland) V. 1, No. 4, April 1966, p. 30.

12. "Need for Staggered Hours of Work." *Modern Transport* (Great Britain). V. 72, No. 1875, March 5, 1955, p. 7.

13. "Staggered Travel Hours in London." *Modern Transport* (Great Britain). V. 76, No. 1975, February 2, 1957.

14. Ministry of Transport and Civil Aviation. "Crush-Hour Travel in Central London." *Road Abstracts*. V. 25, No. 8, August 1958, p. 189.

15. "Staggered Working Hours Can Ease Urban Peak Travel Demand." *Texas Transportation Researcher*. V. 4, No. 3, July 1968, p. 7.

16. Gural, I. Jack. Southwest Employment Area—Transportation Challenge. Speech before American Society of Civil Engineers—National Transportation Engineering Meeting. Washington, D.C. July 22, 1969.

17. U.S. Army Transportation Engineering Agency. *Traffic and Parking Impact Study—Main Navy Relocation—Arlington County, Virginia*. Fort Eustis, Virginia, April 1970.

#### COMMENT ON INSTANT ANALYSIS

#### HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. MYERS. Mr. Speaker, "instant analysis" is the political commentator's answer to the sportscaster's "instant replay". However, there is one significant difference between the two. "Instant replay" provides us with an opportunity to see every slow motion detail of the actual play. "Instant Analysis", on the other hand, provides the media representatives with the opportunity to tell the viewer what he, the analyst, feels we should have heard or seen.

I feel that Bob Collins, columnist with the Indianapolis Star, put his finger on the attitude many people have toward "Instant Analysis" in his article of January 27. I would like to share that column with my colleagues today:

SWAP NEWS ANALYSIS FOR MICKEY MOUSE!

"I've never really figured out how television works. And at this date in my journey, I guess I never will.

Without a doubt, it is some kind of electronic marvel, put together with a lot of components, the names of which I wouldn't recognize if they came to dinner with name tags.

However, Monday night I think I gained a little on 'em. Somewhere in those million dots that form a picture I recognized a big ingredient—gas.

It was right after the President's speech on the secret peace talks. No sooner had his image disappeared than—presto—here came the experts.

Their opinions ranged from the ludicrous—Senator Unbright or whatever his name is saying we didn't offer enough (perhaps we should throw in Hawaii, Arkansas and three draft choices)—to the tedious.

There sat these people with the calendar voices, note pads perched on their knees, trying to act as though they weren't every bit as surprised as the rest of us.

More than a few analyses started off, "the President said . . ." Just as though we missed the speech.

My only thought—as they talked the night

to death—was that the man in the White House is a master politician. And don't get me wrong. I'm not being cynical. I still believe that the best politics deals in the art of possible.

Reaction (I am sure without reading a word) will be divided along the lines of party, ideology and prejudice. Let us only hope that the end result will be for the common good. End of sermon."

"President Nixon so far is doing such a virtuoso job of relieving his opponents of issues that, by campaign time, the only one left may be whether or not his tie clashes with his shirt.

In the meantime, I wish the networks would fill in the time after speeches with Mickey Mouse cartoons. We're not all that stupid. We deserve better than the polysyllabic palaver we have been getting."

FEDERAL CIVILIAN EMPLOYMENT, DECEMBER 1971

HON. GEORGE H. MAHON

OF TEXAS  
IN THE HOUSE OF REPRESENTATIVES  
Monday, February 7, 1972

Mr. MAHON. Mr. Speaker, I include a release highlighting the December 1971 civilian personnel report of the Joint Committee on Reduction of Federal Expenditures.

FEDERAL CIVILIAN EMPLOYMENT, DECEMBER 1971

Total civilian employment in the Executive, Legislative and Judicial Branches of the Federal Government in the month of December was 2,865,902 as compared with

2,868,350 in the preceding month of November. This was a net decrease of 2,448.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Federal Expenditures.

EXECUTIVE BRANCH

Civilian employment in the Executive Branch in the month of December totaled 2,826,523. This was a net decrease of 1,964 as compared with employment reported in the preceding month of November. Employment by months in fiscal 1972, which began July 1, 1971, follows:

Month	Employment	Increase	Decrease
1971:			
July.....	2,903,151	20,157	
August.....	2,809,160		12,991
September.....	2,844,539		45,621
October.....	2,833,068		11,471
November.....	2,828,487		4,581
December.....	2,826,523		1,964

Total employment in Civilian Agencies of the Executive Branch for the month of December was 1,696,691, an increase of 1,013 as compared with the November total of 1,695,678. Total civilian employment in the Military Agencies in December was 1,129,832, a decrease of 2,977 as compared with 1,132,809 in November.

The civilian agencies of the Executive Branch reporting the largest decreases were Agriculture Department with 1,951 and Interior Department with 1,007. The largest increases were reported by the Postal Service with 2,800 and Treasury Department with 1,401. These changes were largely seasonal.

In the Department of Defense the largest decreases in civilian employment were reported by the Navy with 1,158 and Air Force with 1,011.

Total Executive Branch employment inside the United States in December was 2,639,693, a decrease of 578 as compared with November. Total employment outside the United States in December was 186,830, a decrease of 1,386 as compared with November.

The total of 2,826,523 civilian employees of the Executive Branch reported for the month of December 1971 includes 2,528,631 Full Time Employees in Permanent Positions. This represents a decrease of 2,068 in such employment from the preceding month of November.

The Executive Branch employment total of 2,826,523 includes some foreign nationals employed abroad, but in addition there were 97,604 Foreign Nationals working for U.S. agencies overseas during November who were not counted in the usual personnel reports. The number in November was 97,885.

LEGISLATIVE AND JUDICIAL BRANCHES

Employment in the Legislative Branch in the month of December totaled 31,216 a decrease of 488 as compared with the preceding month of November. Employment in the Judicial Branch in the month of December totaled 8,163, an increase of 4 as compared with November.

DISADVANTAGED PERSONS

The total of 2,865,902 reported by the Committee for December includes 25,490 disadvantaged persons employed under Federal Opportunity programs, an increase of 1,174 over the preceding month of November.

In addition, Mr. Speaker, I would like to include a tabulation, excerpted from the joint committee report, on personnel employed full-time in permanent positions by executive branch agencies during December 1971, showing comparisons with June 1970, June 1971, and the budget estimates for June 1972:

FULL-TIME PERMANENT EMPLOYMENT

Major agencies	June 1970	June 1971	December 1971	Estimated June 30, 1972 <sup>1</sup>	Major agencies	June 1970	June 1971	December 1971	Estimated June 30, 1972 <sup>1</sup>
Agriculture.....	82,912	84,252	83,832	83,000	National Aeronautics and Space Administration.....	31,223	29,478	28,455	27,500
Commerce.....	25,427	28,435	27,875	28,500	Panama Canal.....	14,635	13,967	13,986	14,200
Defense:					Selective Service System.....	6,665	5,569	5,791	6,200
Civil functions.....	30,297	30,063	30,127	30,600	Small Business Administration.....	4,015	4,004	4,001	4,000
Military functions.....	1,129,642	1,062,741	1,065,165	1,011,000	Tennessee Valley Authority.....	12,657	13,612	13,765	14,000
Health, Education, and Welfare.....	102,297	104,283	106,418	102,000	U.S. Information Agency.....	9,989	9,773	9,626	9,400
Housing and Urban Development.....	14,661	16,030	15,951	15,200	U.S. Postal Service.....	565,618	564,782	563,131	563,400
Interior.....	59,349	57,570	57,441	56,900	Veterans' Administration.....	148,497	158,635	161,173	162,700
Justice.....	38,013	42,662	42,410	45,100	All other agencies.....	29,807	31,333	32,204	34,300
Labor.....	10,217	11,352	11,935	11,800	Contingencies.....				2,000
State.....	23,618	23,398	22,986	22,700	Total.....	2,552,571	2,520,312	2,525,858	2,531,500
Agency for International Development.....	14,486	13,477	12,957	12,400	Public Service Careers (disadvantaged persons in Federal opportunity programs).....		1,899	2,773	
Transportation.....	63,879	68,482	68,113	68,400	Total.....	2,552,571	2,522,211	2,528,631	
Treasury.....	86,020	90,135	93,221	96,500					
Atomic Energy Commission.....	7,033	6,920	6,843	6,700					
Civil Service Commission.....	5,214	5,324	5,239	5,600					
Environmental Protection Agency <sup>2</sup> .....		5,959	6,751	8,000					
General Services Administration.....	36,400	38,076	36,462	39,400					

<sup>1</sup> Source: As projected in 1973 budget document; figures rounded to nearest hundred.  
<sup>2</sup> Established as of Dec. 2, 1970, by transfer of functions and personnel from Interior, HEW, Agriculture, Federal Radiation Council and Atomic Energy Commission.

<sup>1</sup> Includes approximately 39,000 postal employees subject to reclassification by June 30, 1972, under a labor-management agreement.

LEAKING GOVERNMENT SECRETS

HON. ROBERT McCLORY

OF ILLINOIS  
IN THE HOUSE OF REPRESENTATIVES  
Monday, February 7, 1972

Mr. McCLORY. Mr. Speaker, it is some time now since the sensational revelations of columnist Jack Anderson during the Pakistani-Indian conflict. However, the issue involved in the leaking and publicizing of such private closed-door conversations is of continuing interest to our Government—or to any government.

The distinguished columnist, Roscoe Drummond, referring to comments by noted journalists, puts the Jack Anderson revelations in a realistic context. I am attaching his column of January 22, 1972, which appeared in the Christian Science Monitor:

LEAKING GOVERNMENT SECRETS  
(By Roscoe Drummond)

WASHINGTON.—Liberal columnists who are usually critical of the Nixon administration on the ground of oversecracy are unexpectedly taking a quite different line on the leaking of the "Anderson papers."

They don't condone it even a little bit. It could be expected that conservatives like

William Buckley, David Lawrence, William S. White, or a middle-road independent like Howard K. Smith would decry the act of a dissident bureaucrat in turning over current government secrets to the press. They did decry it.

THREATENS CONFIDENCE

But now C. L. Sulzberger of the New York Times and columnists Joseph Kraft and Tom Braden join the gathering condemnation.

Says Sulzberger: "Dangerous frontiers are being trespassed when highly classified information is made public and thereby U.S. relations with foreign countries are jeopardized. This threatens confidence in the United States of those large areas abroad which

depend upon our stability and discretion for their own security."

Says Kraft: "There is no case for lionizing or even protecting the sources of the leaks. On the contrary, for once there is a case for a presidential crackdown. Mr. Nixon's interest—and that of the country—is to find the source of the leaks and fire them fast."

Says Braden: "Nobody will argue against the public's right to know the logic behind its foreign policy. But the difference between reporting the making of foreign policy and reporting private conversations is the difference between the reporter and the spy."

#### RIGHT OF PRIVACY

When something like leaking the private discussions within the national security is condemned all the way from Buckley to Braden, it can't be all good.

How can high officials of other governments, including their ambassadors in Washington, talk freely with the President and the Secretary of State and others with the prospect that notes on their talks will be leaked? And this because some U.S. bureaucrats don't like the President's policies or are out to try to destroy Henry Kissinger.

Indeed, in light of the Anderson leaks, will Premier Chou En-lai feel he can talk candidly and safely with President Nixon? How can he be sure that a précis won't find its way to Moscow?

There has to be a right of privacy within the councils of government in the process of evolving policy as well as outside the government.

Think how outraged CBS would be if a disident member of its staff scooped up and made public the discussions and memoranda which went back and forth while the editors were deciding how to piece together and juggle the interviews in order to give a particular impression during the making of the famous "Selling of the Pentagon" show.

#### "FIRE THEM FAST"

Many will see a parallel between the leaking of the "Anderson papers" and the leaking of the "Pentagon papers." I think there is a parallel, but there are important differences. The Pentagon papers dealt with the past. They did not bear on matters currently under negotiation between governments. The Supreme Court decided that, as far as publication was concerned, this did not damage the national interest.

The parallel seems to me to be that, unless so authorized, no individual in the government should appropriate to himself the right to decide what private government papers must be safeguarded and what can be publicized to suit his own purposes. Daniel Ellsberg is not a newspaper. He was not acting under the protection of the First Amendment. He had taken a vow to respect classified government documents. The prime culprit is the leaker—the person or persons inside the government who violate their oath of office by making public private, confidential, official discussions. This is why Joseph Kraft strongly argues that President Nixon should find the leakers and "fire them fast."

### THE DEPARTMENT OF LABOR FAILS TO ENFORCE ITS OWN STANDARDS

#### HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DANIELS of New Jersey. Mr. Speaker, Congress worked long and hard formulating what it felt was crucial legislation to protect the lives and health of 57 million American workers. Now the hopes of this Congress and their constituents have been undermined by the

inept and lax administration of important parts of the occupational safety and health law.

A spirit of protecting the lives and health of our workers is barely discernible in many of the Department of Labor's actions. One of the most blatant examples is the issue of exposure to asbestos. This substance is so toxic that the most minute exposure is likely to produce a rare type of cancer. Further exposure causes the fatal disease of asbestosis. After pressure from labor groups, the Secretary issued an emergency standard reducing allowable concentration of 10 fibers was too ineffective.

Even with a dubious standard on the books, the Department of Labor has made even more dubious moves to punish violators. The Occupational Safety and Health Letter, published by Gershon Fishbein, reports on a recent penalty of \$210 for a flagrant case of overexposure of employees to as much as 19 times the safe amount of asbestos at a Texas insulation plant.

The Oil, Chemical and Atomic Workers Union is furious, and rightly so. As the chairman of the committee charged with oversight of this act, I feel that if the Department does not speedily correct its attitudes and actions in this matter, I will exercise full authority to bring about these changes.

The story follows:

#### UNION ENRAGED BY \$210 PENALTY IN TEXAS ASBESTOS CASE

The Oil, Chemical and Atomic Workers Union is boiling mad over a proposed \$210 penalty imposed on the Pittsburgh-Corning Corp. in a case involving what the union contends is a flagrant case of asbestos exposure at the company's asbestos insulation plant in Tyler, Tex.

The citation was issued Dec. 16 by the Dallas regional office of the Labor Department's Occupational Safety and Health Administration and signed by C. R. Holder, Assistant Administrator for Compliance. It mentions dust, failure of employees to wear respirators—but nowhere, to the amazement of OCAW and the IUD-AFL CIO, does the citation mention asbestos.

OCAW plans to raise a storm about it at a meeting Jan. 26 of labor and industry representatives called by OSHA to consider details of its Target Health Hazards Program (Occupational Health & Safety Letter, Jan. 8). There is a distinct possibility of legal action by the union and others, although OCAW would not tip its hand in advance.

IUD-AFL-CIO is gathering data not only on the Tyler case but what it considers many other instances of excessive exposure to asbestos for a large-scale indictment in a few months of OSHA for neglect of its responsibilities under the law.

The Tyler case goes back to 1967 when the former Bureau of Occupational Safety and Health inspected the plant and found excessive concentrations of asbestos fibers and dust, and told the company about it. But apparently little action was taken.

The plant also underwent a Walsh-Healey inspection in 1970, with the same results.

On August 30, 1971, the Texas State Department of Health requested a hazard evaluation study by NIOSH and the same request was made on October 7 by OCAW. Dr. Joseph Wagner of NIOSH's Cincinnati office and others inspected the plant in October pursuant to those requests.

They reported finding average concentrations of 75 fibers in mixing operations and a maximum of 189 fibers.

By contrast, the emergency asbestos stand-

ard proposed by the Labor Department calls for a maximum exposure of 5 to 10 fibers.

The NOISH investigators microfilmed the employment records of all 63 employees in the factory and also had access to x-ray data (after some delaying actions by company officials).

They found one mesothelioma death definitely attributed to asbestos exposure and in seven out of 18 workers with ten or more years of employment they found evidence of asbestosis. In making this diagnosis, they used seven criteria, including pulmonary depression, finger clubbing, dyspnea and other factors.

In several other cases of workers with less than 10 years of exposure they found depression of pulmonary function consistent with the early effects of asbestosis.

The data was forwarded to OSHA, as required by law, and a Labor Department inspector arrived in late November to conduct air sampling in the plant.

The citation which resulted from this inspection, signed by Holder, established deadlines for cleaning up the various violations in the next two months, but one unconfirmed report was that the company was considering closing down the plant before then.

(NOTE.—Asbestos is being singled out as a special target by union leaders, who are confident that they have the requisite health data to a degree unmatched by any other toxic substance.)

### RADIO EDITORIAL—WHEN ALL ELSE FAILS

#### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DERWINSKI. Mr. Speaker, the Congress is continuing to fiddle while Rome burns, and the west coast dock strike creates a greater and greater problem for the economy.

A very timely editorial of Tuesday, February 1 by WGN Continental Broadcasting Co. emphasizes this point.

The editorial follows:

#### WHEN ALL ELSE FAILS

Pending before Congress is special legislation to end the west coast dock strike. This is the fifth time in two years Congress has had to enact special legislation to put an end to a labor dispute in one part or another of the transportation industry.

In submitting his proposal to Congress hard on the heels of his State-of-the-Union message, President Nixon outlined the history of the present impasse and listed the damage this labor dispute has done to the economy. He also reminded Congress, as he reminded the law-makers in mid-December, of another piece of proposed legislation still before it.

That legislation, which the President has labeled the "Crippling Strikes Prevention Act," is designed to stop labor disputes from reaching points of impasse, points of crisis so serious to the nation that Congress must pass special bills to halt them.

The necessity for special legislation so often in so short a time should be clear enough indication to Congress that broader legislation is needed. Congress must act now to re-open the docks on the west coast. But this stop-gap approach hardly can be in the interests of labor or management, when one side or the other knows it can sit back and wait for Congress to settle its disputes. And this approach certainly is not in the best interests of the nation.

Congress must get busy on the real issue . . . a process of resolving labor disputes when bargaining fails but before the whole country suffers.

## TRIBUTE TO JOHNNIE DIGRAZIA

## HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. BARING. Mr. Speaker, I am placing in the RECORD a eulogy which was given at the funeral of a constituent of mine, Johnnie DiGrazia. There is seldom in a lifetime a man of his caliber. This man truly stands out as an immigrant who came to this country and fulfilled the great American dream. His recent death deeply saddened me for he was one of the best friends I ever made. The eulogy, given by Snowy Monroe, editor of the Elko Independent, does so portray this man and the life he led that I am introducing it into the CONGRESSIONAL RECORD as an inspiration to all. Johnnie became what I call a great American. He was my friend, and I loved him. All of the people of the great State of Nevada will miss him.

The eulogy follows:

## TRIBUTE TO JOHNNIE DIGRAZIA

We are assembled here today to pay homage to Johnnie DiGrazia, our friend and neighbor and a man who truly stands out as one who has fulfilled the great American dream.

An Italian immigrant, he came to this country as a mere youth and worked his way up from the lowliest of employment to a position of affluence, political prestige and community leadership, his career has proven once again as it has in thousands of other cases that America truly is the land of opportunity—of equality for all.

Outside of his home community of Wells, Johnnie was best known in Nevada for the prominent part he played in democratic politics in the state. Many a successful political candidate on both state and county tickets could credit their victories to the tireless efforts in their behalf on the part of Johnnie DiGrazia. Not only his direct, personal influence with hundreds of voters but his ability to raise sorely needed funds for political campaigns set him apart from the ordinary run of political party workers.

But Johnnie was something more than a worker within the party. He possessed that rare ability to appraise a man's political potential and to throw his support behind men who his judgment told him could be elected and who he knew would also become leaders and serve the people of the county or of the state in a commendable manner.

It was this keen judgment of men which motivated Johnnie and some of his friends to awaken Elko County District Attorney Grant Sawyer at his home late one night early in 1958 and convince the young attorney that he should become a candidate for the office of governor of Nevada. Sawyer's election was proof positive of Johnnie DiGrazia's great political acumen and leadership.

But that was only a single incident in the long political career of this great Nevan. His voice was heard often in the high councils of the Democratic party in Nevada—a voice that spoke for northern Nevada and for Elko County with effectiveness.

Johnnie's claim to a position of prominence in Nevada was not based entirely on his political activities. He was a shrewd businessman who invested money in a number of profitable enterprises in the city of Wells, his greatest desire was to serve his own community—to build it and improve it. Over the years he dedicated much of his time and energy to the improvement of his home town. He served for many years as a city councilman and as the mayor of Wells and

in these offices he gave the city the benefit of his business judgment and desire for progress.

When the chips were down and Wells needed help, Johnnie never hesitated to travel to Carson City or to Washington and without fail his presence in these important capitals resulted in benefits for the people of his community.

Johnnie was also a unifying force—a balance wheel as it were—in the county, working always for cooperation between the various communities within the county with the thought in mind that a unified Elko County could be a much stronger force both politically and economically in the State of Nevada.

Like all fine citizens, Johnnie served his city, his county, the State and the Nation in many ways. He served with the U.S. Army in World War I, joining in the defense of the world against a European tyrant, following his return from the war he became active in the Veterans of Foreign Wars and the American Legion, working through these groups to obtain benefits for those veterans who were not so fortunate to return with good health. He gave further assistance to his fellow man through membership in such organizations as the Elks Lodge and the Wells chamber of commerce, both contributing to a better world in different fields of human assistance.

By his affiliation with the Catholic Church and his support of this great religious organization he not only gained great personal inspiration and guidance but his contributions made it possible for hundreds of others to be served by this faith.

These many activities have all been apparent to those of us who have known and loved John DiGrazia, perhaps less apparent has been his never failing devotion to the members of his family. He and his wife Cora had been married more than 50 years at the time of his death and their loving companionship through half a century has been a highlight of the family history. Johnnie and Cora took great pride in the three fine children born to their union and the devotion of the parents has been many fold returned by the two fine daughters, Margaret and Julia and by the son, John Jr., who has risen high in rank in the United States Army and is now serving his country in Vietnam.

Adding it all up, we get the composite of a man who truly deserved the admiration and respect of his fellow man, who has left us an example of what all of us as citizens of this great democracy should strive to accomplish in our own lives. It was no easier for John DiGrazia to be a great citizen than it would be for many of us. He overcame adversity, he struggled against the heritage of a foreign birth and language, he was motivated by native intelligence and shrewdness unrefined and assisted by education. But he was fascinated by the great opportunity offered the individual in our free society and he adopted America as his country even as our great democracy has adopted millions of other immigrants like him and the goals he was able to dream for himself in this new world he set about to accomplish with a firm resolve and a strong will, necessary ingredients for success in the life of any man.

And so today his career has come to a conclusion. The infirmities of age and the body have brought an end to his life. His birth in Lucca, Italy, June 25, 1894 was a natural event which no doubt brought joy to members of his family. His death on January 12, 1972 was also a natural event but a sorrowful one not only for his family but for his legion of friends. I hope that our reflections here today on the many facets of this great friend's life will help to alleviate some of the sorrow which his passing has occasioned. May the pride which his accomplishments must stir in the minds of his family here today help to erase some of the sense of great loss and suffering they feel in his passing.

DR. JOSEF CERNY

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DERWINSKI. Mr. Speaker, I direct the attention of the House to the fact that Dr. Josef Cerny, a member of the prewar Czechoslovak Parliament, Minister of the Interior of the Czechoslovak Government and political leader in exile here, died on December 7 at Goldwater Memorial Hospital in New York City. He was 86 years old.

Dr. Cerny was born on February 28, 1885, in Nepolisy, Bohemia. He attended Vienna University and received his doctorate in law from Charles University, Prague, in 1911.

It was before the First World War when he was still a student at Vienna University that Dr. Cerny became interested in politics and especially in the activities of the Czech Agrarian Party whose main program was the social advancement of the peasant masses. The Agrarian Party was the leading Czech party at the Vienna Parliament. At that time, Cerny became a member and co-founder of the party's academic youth organization.

In 1918, when the Czechs and Slovaks founded an independent state, the Agrarian Party delegated Dr. Cerny to the Prague Revolutionary Parliament. He served as a member of Parliament during the 20-year existence of prewar democratic Czechoslovakia, which is also called the Masaryk Republic.

In 1934, Dr. Cerny became Minister of the Interior. At that time, the pressure and subversion of Hitler's German Reich against Czechoslovakia had become extremely dangerous in the agitated Sudeten area. Dr. Cerny built an excellent administrative system and police force to assure order through democratic procedures. This administrative system helped to preserve Czechoslovakia as an exemplary democratic country even in her most difficult days.

After the 1938 Munich sellout, Dr. Cerny tried to preserve national unity and stability in dismembered Czechoslovakia.

When the Nazis occupied the truncated country, Dr. Cerny took a strong stand against the occupation, retired from public life and became part of the anti-Nazi underground. With complete disregard of their political affiliations, he gave financial and moral support to the families whose members had either lost employment, were in prisons and concentration camps or had been executed by the Nazis because of patriotic activity. From the very beginning of the war, Dr. Cerny believed in an Allied victory and inculcated his belief in the members of the underground in order to keep their morale high.

When at the end of World War II, the Soviet armies advanced into East Central Europe, the agrarian leaders of these countries who had suffered under the Nazi occupation were again persecuted, this time as notorious anti-Communists. At that time, the Soviet scheme

was supported by some non-Communist politicians who were ignorant of the ultimate aim of the Soviet Union and local Communists.

Dr. Cerny was jailed but the court that tried him refused to condemn him. Even during those days of terror and political confusion there were still brave patriots in responsible positions who opposed the trend. Letters supporting Dr. Cerny were sent to the court by the survivors of Nazi persecution testifying to his patriotism and his courage during the occupation.

In stating its ground for acquittal, the court attested:

Dr. Cerny was an apostle of uncompromising patriotism and of social and political peace; he demonstrated his love for the Czechoslovak Republic in our nation's most difficult days.

After the Communist putsch of 1948, Dr. Cerny left Czechoslovakia with his wife, stayed in Germany and France for awhile and finally settled in the United States—first, in Washington, D.C., and later in New York.

In exile, Dr. Cerny renewed the activities of the Czechoslovak Agrarian Party, became a vice president of the International Peasant Union, a member of the Council for a Free Czechoslovakia and, later, a member of the Committee for a Free Czechoslovakia. He was also a member of the Czechoslovak delegation to the Assembly of Captive European Nations and a member of the Czechoslovak Society of Arts and Sciences in America.

Dr. Josef Cerny was the only surviving member of the prewar government of Masaryk Czechoslovakia living in the free world.

Surviving is his wife, Helena and his kin in Czechoslovakia.

Mr. Speaker, in eulogizing Dr. Cerny, I believe it is proper to make the point that his efforts on behalf of freedom for the people of Czechoslovakia and other peoples oppressed by communism will be remembered, and that freedom and legitimate government will ultimately be restored in Eastern Europe.

THE LATE HONORABLE AIME J.  
FORAND

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 3, 1972

Mr. BLATNIK. Mr. Speaker, I am, of course, deeply distressed at the death of my friend and colleague, Aime Forand, of Rhode Island. However, this sorrow is necessarily tempered by the knowledge that Aime Forand went to his reward after a life full of service to his fellow man. This is a great consolation—knowing that his life was full and rich—full of dedication and accomplishment; rich in wisdom, family, and friends.

Aime Forand was not a large man physically—nor indeed is Rhode Island a large State. However, in neither case is size the measure of greatness. Rhode Island gave us Aime Forand and Aime Forand gave us Medicare, as the culmina-

tion of his personal dedication and concern for the American people.

There is no need for me to list the veritable catalog of Aime Forand's accomplishments, distinctions, and honors. They are as numerous as the number of Americans Aime served in his years of public dedication—dedication that continued beyond his 24 distinguished years in Congress.

Mr. Speaker, Aime Forand's dedication was matched by his scope of intellect, accomplishment, and expertise. He was able to match his deep and current knowledge of tax systems—a somewhat arid though demanding field, with the human compassion and deep feeling that prompted him to be the champion of America's senior citizens long before it became wise to talk about "senior power" or court that special constituency. Aime Forand was the champion of older Americans and today the lives of America's elderly are easier, healthier, and more secure because of the dedication and understanding of Aime Forand.

What I have said here today is, indeed, a tribute to Aime Forand. But Aime Forand now needs no tribute from any of us. His immortality is not dependent on the notice we take of him and his accomplishments. Rather, I hope, most sincerely, that my words will ease somewhat the sense of deep pain and personal emptiness felt by Aime Forand's wife, Gertrude, and by other members of the family. I hope that they will take some small strength and consolation from my own deep appreciation in having known and worked alongside a man who in death has left us all a legacy of how to live.

#### DRUG CULTURE—ALIVE BUT SICK

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. WALDIE. Mr. Speaker, the drug culture has been the subject of many articles and many speeches. However, on few occasions do we seek and understand the view of the young people who are most involved in the problem.

Brian Murphy is a staff writer on a student newspaper. His concern for the problems created by drugs is evident in an article he recently wrote for the Diablo Valley College Enquirer entitled "Drug Culture Alive, but Sick."

I believe there are several important lessons contained in this article. First, the attitudes of the young are conditioned, rightly or wrongly, by the attitudes of their parents toward all the pharmaceutical conveniences advertised on television. Second, the problem of drugs thrives on the boredom of the young, upon their inability to do anything else for entertainment. And finally, the drug culture is a world of exploitation. There is little love and little brotherhood which comes with those chemicals. This is not surprising to anyone who is aware of the fraud, the deceit and the ruthlessness associated with pushing.

The article follows:

#### DRUG CULTURE ALIVE, BUT SICK

(By Brian Murphy)

What's it like trying to grow in a society that takes Excedrin for headaches, Geritol for tired blood, Doan's Pills for those nagging backaches, Alka Selzer for indigestion, Sleep-Eze for insomnia, and Haley's M.O. for occasional irregularity.

Then you are arrested for smoking grass instead of drinking Hamm's beer, for dropping bennies and sniffing cocaine instead of taking No Doz or Vivarin, for dropping reds instead of taking Sleep-Eze or Sominex, and for escaping reality for dropping acid and mescaline instead of drinking too many cocktails.

Parents complain about the terrible drug problem in the community, but nobody wonders why the problem exists.

Let's face it, just what exciting and interesting things are there for young people to do in the community?

Well there are about 18 different movie theatres in the area. Going to the movies every Friday and Saturday night gets to be a drag and expensive. Concord has a teen center, but that's only open till 10 p.m. Pleasant Hill, Lafayette and Walnut Creek have virtually nothing for young people to do on weekends.

Danville has finally started a teen center. You can listen to folk music on Friday and Saturday nights till midnight. You can also play pool and ping pong.

I have discussed things that you can do, and things that some people do. The following is what a large number of people do on Friday and Saturday nights because of non-existent alternatives.

"Parties" have the most variety of things that young people can do. You can go to a "party" and

- Drink beer, wine, or hard liquor.
- Smoke grass, or hash.
- Drink beer, wine, and drop "Reds."
- Drop "Bennies," or sniff cocaine.
- Drop "acid" or mescaline.
- All mentioned above (and it happens).

Parties these days sure seem to have a great deal to offer providing that you're not willing to suffer the consequences, not interested in rational thinking, and not interested in using your imagination. So if none of this appeals to you, there you are sitting at home watching TV.

From all of this you can just see how concerned the community is about it's young people. Apparently parents and the community at large don't care about people under 21. By doing virtually nothing, they are advocating, and promoting the use of alcohol, and drugs. (What else is there to do?)

#### WHAT WOULD HAPPEN IF

What would happen if the community decided that it's really a good thing to promote the use of drugs by their young people because of nothing better to do on weekends? And then decided to find out what young people would like to do. And then decided that those things were better to do than to use drugs.

But all that takes a great deal of time, energy, and money. I'm sure that the community has better things to do, otherwise they would have done something about it a long time ago.

The community and law enforcement agencies are very reluctant to set up drug rehabilitation centers. Could you imagine the opposition to setting up programs that would serve as alternatives to drug abuse?

#### THE RIP OFF

"Wow!!! that was sure good mescaline that guy sold me!" Ignorant to the fact that according to the Sheriff's Vice Squad there is no organic or synthetic mescaline around regardless what the guy that sold it to you said.

The mescaline that you buy from the pusher you trust is really a low grade LSD adulterated with things like sugar, drano, and other unbelievable fillers. Did you know that Organic mescaline takes a long time to grow, and synthetic mescaline is very expensive to make? So it would cost you a fortune to buy organic or synthetic mescaline. So you got ripped off.

"Reds" are still the "in" thing to take, and for financial reasons (PROFIT) "reds" are cut with rat poison, drano, stricknine, and other fillers. So you got ripped off again.

"Bennies" are still really "in" also, to keep you going. "Bennies" are cut with various poisons, drano, rat poison, stricknine, and then fillers like sugar, flower, dextrose, and other fillers. Ripped off again.

Then cocaine will soon be the "in" thing to sniff or shoot and it's only 40 to 63% pure. With fillers like novocaine, silocaine, sugar, or dextrose. It will cost you \$20 to \$80 to stay high for one evening, and it's addictive. You never know what percentage of filler you get, nor do you know what filler you are getting when you buy the drugs mentioned above.

Grass is sometimes cut with oregano, but most of the time you never get an ounce. You get cheated. Isn't it a drag getting ripped off?

They'll sell you anything to make a buck, rat poison, drano, and you'll buy it and drop it because the dealer is your friend? What a friend!

According to the Pleasant Hill Police department, there have been five drug related deaths in the past year in Pleasant Hill, several in Concord, and the drug problem still thrives.

#### OBITUARY: DEATH OF THE INDIVIDUAL

Some people say that marijuana leads to other drugs, but ignorant people are inclined to say anything. This is my theory on how people move on to other drugs. First I have to be so insecure that without my little group of friends, I'd feel lost. ("You trade your freedom for a little security, and never realize what a bad deal you get" Murphy).

I'll start out with drinking beer. You go to parties with your group of friends and drink beer or wine, then someone in the group starts drinking hard liquor. Then the rest of the group starts drinking hard liquor so you have to follow along (because of peer pressure) and you find yourself drinking hard liquor.

Then someone in the group starts smoking grass, and so you won't be left out you start. Then someone starts dropping "Bennies" because when you come down from grass, it will pick you up, so you follow. Then you have been drinking wine, smoking grass, dropping "Bennies" and you want to come down, so someone turns you on to some "reds." So the problem evolves.

Thanks to your friends that you would feel lost without "said your security's your prison, but you weren't listening" (Murphy). So the individual that runs his own life is gone, long live the sheep! The theory makes a little bit of sense.

#### ANTIPOLLUTION FUNDS AND THE PROPOSED 1973 BUDGET

##### HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. SYMINGTON. Mr. Speaker, in reviewing the administration's proposed fiscal year 1973 budget, I noted with regret that antipollution funds comprise only 1 percent of the total budget. The

administration plans to spend \$2.4 billion for natural resources and the environment. This compares with \$85 billion for "national defense," as that term is presently understood. There will be increasingly less to defend if pollution worsens while the Environmental Protection Agency—EPA—remains underfunded to deal with it. Of the \$2.4 billion requested for EPA, \$2 billion, the same amount as requested last year, will be the Federal share for sewage treatment facilities. The administration proposes a decrease of \$15.5 million in the solid waste management program and also a decrease of \$5.4 million in development of new methods of waste water treatment and control.

Does this reflect a sense of urgency?

The National Wildlife Federation's Conservation Report of January 8, 1972 contained an excellent summary of this kind of proposed spending on environmental problems.

It should be clear to anyone that the Government's plans for funding antipollution efforts are inadequate. Again it is up to Congress to play the vital role in assuring that our priorities are changed. In the House of Representatives, I am pleased our Public Health and Environment Subcommittee, under the able leadership of Chairman PAUL ROGERS, plans oversight hearings on air pollution abatement. Such hearings would complement the subcommittee's recent study of auto emissions standards under the Clean Air Act. Moreover, the Public Health and Environment Subcommittee will soon act on a water hygiene bill and participate in the Commerce Committee's work on the noise pollution bill. It is not the national debt that needs hiking but the national awareness of where the money should go. We cannot wait to fund environmental projects defined as essential by science, possible by technology, and ready by the communities affected.

#### ANNIVERSARY OF CEYLON'S INDEPENDENCE

##### HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. FOLEY. Mr. Speaker, February 4 marked the 24th anniversary of Ceylon's independence.

Ceylon's history is unique in many respects but surely among the most impressive of its accomplishments has been its continued adherence to the parliamentary tradition. She has seen governments change five times since 1948, all by means of peaceful democratic elections, and has shown that a parliamentary system of government can establish itself and continue to flourish in Asia. In addition, Ceylon has the distinction of having Mrs. Sirmavo Bandaranaike, one of the world's woman heads of government, as her extremely capable and respected Prime Minister.

Throughout her existence as an independent state Ceylon has devoted a major portion of her economic resources

to economic and social development. She has long realized that an educated and healthy population is the key element of her drive to achieve a program of economic growth which will provide her people employment and prosperity. This program has three major priorities: First, economic transformation without alteration of the country's fundamental democratic principles; second, maintaining current social welfare measures in spite of generally tightened economic circumstances, and providing the necessities of life to the people at reasonable prices; third, achieving a program of economic growth which can absorb the sizable number of unemployed.

In light of Ceylon's continuing self-development efforts, her friends were shocked and saddened when a terrorist insurrection broke out on April 4 and 5, 1971. This insurrection was clearly part of a carefully organized plan to rapidly seize control of the country and impose a system of government that would have been contrary to the democratic and parliamentary tradition that had governed this gentle and peaceful country throughout its independent life. Ceylon's self-development program had, of course, led to a required concentration of resources on economic and social needs. Nevertheless, the unity of her people and the loyalty of her military enabled her to defeat the insurrectionist forces. The aid furnished Ceylon during this hour of need by the United States and other countries helped her to preserve her democracy and has been deeply and gratefully appreciated.

The wise words the Prime Minister spoke during the insurrection are worth recalling at this point:

Democracy could appear to be slow-moving and even a cumbersome process but, it is definitely better than the rule imposed and continued by the shotgun and the hand bomb.

Mr. Speaker, as you know, I have in the past told this House that in my travels to Ceylon I have found her to be a beautiful country, one enjoying good and friendly relations with the United States. Given her recent trials, I feel that it is most appropriate to add that she is a brave country and one with which, I am sure, the United States will continue to enjoy close and mutually beneficial ties.

It is, therefore, with respect and pleasure that I pay tribute to Ceylon on her 24th anniversary of independence.

#### THE WEST FLORIDA WATFORDS

##### HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. SIKES. Mr. Speaker, west Florida, which is rich in history, has a number of outstanding family groups whose antecedents came into the area soon after Florida became a part of the United States. One such family is the Watfords, who have been highly respected for their contributions over a period of many years. As in the case of other well-known

family groups, the Watfords have a family reunion tradition which extends well into the past century. The reunion, held annually, is a custom that signifies the strong family ties that remain meaningful to descendants of the area's pioneer settlers.

Watford family historians are not sure when the first reunion was held, but a yellowed copy of the Chipley Banner, a weekly newspaper, dated June 18, 1898, shows that one was held that year. They quote a family legend that says the custom may date to the post-War Between the States era, soon after Nelson Watford returned from service with the Confederate Army.

Meeting each year on the oak-shaded grounds of Galilee Methodist Church, in western Jackson County, are descendants of the same Nelson Watford, who was born July 20, 1816, in Darlington District, S.C. He came with his parents to Florida in 1828, settling in that part of Jackson County that is near the boundaries of Washington and Holmes Counties.

Nelson Watford married Mary Taylor, and they settled about midway between today's Chipley and Graceville. To them were born 13 children, all but one of whom lived to rear big families of their own.

The lone exception was Ellis, their firstborn, who died in 1862 as a soldier in the War Between the States. His father, also a soldier in that war, continued to fight for nearly 3 more years after his son's death.

Mrs. Watford, during her husband's absence, maintained the home and cared for the children as best she could. Living in what was then a sparsely settled area that, by later standards, could be described as a wilderness, she and the children managed to produce an adequate supply of common farm food. They stored some each summer and fall for winter use.

During the raid of a Union expeditionary force, commanded by Brig. Gen. Alexander Asboth in the fall of 1864, troopers paid an unwelcome visit to the Watford homestead. They ran off the cows, on which the family had been dependent for milk, and confiscated the pork and other food supplies that they found on hand. Unable to haul off the barrels of cane syrup, they removed the bungs and let the golden sweet liquid drain into the dirt.

Mrs. Watford and the children had a difficult time during the winter that followed. It is a tribute to their stamina, character, and resourcefulness that they were able to avoid starvation or death from other hardships.

The late Chester Miller, longtime Marianna, Fla., police chief and reunion chairman for many years, once described the annual family gathering as "a pilgrimage into the past, a sentimental journey home, for a rekindling of faith, to reassess one's spiritual values and to seek renewed inspiration; to renew ties of kinship with those having a common heritage, and to honor and pay tribute to our dead whose graves are nearby. He stated it well.

Names allied with the Watfords, through marriage, at the reunion include

other large and prominent west Florida families, including the Crutchfields, the Sweatts, the Whitakers, the Syfretts, the Balls, the Barefoots, the McCrarys, and the Williamses. The Watfords and their kin are now scattered across the Nation and beyond its borders.

The reunion is also a homecoming each year for many of these who return from distant areas, giving each a chance to refresh old memories, get a renewed sense of belonging and to strengthen the ties of kinship with relatives whose blood-ties are becoming more distant with each passing generation.

Members of the family have sentimental attachments to rural churches, such as Salem, Galilee, and Springhill, in the region they still call home. Several members of the family are ministers. Others have provided leadership in a broad field of activities, including the ministry, education, politics, pharmacy, law, agriculture, commerce and the sciences. One of these, Eules Watford, a Chipley druggist, was mayor of his town for years.

The Watfords of west Florida have climbed a long way and contributed much to progress. Great Grandfather Nelson Watford walked home after fighting a final battle in a disastrous war. They started anew, with only the land they had homesteaded, and they have lifted themselves to positions of leadership and influence along the way. Through exemplary citizenship and strength of character individual members of the family have helped make Florida and the Nation a better place to live.

#### CITIZENS FIGHT "CONCRETE JUNGLE"

### HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. SPRINGER. Mr. Speaker, throughout the United States, we are having problems of pollution.

One of the problems almost as important is the overcrowding complex in very limited areas in metropolitan situations. Washington is going through some of this trauma at this time.

The corner of Western and Wisconsin Avenues NW., is one of the important crossroads at the limits of the District of Columbia. The growth in that important area has simply been fantastic in the last 10 years. Now there is a proposal on the Maryland side to develop a project known as Galleria-Chevy Chase, allowing for the construction of office buildings and apartment buildings.

This has been opposed as a "concrete jungle" of intensive community development on the Maryland side of the northwest corner of Wisconsin and Western Avenues. The effort made by the people in that part of Montgomery County have at least held this matter up until the responsible officials in Montgomery County can determine what the impact will actually be. A few days ago, there was a hearing in the Board Room of the

District of Columbia Zoning Commission to protest plans for a \$35 million development of stores on the Maryland side of Wisconsin and Western Avenues that would include a Neiman-Marcus store. Every prestigious store in the United States wants to be located at this far Northwest corner because, as Edward Marcus, chairman of the board of Neiman-Marcus, said:

It is surrounded by an unusual concentration of high-income families.

At that hearing, Elizabeth Rowe, former chairman of the National Capital Planning Commission, suggested that this would be a \$1 billion complex extending nearly a mile along Wisconsin Avenue.

From those people living in the far northwest area, it has come to me that the resultant monstrous traffic jams, confusion, and noise pollution would simply be enormous. As many of the developers have learned, one stop on the underground Metro will be at the intersection of Western and Wisconsin Avenues. The result will be that the number of parking places will be trebled or quadrupled. The number of high-rise apartment houses in the area at the present time in addition to the projected new apartment developments will bring a serious congestion of people as well as automobiles in the immediate area. Certainly, nothing should be done about anything on either side of Western and Wisconsin Avenues until the planning officials in Montgomery County and the District of Columbia have determined what the overall proposal will do. From my preliminary investigation, it would appear that the major intersection surrounding the Montgomery County site would present an almost intolerable congestion of automobiles.

In order that my colleagues may be more fully informed, I am attaching an article from the Washington Post of Sunday, January 30, and Monday, January 31, as well as an article from the Bethesda-Chevy Chase Tribune, of January 21. I am doing this in an attempt to have my colleagues, and especially those on the District of Columbia Committee, informed as to what is likely to happen unless an overall plan is developed by the District of Columbia and Montgomery County. The economic interests in this matter are so great that there ought to be some hesitation until the public interest in the matter is fully determined. [From the Washington Post, Jan. 30, 1972]

#### GROUPS OF CITIZENS CHARGE PLANNING ABANDONED IN DISTRICT OF COLUMBIA (By Kirk Scharfenberg)

A growing number of citizen groups in Washington, famed as one of the nation's most carefully designed cities, are charging that planning here has been abandoned as city officials seek new developments and more tax revenue.

In the course of opposing rezoning applications sought by developers, these groups have challenged the way in which development decisions are made in the city, the sufficiency of information on which they are based and the long-run impact of those decisions on life in the Nation's Capital.

"The motto of city officials seems to be 'development at any price,'" Washington attorney Peter Hornbostel charged last week. "There is a ready assumption that any new

development is going to increase the tax base of the city and therefore it should be approved," declared Peter S. Craig, another local lawyer.

Both Hornbostel and Craig will represent citizens of Far Northwest in what is looming as the city's next major zoning fight, an effort by a subsidiary of the Humble Oil Co. to win approval for a \$30 million office and retail complex at Western and Wisconsin Avenues.

The development would be the first phase of a projected \$1 billion redevelopment of the Friendship Heights area along Wisconsin Avenue on both sides of the Montgomery County-District of Columbia line.

Criticism of the way in which development decisions are made in Washington is not limited to disgruntled citizens. "It's a seat-of-the-pants operation. The whole thing is backwards," said one member of the city's small staff of land planners.

Citizen opposition to the rezoning requests of developers has intensified as the developers sought permission to erect large complexes in or near well-to-do-neighborhoods.

Such organized citizen action has been commonplace in the burgeoning suburbs for more than a decade. As in the suburbs, the city groups generally have argued that major developments would alter the character of their residential neighborhoods and cause intolerable automobile congestion.

Drawing the strongest attacks in Washington are plans to build an office building near residential areas of Capitol Hill and plans for several complexes along upper Wisconsin Avenue.

"I just shudder to think what's going to happen to Wisconsin Avenue," Hornbostel said. "They're just going to drive the city's remaining family people out."

Similar views have been expressed in staff memorandums on the proposed \$1 billion Friendship Heights complex circulated in the city's office of planning and management.

"Development at Friendship could have several effects on (that area's) population. The planning staff is concerned that such an effect not upset the balance of this stable community."

Despite such concerns, the zoning commission has given preliminary approval to the Humble Oil development, the first section of the project, and is scheduled to hold final hearings on Wednesday. The commission could reverse or modify its preliminary approval.

Gilbert Hahn, Jr., chairman of the D.C. City Council and vice chairman of the zoning commission said last week he was unaware that planning staffers in both Montgomery County and the District have generally agreed that the proposed Friendship Heights development should be scaled down by about one-third.

The harshest attack thus far on zoning commission policies has been made in a suit filed with the D.C. Court of Appeals here challenging the commission's decision last year to permit an office building to be constructed at Pennsylvania and Potomac Avenues SE.

Filed by the Capitol Hill Restoration Society, the suit maintains construction of the building "is wholly at odds with the present and desired future development plans and policies of the District of Columbia. Moreover, rather than enhancing the neighborhood, it would radically alter and destroy it."

In a friend-of-the-court brief filed in the same case, the Committee of 100 on the Federal City charges, "This case exhibits all the characteristics that have made the administration of the zoning law a minor element in the death of American cities."

The Committee's brief also argues that the zoning commission should not be allowed to consider arguments on the effect of a proposed development on the city's tax base when considering a zoning decision. Such

arguments are made in almost all major cases.

Zoning laws by their very nature limit the type of development on a piece of land, the Committee argues, and therefore limit the tax revenue that can be derived from it. The issue, the Committee contends, should be solely whether a proposed project is consistent with the city's development plans.

The brief states: "An applicant for a zoning change should no more be heard to make that argument (that a particular development will produce more tax revenue) than a defendant indicted on burglary should be heard to argue that his spoils, if kept, would improve the standard of living of his deserving family."

Hahn, who is the most outspoken member of the zoning commission on that body's role, disputes this interpretation. He said the commission considers itself a "policy-making body" free to consider economic arguments, personal appeals and any other information relevant to the "city's well-being."

As to the need to follow approved city development plans, Hahn said, "A plan is just that, only a plan."

In any event, Hahn said that between the National Capital Planning Commission, a federal agency, the work of the nine planners within the city government and the advice of other city officials, the commission receives sufficient planning information to make its decisions.

That view was concurred in by two other members of the five-man zoning commission interviewed, City Council Vice Chairman Sterling Tucker and Capitol Architect George White.

Tucker acknowledged flatly: "We have no comprehensive planning."

Most city officials believe that the NCP Commission gives detailed consideration primarily to the area in and around the Federal Triangle.

John Ingram, head of the city's office of planning and management, said last week that while his office has the capacity to review development plans submitted by others, it is too understaffed to initiate plans on its own.

Repeated efforts by the city to get Congressional approval for a fully staffed planning office have been rebuffed.

Ingram frankly acknowledged that his office does not have the capability to develop a plan that could serve as an alternate to that developed by the backers of the proposed \$1 billion complex at Friendship Heights.

The NCP Commission has said it will develop a plan for the Friendship Heights area in concert with District government planners and Montgomery County. The NCP Commission was pushing, until recently, a plan almost identical to that developed by the private interests there.

"It's scandalous," declared Hornbostel. "They didn't even make any independent evaluation."

According to a memorandum prepared by the Montgomery County highway department, the private plan would lead to intolerable congestion during rush hours at six of nine major intersections.

In addition, estimates prepared in Ingram's office indicate widening of Wisconsin Avenue that might eventually be required could cost \$28 million.

Much of the Restoration Society's argument in the Capitol Hill case rests on a challenge to the procedures employed by the zoning commission.

A suit on similar grounds may result from the commission's decision earlier this month to approve a massive development of apartments and offices at McLean Gardens on Wisconsin Avenue, a mile south of Friendship Heights. The lawyers' committee of the Citizens for City Living, a Cleveland Park group that opposed the McLean Gardens project, has recommended a suit to block the project. A final decision is expected this week.

The procedural arguments that were made

by the Restoration Society, and which McLean Gardens opponents may adopt, challenge the zoning commission's view that it is a legislative body not required to swear in witnesses, not required to permit cross-examination, not bound to base its decisions on testimony at public hearings and not required to issue formal opinions on why it reaches a particular decision.

In addition, all commission meetings at which decisions are reached are held behind closed doors.

Hahn and other commission members have said they believe commission meetings should be open and while the issue apparently has been discussed privately, the commission has made no announcement that future deliberation will be public.

The commission flatly rejects the view of the Restoration Society that its hearings and orders should be more formal.

In the view of the Restoration Society, expressed in its court brief, "The commission continues to operate in a vacuum of absolutism impervious to . . . the fundamental principles of due process. Despite its obvious disinclination, this old dog quickly must be taught to perform some new tricks."

[From the Washington Post, Jan. 31, 1972]  
THIRTY-FIVE-MILLION-DOLLAR SHOPS COMPLEX  
IN FAR NORTHWEST PROTESTED

(By Kirk Scharfenberg)

More than 200 persons crowded into a hearing before the D.C. zoning commission yesterday to protest plans for a \$35 million development of stores and offices at Western and Wisconsin Avenues NW that would include Neiman-Marcus, the prestigious Texas-based department store.

Edward Marcus, chairman of the board of Neiman-Marcus, made clear why he wanted to locate in the area: "It is surrounded by an unusual concentration of high-income families."

However, the residents who traveled through the early morning snow from Far Northwest to attend the 7-hour hearing indicated they don't want the store if it is to be part of a long-range \$1 billion redevelopment of Friendship Heights planned by a group of land owners in the area.

Elizabeth Rowe, former chairman of the National Capital Planning Commission said the proposed \$1 billion complex, which would extend nearly a mile along Wisconsin Avenue, would "drain vitality and (office) tenants from downtown" and inflict upon Far Northwest traffic jams, noise and air pollution.

"It will reverse the flow of plasma to the city's heart," declared John Daponte, a resident of the area, "and afflict upon its appendages a severe case of gout."

Norman M. Glasgow, the Washington zoning lawyer who has coordinated development of the \$1 billion package, maintained that the development that would include Neiman-Marcus could be considered separately from the larger plans.

The smaller project would occupy a triangular parcel of land bounded by Western and Wisconsin Avenues and Jenifer Street. It would contain four levels of underground parking and a four-level shopping mall topped by a seven-story office structure.

The complex would be directly connected to the Metro station planned for the intersection of Western and Wisconsin Avenues. Glasgow urged the commission to act promptly on the plans, noting that the developers of the project must make financial arrangements with Metro for the subway link by May 1.

However, Peter Hornbostel, a lawyer who represented opponents of the project, urged the commission to delay any approval until planning commissions in Montgomery County and Washington develop an over-all plan for the Friendship Heights area.

Hornbostel said planning staffs in both

jurisdictions are working on such a plan and already have determined that the over-all proposal prepared by Glasgow's clients should be reduced in size by at least 30 per cent.

He introduced staff reports prepared in Montgomery County that found six major street intersections in the area would suffer "intolerable congestion" under the \$1 billion plan.

The \$35 million project under consideration yesterday received preliminary approval from the zoning commission in September, but the commission could reverse or modify its previous decision.

Joseph B. Simon, president of a Humble Oil Co. subsidiary that is developing the complex, said that a contractor already has been hired and \$2.5 million in leases signed.

Marcus said that if the project wins speedy approval, his store would open in the fall of 1973.

[From the Bethesda-Chevy Chase Tribune, Jan. 21, 1972]

VILLAGE FIGHTS DEVELOPMENT—CITIZEN REVOLT AIMED AT CONCRETE JUNGLE SEEN FOR CHEVY CHASE

(By Dean Hill)

Over two hundred residents of the Village of Chevy Chase crowded into Village Hall Monday night and quietly and efficiently gave birth to a brand new citizens association dedicated to the premise that all future development of the Chevy Chase, Friendship Heights area must be watched with a hawk-eye.

Politely but persistently they insisted that the new association was in no conflict with the Board of Managers which currently handles the Village affairs.

The development that whipped this association into being is a project known as Galleria-Chevy Chase which is planned for some eighteen plus acres on the west side of Wisconsin Avenue, south of Dorset Avenue in Bethesda. This is better known to many as the Bergdoll tract; it has long been the center of a zoning controversy. At present it is zoned R-H which would permit high rise apartment buildings; R-O-CBD zoning is requested which would allow office buildings, a department store, various shops, and a theatre as well as apartment buildings. The technical staff of the Planning Board has recommended that this change be denied.

The Galleria-Chevy Chase complex proposal includes four office buildings, two high rise apartment houses, a theatre, department store, and upper and lower shopping malls among other features. The developer is Community Somerset Associates.

Anxious to win the approval of both the Town of Somerset and the Village of Chevy Chase which are immediate neighbors to the project, Community Somerset back in 1969 and 1970 worked out agreements with both Somerset and Chevy Chase Village, subsequently signed by the Mayor and Town Council of Somerset and by the Managers of the Village, and, still legally binding.

Briefly, the meat of the agreements is this: for certain considerations—such as lower building heights, more set back from the street, proper and limited access roads both into and out of the Galleria—the Village of Chevy Chase agreed not to oppose the development.

Somerset gave more—but, they got more. In return for a parcel of land which the Town made into a Town Park, Somerset agreed to actively support the development of the Galleria. One other stipulation made by Somerset and agreed to by the developer was that there be no entry or exit from the project onto adjacent Dorset Avenue.

Somerset executed its agreement in 1969; the Village followed in 1970.

Members of newly formed Citizens Association of the Village of Chevy Chase admit they are late getting into the act; however,

a study of Galleria-Chevy Chase, along with other proposed development in the general area of Friendship Heights, plus an analysis of the widely touted Koubek Plan which outlines the redevelopment at Wisconsin and Western Avenues, has convinced the group that unless they act soon they'll be bang-smack in the middle of a jungle of concrete and commercialism.

Mrs. John Davis of the Village outlined the possible future of the areas with a presentation of facts, figures and slides; the picture she presented proved that if the Koubek Plan goes through, and if other developments are realized, the Friendship Heights area would end up being the "equivalent of four Crystal Cities or two Rosslyn's."

Attacking the general thesis that would make the Friendship Heights area an uptown city unto itself, Mrs. Davis pointed out that there was sloppy thinking concerning the regional market; that too much emphasis had been placed on the coming Metro station which is due in 1976; and that it would "radically alter the neighborhood relationship with the neighboring communities." This, she pointed out, would very likely mean the deterioration of the communities.

Emphasizing that the area will be the scene of almost constant re-zoning in coming years, she said a one billion dollar development is eventually slated for the section.

Among upcoming events which would determine the future of the area is a zoning hearing scheduled for January 26 on the so-called Humble Tract, which is on the D.C. side of the District line and which is slated to be the site of a new Neiman-Marcus store.

She pointed out that Neiman-Marcus will occupy only three stories—but, will be in a thirteen story office building.

GEICO, which is on the Maryland side of the line, has a hearing upcoming on February 3 in Rockville. The issue at stake here is GEICO's application to cut trees for a 584 car parking lot. This, it was said at the meeting, was seen by residents of the Brookdale district as a prelude to additional high-rise development proposals.

Mrs. Davis also mentioned the present Chevy Chase Center—a semi-circular shopping center with ample parking at the corner of Western and Wisconsin Avenues on the Maryland side, on land owned by the Chevy Chase Land Company.

She said an interview with Hunter Davidson of the Land Company had confirmed the fact that the Company would seek to redevelop the site. Reportedly, vice president Davidson said the Land Company "fairly soon" would redevelop the parcel to one million square feet of office space, plus retail space. "This would mean razing the existing Chevy Chase Shopping Center.

Admitting the total prospect was "overwhelming," the group said they refused to be overwhelmed. The point was made that the battle lines were beginning to form and the time for constant alertness and planned action was now.

It was reported at the meeting that the decision on the Galleria case had been postponed (at the developers request) until June; however, Dr. William Mohler, who conducted the meeting, warned those present not to take this as any sort of victory. Instead, he suggested that now was the time to go back to the drawing boards, back to the planning sessions, and come up with a compromise.

Mohler alerted the residents that "this is the first in a long series of fights." He predicted a "10 or 15 year battle or period of activity."

Residents of the Village of Chevy Chase indicated overwhelmingly that the fight was worth it. "There's no longer any place to go," was the thought expressed by many who had viewed in horror the slides picturing walls of concrete lining an eight-laned Wisconsin Avenue.

Already aware of the mounting problems

concerning the redevelopment of the Friendship Heights area, the Montgomery County Planning Board announced this week the formation of a Friendship Heights Advisory Committee. Their function will be to work closely with the Planning Board in preparation of a detailed plan for the area. Various communities and citizens groups will be represented on that committee. Mr. Seymour Auerback of the Village of Chevy Chase was named as was Mayor Jerald Goldberg of the Town of Somerset. Various persons of the newly formed Chevy Chase Village Citizens Association expressed the hope that someone from their group will also be invited to sit with the group.

Among several reasons given by the technical staff for recommending denial of the zoning change for the Galleria-Chevy Chase project, was the traffic problems it would generate.

The recommended denial also cited there was inadequate open space. Another point made was that "although Friendship Heights may currently be a prime location in the metropolitan area, the economic data submitted does not factually justify 1.3 million square feet of office space at this particular location within the given time frame of development." The tract in question is located on the outside perimeter of what is termed the Friendship Heights area.

Stokes Tolbert was named temporary chairman of the newly formed Citizens Association; Wyle Barrow was appointed temporary treasurer. Their task will be to organize the association and guide it through the next formative weeks. Already a petition is being circulated by the group requesting that "no further piecemeal zoning" be permitted in the area, instead, the petition asks for a coordinated planning approach and close cooperation with the citizens.

The next meeting of the group is scheduled for Monday, January 31. Note: Meeting changed to Thursday, Feb. 3, at 7:45 pm at Village Hall. The place will be announced and all residents of the Village as well as interested citizens are invited to attend.

UKRAINIAN INDEPENDENCE DAY

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mrs. HICKS of Massachusetts. Mr. Speaker, on January 22, 1972, I had the honor and privilege by invitation of my good American friends of Ukrainian descent to participate in the flag-raising ceremony commemorating the 54th anniversary of the proclamation of the Ukrainian National Republic. The Ukraine is presently the largest captive non-Russian nation both in the U.S.S.R. and Eastern Europe. The ceremony which took place at City Hall Plaza, Boston, Mass. was most impressive and served as a reminder to all the participants that truly no man is free while another is enslaved.

I take this opportunity to insert in the Record the following material which reflects this year's observance of Ukraine's independence in Boston: Mayor Kevin H. White's declaration of January 22, 1972, as "Ukrainian Independence Day" in Boston; the resolutions adopted by Americans of Ukrainian descent in Boston on January 23, 1972, in connection with the arrests of Ukrainian intellectuals in captive Ukraine; and a letter

written by Orest Szczudluk, director of public relations, Boston Chapter of the Ukrainian Congress Committee of America, which appeared in the Boston Herald Traveler on January 25, 1972:

**DECLARATION**

Whereas: January 22, 1972, marks the 54th anniversary of the proclamation of a free Ukrainian National Republic; and

Whereas: the 54th anniversary of Ukraine's independence serves to dramatize the legitimate right and aspiration of the Ukrainian people for freedom and independence; and

Whereas: Americans of Ukrainian descent in Greater Boston, under the auspices of the Ukrainian Congress Committee of America, desire to protest the latest wave of Communist terror and genocide against Ukrainian national and religious and cultural heritage; and

Whereas: Americans of Ukrainian descent desire to direct the attention of the American people to the continuous violation, by Moscow, of human rights in captive Ukraine; and

Whereas: Americans of Ukrainian descent demand the release of all Ukrainian political prisoners from Communist concentration camps; and

Now, therefore, I, Kevin H. White, Mayor of the City of Boston, desiring to provide the opportunity for Americans of Ukrainian descent to adequately commemorate the significance of the memorable day, do hereby declare Saturday, January 22, 1972 to be Ukrainian Independence Day in the City of Boston, and direct that the Ukrainian National Flag be raised at the City Hall on Friday, January 21, 1972, as a symbol of Ukrainian freedom and independence.

**RESOLUTION**

We, Americans of Ukrainian descent, assembled on January 23, 1972, in Boston, Massachusetts, for the purpose of commemorating the 54th anniversary of the Proclamation of free and independent Ukrainian National Republic on January 22, 1918, unanimously approved the following resolutions:

1. We declare that Moscow continues to violate human rights in Ukraine, by denying the Ukrainian people freedom of expression, assembly and religion.

2. We consider the latest imprisonments of Ukrainians, especially Ukrainian intellectuals who have spoken out against Moscow's oppressions in Ukraine, as further evidence of Moscow's genocide toward the Ukrainian people.

3. We appeal to President Richard M. Nixon to intercede, in the name of freedom and justice, before the Soviet Government, on behalf of imprisoned Ukrainian intellectuals.

4. We appeal to Massachusetts Senators and Congressmen to introduce resolutions to Congress, which would instruct our delegation to the U.N. to place the national, human and religious oppressions in Ukraine and all other captive countries before the U.N. Commission on Human Rights for investigation.

5. We appeal to the U. N. Commission on Human Rights to investigate, according to the U.N. Universal Declaration of Human Rights, Communist oppressions in Ukraine and to demand the immediate release of Ukrainian political prisoners. We especially appeal for the release of: Valentyn Moroz, Ivan Dzyuba, Vyacheslav Chornovil, Ivan Kandyba, Ivan Svitiychnyi, Evhen Sverstiuk, Halyna Didyk, Odarka Husak, Lev Lukyanenko, Dr. Volodymyr Horbovyi, Archbishop of the Ukrainian Catholic Church, Vasyl Velychkovskiy.

6. We authorize the Executive Committee of the Boston Chapter of the Ukrainian Congress Committee of America, Inc., to bring our resolutions to the proper authorities.

**THE HERALD TRAVELER'S READERS WRITE:  
A FITTING TIME TO HELP UKRAINIANS**

To the Herald Traveler Editor:

Fifty-four years ago on Jan. 22, 1918, the Ukrainian people proclaimed an independent Ukrainian National Republic in Kiev, capital of Ukraine. Many countries, including the U. S., either recognized or were in process of recognizing the Ukrainian National Republic as the sovereign state of the Ukrainian people.

In 1941, Ukraine fell victim of Russian Communist aggression. However, the Ukrainian people continue their struggle for freedom and independence.

Hundreds of Ukrainian intellectuals who have spoken out against Moscow's oppression have been arrested and tried in Communist courts for demanding freedom for the Ukrainian people and for demanding the application of the provisions of the UN Universal Declaration of Human Rights in Ukraine.

The anniversary of Ukraine's independence serves to dramatize the need for our government to instruct our delegation to the UN to present the national, human and religious persecution in Ukraine and other captive countries before the UN Commission on Human Rights for investigation and demand an immediate release of all political prisoners from Moscow's concentration camps.

OREST SZCZUDLUK.

BOSTON.

**FARMERS VICTIMIZED BY STRIKE**

**HON. ANCHER NELSEN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. NELSEN. Mr. Speaker, tragically, the more than 100-day-old strike on the west coast continues with no settlement in sight. As President Nixon has noted, this strike "continues to impose a cruel and intolerable burden upon the American people." The overwhelming majority of the farmers of the Second Congressional District which I represent fully share the President's view.

The Department of Agriculture estimates the Nation's farmers have lost hundreds of millions of dollars during the dock strikes which began last summer. The tieup cut 10 cents per bushel from the price of corn and perhaps as much as 25 cents per bushel from soybean prices, both of which are primary commodities in my district.

Renewal of the west coast dock strike on January 17 makes it mandatory to act now on the proposal that would lead to the concrete settlement of these costly and disruptive strikes.

It has been my strong belief that every possible effort should be made to settle all disputes between labor and management through collective bargaining. When this process fails, however, jeopardizing the Nation as a whole, there should be permanent legislation available which could be relied upon to protect the public.

The shameful failure of Congress to act up to now threatens the jobs of millions of farmers and workers. We are risking the permanent loss of oversea

markets because of our failure to provide a steady, reliable source of supply.

Mr. Speaker, I insert at this point in the RECORD copies of telegrams and letters expressing the feelings of a representative sampling of those who are so adversely affected by the dock strike:

LANDOLAKES FELCO,  
January 26, 1972.

HON. ANCHER NELSEN,  
Representative from Minnesota,  
House of Representatives,  
Washington, D.C.

DEAR MR. NELSEN: In a few short days the effectiveness of the Taft-Hartley injunction on the Gulf Port strike will expire. Prior to the injunction, United States grain farmers lost millions of dollars in overseas trade.

This 1971 farm income loss actually understates the setback to the United States economy. The stoppage of flow of agricultural products overseas marks us as unreliable suppliers. In effect, we force our foreign customers to develop other, more dependable sources from other nations. At any time this is intolerable, but it is especially true now with our trade deficit.

As an upper-midwest cooperative serving over 300,000 farm families, we urge you to take legislative action to prohibit the recurrence of the dock strikes and thus preserve the foreign markets for United States agricultural products.

Very sincerely yours,  
RALPH HOFSTAD,  
Manager, Agricultural Service Divisions.

WASECA, MINN.,  
January 29, 1972.

Congressman ANCHER NELSEN,  
House Office Building,  
Washington, D.C.

DEAR SIR: I am one of the many American farmers taking a terrific financial beating because of the coastal dock strike. This situation simply cannot continue without disastrous results. I figure that having to sell already 7000 bushels of corn and 900 bushels of soybeans has cost me an unnecessary \$1000.00 because of this situation.

So I'm asking in behalf of myself and my neighbors to please do what you can in Congress to put an end to this devastating situation.

Thank you.  
Sincerely,

VERNON WELKENING.

KUITERS FARM,  
Clarks Grove, Minn., January 31, 1972.  
Representative ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.

DEAR SIR: The effect of the recent dock strike has been estimated at a loss of 10-15 cents per bushel on corn and 25-30 cents on soybeans. For my father and I, who farm together, this means a loss of \$3,500-\$4,200 on our 1971 crop of soybeans and a loss of \$7,000-\$11,000 on our 1971 crop of corn. The difficulty in regaining foreign markets will also cause a loss in future years. This \$10,000-\$15,000 loss on our 1971 crop forces us to curtail considerably our purchases of machinery, fertilizer, and chemicals as well as some of the needed and desired additions for family living.

Since every American grain farmer is experiencing losses as we are, I would like to encourage you to help get this present dock strike settled and to aid in passing legislation to prevent a repeat of this disastrous strike. It would seem that House bill 3596 merits your support. Thank you.

Sincerely,

KEITH S. KUITERS.

SAUK CENTRE, MINN.,  
February 3, 1972.

Representative ANCHER NELSEN,  
House Office Building,  
Washington, D.C.:

If we are to prevent recurrence of the chaos created by the 100 day strike of last summer, during which the economy suffered a \$2 billion dollar loss in export trade, it is most urgent that you take positive action on SJR187 to force compulsory arbitration of the Pacific coast dock strike. This strike is severely crippling our total economy and action is needed now.

W. D. EGELAND.

MINNETONKA, MINN.,  
February 3, 1972.

Representative ANCHER NELSEN,  
House Office Building,  
Washington, D.C.:

If we are to prevent a recurrence of the chaos created by the 100 day strike of last summer during which the economy suffered a \$2 billion dollar loss in export trade it is most urgent that you take positive action on HJR 1025 to force compulsory arbitration of the Pacific coast dock strike. This strike is severely crippling our total economy and action is needed now.

R. P. HYAMS.

ALBERT LEA, MINN.

Congressman ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.:

It is imperative that Congress take immediate and positive action to permanently solve the west coast dock strike. The economic impact on Midwest farmers approaches a billion dollars and the west coast loss of jobs and income in an already depressed area merits your attention now.

LEONARD JOHNSON.

ST. PAUL, MINN.,  
February 3, 1972.

Representative ANCHER NELSEN,  
House Office Building,  
Washington, D.C.:

If we are to prevent a recurrence of the chaos created by the 100 day strike of last summer during which the economy suffered a \$2 billion dollar loss in export trade it is most urgent that you take positive action on HJR 1025 to force compulsory arbitration of the Pacific coast dock strike. This strike is severely crippling our total economy and action is needed now.

G. G. EITEL,  
Specialty Products Manager, Weyer-  
haeuser Co.

ST. PAUL, MINN.,  
February 4, 1972.

HON. ANCHER NELSEN,  
U.S. House of Representatives,  
Washington, D.C.:

The St. Paul area Chamber of Commerce urges congressional action without delay to effect immediate settlement of dock strikes. Continued tie-up of port facilities causing irreparable harm to area business, Minnesota industry and agriculture and entire US export economy. Prompt legislative action, is imperative.

ROBERT C. CHINN,  
President, St. Paul Area Chamber of  
Commerce.

WHITE BEAR LAKE, MINN.,  
February 4, 1972.

Representative ANCHER NELSEN,  
House Office Building,  
Washington, D.C.:

It is urgent that you take positive action on S.J. Res. 187 forcing arbitration of the west coast dock strike. The crippling 100 day strike last year and present strike adds to the Nation's unemployment problems. A balance of

trade can't be accomplished unless we get the longshoremen back to work.

R. L. KIEWEL.

ALBERT LEA, MINN.,  
February 2, 1972.

Congressman ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.:

It is imperative that Congress take immediate and positive action to permanently solve the west coast dock strike. The economic impact on Midwest farmers approaches a billion dollars and the west coast loss of jobs and income in an already depressed area merits your attention now.

ROGER OLSON.

ALBERT LEA, MINN.

Congressman ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.:

It is imperative that Congress take immediate and positive action to permanently solve the west coast dock strike. The economic impact on Midwest farmers approaches a billion dollars and the west coast loss of jobs and income in an already depressed area merits your attention now.

H. G. MORTON.

ALBERT LEA, MINN.,  
February 2, 1972.

Congressman ANCHER NELSEN,  
House of Representatives,  
Washington, D.C.:

It is imperative that Congress take immediate and positive action to permanently solve the west coast dock strike. The economic impact on Midwest farmers approaches a billion dollars and the west coast loss of jobs and income in an already depressed area merits your attention now.

DAVID FURNESS.

EDVERA FARM,  
Oakland, Minn., January 22, 1972.

Representative ANCHER NELSEN,  
Washington, D.C.

I thank you for the quick reply to my letter. I appreciate it.

I think it is extremely important to bear in mind what it is that caused the severe drop in corn prices. There are of course the fact that the Dept. of Agriculture took into consideration the blight scare and encouraged enough extra production to take care of it. The other was the favorable weather last spring that encouraged farmers to keep on planting corn when they should have been switching to beans. However the real cause of distress is the dock strike and despite the fact that it has caused at least 25¢ a bushel loss in the price of soybeans and about 10¢ in the price of corn, nothing has been done.

The soybean association of which I am a member had markets for beans that would have assured us of a very favorable price. This would have made up for the drop in corn prices, for the most part. Just because the new farm program has not had an opportunity to function does not give excuse enough to neutralize it. If the proposed bill 1163 is adopted we will be right back where we were 30 years ago, with the left wing clamoring for controls.

The most critical legislation for today is to make arbitration compulsory in the transportation industry. If legislation is not passed now what will the situation be when all transportation unions tie together?

It boils down to this. Farmers have suffered severe losses this year because we do not have permanent legislation to settle transportation disputes. I have talked to a number of farmers who do not belong to any general farm organization and I have yet to hear of one that believes that the H.R. 1163 will improve farm income, except temporarily. I know that it is designed to garner

votes but I doubt that it will do that. On the other hand it will put the farmer back in the pocket of regimentation with acreage allotments. While the only real incentive to favorable prices is acreage set asides. Had the dock strikes not been in effect we would have ended the year with fairly reasonable incomes. Something must be done and soon.

I thank you again for your prompt attention.

EDWIN B. PETERSEN.

## FUTURE OF THOUSAND SPRINGS, IDAHO, IN QUESTION

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. McCLURE. Mr. Speaker, 2 million years ago a catastrophic flood—the third largest in the recorded history of the world—ripped across the face of central Idaho and permanently marked the land. It surged down the 200-mile canyon of the Snake River and ground the sides of the gorge under a 300-foot wall of water. The marks of this Pleistocene disaster are still there and among them, the remains of the emerging early man.

The people and government of Idaho are now agonizing over the future of this geological storehouse. Within a complex system of rivers and canyons, the management of natural springs, fossil beds, wildlife preserves, and the strewn rubble of the great flood beg for preservation. At the same time, progress and development has come to the area, and the rights of these interests must be safeguarded, too.

To Idahoans, the area is known as the Hagerman Valley, or Thousand Springs. The springs themselves are only a small part of the collection of unique phenomenon in the region. They are the massive outlet of several water sources, including the fabled Lost River that sinks into the Craters of the Moon National Monument many miles away. It reappears along the high cliffs overlooking the Snake River and tumbles down in thousands of frothy, miniature falls. In recent years, many of these falls have been harnessed to produce electrical power for the area.

Only one major area has not been altered by progress or development. This is Box Canyon, the site of the world's 11th largest spring. Every 3 minutes, the spring pours out a million gallons of crystal pure water to nourish the polluted Snake River. Like a world in itself, the canyon harbors a complicated and finely balanced population of wildlife. More than any section of the Hagerman Valley, the geology of Box Canyon tells us the story of what happened during the great flood. The Boy Scouts of America maintain a year-round camp at nearby Banbury Springs in order to study this unique life system.

Forming a triangle on the Snake River with Box Canyon are the Sand Dunes fed by Blue Heart Spring. Sands from beneath the crusty acres of lava that comprise the Craters of the Moon 125

miles away bubble up in the crystal waters of that turquoise spring. Sand is suspended above the bottom of this estuary by the constant percolating of the spring, creating an ever-changing pattern. Eventually the pull of the Snake's current washes these sands across the river and throws them up onto the shore in great, shifting dunes. While the dunes are easily recognizable to the casual traveler, the spring itself is carefully hidden in a deep, small valley between rocky cliffs and can be reached only by small boat or canoe.

Further upstream, Federal islands on the Snake house a unique bird sanctuary. And along the shore, mud-dabbers have covered the overhanging cliffs with nests that could only have been inspired by the ancient ancestors of the Hopi Indians. Their only neighbors are precarious nesting owls. A bit of colorful history of the Old West exists side-by-side with this wildlife. Here, an old hotel still stands where it served the stage coaches of the Old Oregon Trail. Its ferry, still in use, carried the early travelers to the opposite shore to continue their journey.

The inner canyon of Sand Springs adjoins the northern islands of the sanctuary. In this amazing place, water literally "flows" upsidedown. The phenomenon is the result of strong canyon winds which whip the waterfall back into the air. Freezing winter winds create a fairyland display of ice.

Plans are already underway to create a State park in Malad Gorge. Here, the shortest river flows through the deepest canyon in the world. Early French trappers spent their winters trapping the Gorge's beaver and living off its variety of fish and wild game. An inadvisable craving for beaver tail, though, led to their illness, and hence the French term for sickness—"malad"—became synonymous with the region.

More must be said about the attractions which make Box Canyon and its neighbors one of the "geological wonders of the world"—the words of a former U.S. Geological Survey official.

From 1928-31, the Smithsonian Institution worked to remove some 30 zebra-like horses about the size of a dog which appear in the primary fossil bed of the region. Their efforts unearthed over 350 other varieties of fossils, and since that time geologists and archeologists have flocked to the springs to chart a history which extends back millions of years. The work is far from done, and the full interpretation of this work will be years in the making. For this reason alone, it is important that the primary features of the area be given protection.

Few disagree that something must be done in recognition of the unique phenomenon that occurs in the valley network along the Snake. But the legal and economic considerations are nearly insurmountable at this time. Involved are some thorny and complex questions involving water rights—both of private individuals and the State. It is important to note that the Idaho constitution does not give priority to designation of water for recreational use and may prohibit it. This problem alone frustrates efforts to adopt any of the many suggestions for national monuments, State parks, and so

forth, that have come forward. Attempts to amend the constitution on this point in the past have failed.

It is clear, then, that any decision which the people of Idaho might reach on the future of the springs will involve some complex negotiations. But it is my hope that we might achieve a balanced program—one which recognizes the legitimate interests of all and still serves to preserve the appropriate natural features.

At this time, I am contacting the various agencies of the Federal Government to determine what the role of this Congress might be in assisting in those decisions.

I am particularly calling upon the National Park Service to develop a proposal which encompasses the needed measures within the framework of legitimate private interests. I know from conversations over the last 4 years that they have a very great interest in the area and I am sure we can come up with some solutions in the very near future.

**BILL WOULD RELIEVE ELDERLY AMERICANS**

**HON. WILLIAM D. HATHAWAY**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. HATHAWAY. Mr. Speaker, today I am introducing a bill to provide financial relief to older Americans by eliminating the \$5.80 monthly fee now charged to persons enrolled in part B of medicare. The present system of financing the supplementary medical insurance program through premium payments based on cost imposes an increasingly severe financial burden on our elderly citizens which they can ill afford.

Statistics compiled by the Bureau of Census provide a vivid index of the economic crisis facing older Americans. Of the 20 million elderly in our Nation today, one out of every four lives in poverty. Another 25 percent live close to the poverty level. For nearly all the rest, the "golden years" are a time of belt tightening and self-denial in a constant struggle—after a lifetime of work—to make ends meet. The inflated food prices and rents, increased property and sales taxes, plus rising medical costs that afflict us all, present a compounded difficulty for millions of older persons living on fixed incomes.

The problem is particularly acute with regard to health care costs. While these costs are rising for all Americans, the older American has only about half the income of those under age 65, but—even with medicare—he pays more than twice as much for health services. He is doubly likely to have one or more chronic diseases than young people, and much of the care he needs is the most expensive kind. And, as costs have gone up, the deductibles and copayments required under both parts A and B have accelerated considerably, while covered services have been reduced to the point where the Social Security Administration estimates that medicare now covers only 43 percent of the medical expenses of the elderly.

Inflation of health care costs has been

reflected in the significant increase in premium payments for part B of medicare which covers physician services, diagnostic tests, medical supplies, and certain home health services. Part B is financed with monthly premiums paid by the enrollees, with the Government matching these premiums dollar for dollar.

Under present law, the Secretary of Health, Education, and Welfare promulgates a premium in December of each year for individuals enrolled in the supplementary medical insurance program under part B. The dollar amount of the premium is the amount the Secretary estimates will be necessary so that the aggregate premiums for the upcoming year will equal one-half of the total costs of the program for the year. The Federal Government pays the other half of the costs by matching the premium amount paid by each enrollee.

During the 6 years the program has been in effect, it has been necessary to increase the premium more than 90 percent—from \$3 per month in 1966 to \$5.80 in 1972. The premium is likely to continue to rise, given the method of computing it, and it will do so without regard to the ability of the beneficiaries living on reduced retirement incomes to pay.

The bill I am introducing today would end the financing of supplementary medical insurance benefits through payment by beneficiaries, and provide that such benefits be financed instead from general revenues. This proposal is in keeping with the recommendation of the White House Conference on Aging that Federal financing of medicare be expanded. It is estimated that enactment of this proposed legislation would provide an additional \$1.5 billion to the income of our elderly citizens.

In my own State of Maine, which ranks fourth nationally in the percentage of residents age 65 or over—more than 12 percent of our total population—this legislation would be particularly beneficial. For the 118,000 Maine citizens enrolled in the part B program, the changed method financing set forth in my bill would mean \$684,400 in increased income that could be used to meet other pressing needs of our older citizens.

A far greater commitment at the Federal level is essential to turn the tide in the worsening economic plight to the aged. In the wealthiest nation in the world it is neither socially acceptable, nor economically necessary for millions of older Americans to live in or near poverty. In our efforts to enhance the quality of life for all Americans, a first priority should be to extend financial security to all our senior citizens. I view passage of this bill as a first step in that direction.

**TOTAL TEST BAN OVERDUE**

**HON. BENJAMIN S. ROSENTHAL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. ROSENTHAL. Mr. Speaker, I speak today about an issue that has the potential to overshadow all others, the nuclear arms race. I applaud recent efforts to slow down this deadly game, and

I would like to address myself now to various aspects of this problem.

Arms races are truly created in the minds of men. They start because nations, or perhaps more accurately, the men who represent nations, cannot agree to work together for their common benefit. Instead, each nation must devote increasing resources, energy, and emotional commitment to an almost completely unproductive effort. The arms race preceding World War I has been extensively analyzed and the conclusions are clear: An increment by one side led to an even larger increment by the other until the temptation and technology attending the arms race made war inevitable.

Yet, it has been nearly three decades since the last global war. In part, this is because for most of that period there has been one overriding conflict—the one between the United States and the Soviet Union. The two superpowers have learned to manage and normalize their conflicts; in fact, common interests have been discovered where none were perceived before. We find ourselves in a relatively stable global system due also to the preponderance of two major powers, both of whose weapons are so overwhelming that their use has been paradoxically proscribed.

But can we not do better? Can we not develop the trust, or some technical substitute for trust, so that both we and the Soviets can begin to devote ourselves to constructive ends. I think, Mr. Speaker, that we can, and I know that we must. As a recent article in *Scientific American* by Henry R. Myers indicates, the chances that we might not detect an underground test by the Russians are extremely remote; so remote, in fact, that these chances would make any clandestine attempt by the Russians to violate a ban on underground tests even more improbable.

I am a sponsor of House Resolution 522 to initiate earnest negotiations for a comprehensive test ban treaty, to include France and China in any such ban, and finally, to unilaterally declare a moratorium on all nuclear test explosions. This last provision may seem precipitous to some, but I think it is a wise course to follow.

Social scientists, among others, have been telling us for some time now that a unilateral conciliatory action could be the spark to set off a downward spirally arms race. Charles Osgood, Anatol Rapoport, and Dean G. Pruitt, among others, have demonstrated through laboratory experiments, through historical case studies, and through simulations, that such concessions might in fact work. Very often, the other party to a conflict will reciprocate a pacific move, and the first party can keep the ball rolling, so to speak, by making another conciliatory action. Thus, the downward spiral would begin. If the other side failed to reciprocate, or tried to take advantage, we could each reverse our course of action.

The initial move need not be tremendous in substance or at all dangerous to our national security; politics and diplomacy, as we know, are to a large extent symbolic. But let our motives be clear. We want peace, and we want it now.

It further seems to me that the military benefits that accrue to us from underground testing are so minuscule that they do not justify failing to make an attempt to end the arms race. I am, therefore, proud to sponsor House Congressional Resolution 522.

Mr. Myers' *Scientific American* article follows:

#### EXTENDING THE NUCLEAR TEST BAN

(By Henry R. Myers)

Treaties to ban the testing of nuclear weapons have been a subject of widespread interest since the middle 1950's. The history of the matter is marked by turgid international negotiations, conferences of scientific experts, acrimonious domestic debates, changes in position by one side or the other, a three-year informal moratorium on testing suddenly terminated by a series of Russian tests in the atmosphere, "breakthroughs" in the technology of detecting clandestine tests, supposed "breakthroughs" in the technology of conducting clandestine tests, proposals that were sincere and proposals that were not so sincere, a limited treaty banning all but underground tests, accusations of minor violations of that treaty and—most recently—renewed talk of extending the limited treaty to cover underground test, stimulated primarily by reports of significant new advances in seismic techniques for distinguishing underground explosions from earthquakes.

Advocates of a test ban have over the years pointed out that such a treaty would be a major step toward terminating the strategic-arms race, that it would bring an end to radioactive pollution by nuclear explosions, that it would make the proliferation of nuclear weapons less likely and that it would increase barriers against the use of nuclear weapons in warfare. Those opposed to a test ban have tended to argue that a treaty would address the symptoms rather than the disease, and that whatever advantages there might be were outweighed by certain military and political disadvantages.

Throughout this meandering history there has been little consensus on answers to a series of related questions: How important are the advantages of treaties that limit the testing of nuclear weapons? Is it really a good idea to accept such limitations even if there could be confidence that other countries had done the same? How much assurance could there be that others would live up to the agreements? What developments might stem from clandestine bomb-testing by others?

Questions related to the problem of detecting violations have dominated the test-ban dialogue out of all proportion to their significance. The reasons for this anomaly are interesting in themselves. One is that the verification question is the one aspect of an otherwise complex issue that appears amenable to quantitative analysis. (Actually it is much less so than appearances suggest.) A second reason is that there seems to be a widely held obsession with the possibility of violations rather than with their probability or their significance. A third is that opponents of limitations on nuclear testing have exploited this obsession by encouraging fears that have little basis in fact.

Following the established tradition, much of the present discussion will be concerned with the problem of detecting violations. This is done, however, not to emphasize that aspect of the matter but to place it in proper perspective, so that the political and military implications of continued nuclear testing or a complete cessation of it may receive the greater attention they deserve.

Some people have feared that the U.S. Government, in its eagerness to make arms-control agreements, has not been concerned enough about its ability to detect violations. Such fears have never been well founded. An often-stated precondition for the U.S. to

enter into a treaty limiting underground nuclear testing has been that there be adequate assurance that the national security would not be placed in jeopardy by developments growing out of clandestine testing by other countries. Indeed, the failure to arrive at a ban on underground tests has in part reflected the inability to negotiate a treaty that provided the U.S. with the assurance of compliance with the terms of the treaty that many officials and citizens believe is necessary.

Such assurance can be derived from several sources: (1) seismological records, intelligence observations or on-site inspections indicating that particular events were earthquakes and not explosions; (2) awareness that any significant clandestine program would involve a large enough number of tests so that eventually a mistake would be made that would reveal the prohibited activity; (3) knowledge of the relative insensitivity of the balance of strategic power to further developments in nuclear-weapons technology; (4) the belief that a potential violator would probably find an excuse for withdrawing from a treaty rather than run the risks inherent in violating it.

On the last point Herbert Scoville, Jr., a former deputy director of the Central Intelligence Agency and assistant director of the Arms Control and Disarmament Agency, has suggested that consideration be given to the experience of the 1958-1961 moratorium on all nuclear testing. At that time the ability to acquire information concerning violations was much inferior to what it is today. In addition, nuclear-weapons technology was less advanced, and there was more incentive to cheat. Yet even then the U.S. was willing to rely for assurance on its own verification systems. The moratorium ended not because of mutual suspicions about cheating (although these did exist) but because of the initiation by the U.S.S.R. of a massive atmospheric-testing program.

In discussing the various interacting factors that influence assurance I shall begin with the area in which the significant new developments have emerged, namely seismology.

Both earthquakes and explosions cause elastic vibrations in the ground that propagate as seismic waves through the earth (body waves) and along its surface (surface waves). Seismometers are used to detect such waves, and the data obtained from a number of instruments, separated by hundreds or thousands of miles, can be used to determine where the event took place, to define its seismic magnitude and to learn something about the nature of the source mechanism.

Seismic magnitude is an approximate indication of the energy released by an earthquake or an explosion. It is a logarithmic quantity based on the average of measurements of the amplitude of certain portions of seismic waves. For some purposes magnitude is based on measurements of the body wave; in other circumstances it is based on the surface wave.

The largest earthquakes have a bodywave magnitude slightly in excess of 7 and a surface-wave magnitude slightly in excess of 8.5. On the average there are one or two such earthquakes a year. Underground explosions in the megaton range can have a body-wave magnitude of 6.5 to 7. Explosions in the low-kiloton range typically have a body-wave magnitude of 4. The seismic magnitude associated with underground explosions depends not only on the explosive yield but also on the material in which the detonation is set off.

Determining the location of seismic events eliminates the large majority of earthquakes from the "probably suspicious" category. For example, unless there are other grounds for suspicion, it is possible to immediately eliminate events under the ocean floor or in

countries where there is no reason to believe a nuclear test might have been conducted.

If an event cannot be discarded on the basis of its location, analysts can exploit the fact that in terms of the spectral distribution and the partition of energy among wave modes the seismic signals generated by explosions are quite different from those generated by earthquakes. At distances within 1,000 kilometers of an event, explosions in excess of a few kilotons can easily be differentiated from earthquakes. The effects of the paths along which the waves travel, however, are such that as the waves propagate they increasingly assume a form that is determined more by the characteristics of the path than by the characteristics of the source. Moreover, the seismic wave is attenuated with distance, and diagnostic features contained in it (and for small events the entire signal) can be obscured at the point of detection by seismic noise generated by winds, nearby road traffic or distant ocean waves.

An enduring tenet of the test-ban dialogue has been that the negotiability and viability of a prohibition on underground testing were related to the amount of verification information that could be extracted from the seismological data. More specifically, such a ban was dependent on the ability to understand and reduce the effects of travel paths and seismic noise. As a result the U.S. undertook in 1959 to sponsor a research program intended to lead to improved capabilities for detecting seismic events, for determining their location and for establishing whether the events were earthquakes or explosions. The ultimate objective was to develop monitoring procedures that could provide sufficient assurance in a treaty situation while calling for a minimum of provisions that would be difficult to negotiate, namely on-site inspections or internationally supervised seismological observations inside the U.S.S.R.

Since 1959 more than \$300 million has been spent on the U.S. seismological research effort. A lesser effort was mounted by the United Kingdom. As a result there has been a considerable advance in the understanding of earthquake mechanisms and of the structure of the earth. Other significant developments have come in instrumentation, in data-handling and analysis procedures, in the ability to separate signals from noise and in the ability to determine the location of events and to isolate information that might help in determining whether the event was an earthquake or an explosion. On the other hand, the rate at which this progress has been translated into a more negotiable position at the nuclear-test-ban discussions at Geneva has not been as great as might have been hoped. Nevertheless, there have been two notable advances that have led to a substantial improvement in the ability to collect and abstract useful information from the seismological data.

The first major "breakthrough," announced in 1962, amounted to a reduction in the annual number of earthquakes in the U.S.S.R. that might be confused with explosions. Part of the basis for this reduction was a thorough study of earthquake and explosion data that resolved the existing uncertainties about the rate at which earthquakes occur and the relation between earthquake magnitude and explosive yield. In addition, it was determined that the depth of seismic events could be better inferred from the data than had been believed. It became possible to conclude that many more events were too deep to be explosions and therefore were earthquakes. These results were the basis for dropping from the U.S. negotiating position the requirement that there be manned, internationally supervised, seismological observatories in the territory of the U.S.S.R.

The second such major advance has

emerged in the past few years from a series of studies initiated by Jack F. Evernden, a seismologist formerly employed by the Department of Defense and now working at the Arms Control and Disarmament Agency. The most significant result of this work, which has been carried on by groups at several universities, was to verify the hypothesis that for a given total release of seismic energy, explosions were much less efficient at generating long-period surface waves than small, shallow earthquakes were. Although there were indications before 1962 that this was a worthwhile line of investigation, the early analyses were based on limited data and were not pursued to the point where results would have had a strong impact on the U.S. position in the test-ban negotiations. Moreover, it had been suggested that as the total seismic energy released became smaller, the differences between explosions and earthquakes would tend to diminish to the point where they would not be observable.

It has now been demonstrated that the difference persists for the smallest events of any interest, and that the average ratio of surface-wave magnitude to body-wave magnitude for explosions is less than the average ratio for earthquakes at least as far down as a body-wave magnitude of 4, and probably lower. For the comparatively small number of events that cannot be eliminated on the basis of location, depth or surface-wave criteria there are other diagnostic methods that can be applied to the data. These criteria include the relative complexity of the seismic wave (earthquakes generally produce more complex signals than explosions do) and the ratio of compressional-wave energy to shear-wave energy (earthquakes usually produce larger shear waves than explosions do).

Other research has demonstrated that through the use of seismometer arrays, which have the effect of enhancing seismic signals with respect to the background noise, it is possible to detect both surface waves and body waves at distances of thousands of miles from events with a body-wave magnitude of 4.

As a result of these studies it is now known that it is possible to build a network of seismological observatories, located many thousands of miles from seismic sources of interest, that will acquire data that can be used to identify "virtually all" earthquakes in the U.S.S.R. having a body-wave magnitude in excess of 4. It also means that in the absence of active evasion procedures there would be a substantial probability of detecting and identifying explosions in the U.S.S.R. with yields greater than one or two kilotons. At such yields a nuclear-test program would have little significance. The significance of these conclusions of course depends on the meaning of "virtually all." Some seismologists suggest it means that each year there will be as many as 25 earthquakes in the U.S.S.R. with a body-wave magnitude above 4 that could not be differentiated from explosions on the basis of the seismic data. Others believe that the number will be 10 or less. These estimates are to be compared with the average expected number of unidentified events, ranging from 75 to 150 events above a body-wave magnitude of 4, that would have been anticipated before the surface-wave techniques were developed.

The spread in present and past estimates is partly a reflection of natural fluctuations in the rate of occurrence of earthquakes. Monthly, however, it results from different interpretations of the data and different estimates of the likely outcome of ongoing studies. The data themselves are sometimes subject to diverse interpretations because the great variability in the source mechanisms and the transmission properties of the earth creates a corresponding variability in the observations; therefore questions are sometimes raised concerning the validity of

conclusions based on a particular set of measurements. Also contributing to the diversity in estimates is the fact that there are very different views concerning the elaborateness of the seismological network that might exist at some future time. This uncertainty is important because the degree of differentiation that is possible depends directly on the number, distribution and quality of the seismometer stations providing the raw data.

The residual number of events that cannot be identified on the basis of the seismic data would be further reduced by the analysis of data supplied by intelligence systems. In particular it has been hypothesized that satellite photography should be capable of providing information that might alleviate doubts about specific occurrences. For example, a seismic event might be detected and its location determined on the basis of seismological data but without there being enough information to provide confidence that the event was an earthquake. Photography from space might indicate that in the area where the event took place there was no sign of activity of the kind associated with a nuclear test. On the other hand, if the photography were to reveal activity such as mining, it would not serve to decrease suspicion. It is therefore probable that satellite photography would serve much more to reduce suspicions about earthquakes than to provide evidence that a prohibited explosion had occurred.

Nevertheless, a country deciding to undertake clandestine tests would be constrained to do so in a way that would not be susceptible to observation. The possibility that violations might be observed from space would thus have the effect of imposing substantial restrictions on a potential violator. This would tend to deter attempts to carry out secret tests.

On-site inspections have been another omnipresent element in the test-ban dialogue. In the beginning there was a generally held belief that seismological data would be much less useful and inspections more useful than either are now known to be. By supplementing information provided by seismic instruments and intelligence systems, inspections were considered a mechanism that would make a substantial contribution to the verification process. As a result of the recent developments in seismology, inspections would apply only to the very small number of events that are large enough to be detected but that produce signals of insufficient signal-to-noise ratio to allow the application of seismic identification techniques. As usually envisioned, inspections would be conducted after the presentation of ambiguous seismic data and under the auspices of an international body. They would involve visits to the area of origin of seismic events that could not be identified after analysis of the seismic and intelligence data. The inspection area would extend over some several hundred square kilometers, an area reflecting the expected error in determining the point at which the seismic event had occurred.

The procedure for deciding that a seismic event could not be identified, and therefore should be subject to an inspection, is not easily articulated. As a practical matter it would be exceedingly difficult to specify in a treaty, in a manner that would be acceptable to all parties, the data that would need to be provided in substantiation of a claim that an inspection was necessary.

The ability of on-site inspections to uncover evidence of clandestine testing, should there be such testing, would depend on a chain of probabilities: the probability that an explosion would be selected as a candidate for inspection, the probability that the inspection area would encompass the point of detonation and the probability that the inspectors would actually uncover positive evidence should the inspection area include the shot point. The foregoing factors would in

turn depend on the quality of the evidence on which the inspection decision was based, the number of inspections that might be conducted in a given time period, the accuracy of locating the source point of seismic events, the size of the area covered by an inspection, the duration of the inspection, the number and training of the inspectors and the elaborateness of the inspection procedures.

Since a country that had violated the treaty would be unlikely to allow access to inspectors who might uncover the clandestine activity, inspections would probably be undertaken only in areas where earthquakes had actually occurred. Because the seismic data would be adequate for identifying large earthquakes, inspections would be directed toward smaller events that typically would produce no ground effects that might be found by inspectors. Moreover, Defense Department experts now say their research has indicated that careful planning and execution of a clandestine test would preclude the existence of surface manifestations that might be found by inspectors. Therefore on-site inspections could not be expected to turn up any evidence of either explosions or earthquakes. Finally, if an evader should be successful in employing active evasion techniques, there would be no seismic evidence on which a request for an inspection might be based.

If this is the case, do inspections serve any purpose even in theory? Yes, according to some. The lack of evidence of an explosion would supposedly provide a limited amount of assurance (skeptics say false assurance) that there had been no explosion. In addition, the prospect of an on-site inspection and the possibility that one might miscalculate or make a mistake would be at least a slight deterrent to a potential violator.

Whatever the theoretical utility of inspections, it is questionable that a treaty that provided for meaningful inspections was ever a realistic possibility. The Russians have always had a negative attitude toward inspections on the grounds that they are not needed and would be used as a pretext for espionage. During periods when the Russians did seem willing to consider the possibility of some small number of inspections (allegedly for the purpose of diminishing some American domestic opposition to a treaty), it was not clear that the nature of these inspections was even close to the elaborate procedures envisioned by the U.S.

With the recent advances in seismological research, doubts concerning the usefulness of inspections have been intensified. To continue to maintain that a ban on underground tests is important but that inspections are still necessary implies the acceptance of the following dubious propositions: (1) that significant tests might escape the various monitoring systems operated by the U.S., (2) that inspections would play a substantial role in deterring violations or in alleviating suspicions that might arise and (3) that the Russians would agree to inspection procedures of the kind that would be required if they were to serve their purpose.

To put the matter in perspective it should be noted that new ground would not be broken if the demand for inspections were dropped because they were deemed unnecessary. The U.S. is already a party to a series of arms-control agreements that contain either no provision for inspections or provision only for inspections of a kind that would yield virtually no assurance in addition to the assurance acquired by other means. These agreements include the ban on nuclear explosions in the atmosphere or outer space, the ban on placing nuclear weapons in orbit around the earth, on the moon or on other celestial bodies, the ban on placing weapons of mass destruction on the ocean bottom and the ban on nuclear weapons in the Antarctic. In each case unilateral

means are considered adequate to provide the necessary confidence that the impact of possible undetected violations would be so minuscule as to make them not worth worrying about.

In effect the data provided by seismological and intelligence systems and, to a much lesser extent, by on-site inspections would serve to reduce the background "noise" against which the "signal," or positive evidence, of clandestine test activity would be detected. This "noise" is a factor that a potential violator would take into account in making a decision about conducting a clandestine test. Would he assume that his activity would be lost in the "noise," that it would be discounted as a spurious earthquake in the residuum of unidentified seismic events? Or would he believe that he should play a more active role in attempting to conceal his tests?

Since a complete test ban became a serious possibility several such active schemes for clandestine evasions have been proposed. These include the muffling of the explosion so that the resulting seismic signals would be unlikely to be detected, modification of the character of the seismic waves so that even though they might be detected they would not be characteristic of waves associated with explosions, and testing to the aftermath of a large earthquake so that the explosion signals would be concealed by the ground motion caused by the earthquake.

The muffling of seismic signals might be achieved by conducting the tests in an underground material where a comparatively small fraction of the energy of the explosion would appear in a propagating seismic wave. For example, a 20-kiloton explosion in a dry desert alluvial deposit might produce a seismic signal as small as the one produced by a one-kiloton explosion in hard rock. If a country were to seek to test in such an alluvial deposit, it would first be confronted by the fact that a deposit deep enough and dry enough is very uncommon. There is, in fact, reason to believe these deposits do not exist in the U.S.S.R. in depths that would allow tests of more than one or two kilotons. Since dry alluvial deposits, or other dry materials that might be useful for the same purpose, are usually found in areas that are relatively free of clouds and lacking in human activity, any attempt to conduct clandestine tests in these circumstances would be particularly vulnerable to observation from space. Further restrictions arise from the fact that the alluvium must be deep enough not only to contain the immediate effects of the explosion but also to make it possible to set off the explosion at a depth that would not leave a collapse crater. This is an indirect effect in which the cavity produced by the nuclear explosion fills with material from above. The result is a propagating void that ultimately appears at the surface as a characteristic subsidence crater. Such craters are common at the U.S. testing ground in Nevada. If such a crater were to be observed from space, it would be telltale evidence of a nuclear explosion.

A more elaborate muffling technique calls for detonating the nuclear device in a spherical cavity. It is predicted that with a cavity of the right size the seismic signal would be about 100 times weaker than it would be without the cavity. The diameter of the required cavity increases with the cube root of the explosive yield. A 10-kiloton explosion would call for a cavity 300 feet in diameter 3,000 feet below the surface. It is questionable whether the cost of excavating such a cavity would be commensurate with the gains that might be made from a clandestine nuclear test conducted in it.

For a time it seemed that such muffling, or decoupling, schemes had fallen out of the domain of plausible evasion possibilities. In recent Congressional testimony, however, decoupling was resurrected by De-

fense Department experts, who implied that decoupled detonations with yields of 50 to 100 kilotons were feasible and could be carried out at costs that were within reasonable bounds. The assertion raised the question of why, if the possibility of decoupling was considered to be significant enough to bring up, there had been only one small experiment to check out the predictions. This test had involved a 300-ton shot in a cavity created by a 5,000-ton nuclear explosion in a salt deposit in Mississippi. Because the observed decoupling was less by a factor of two than had been forecast, and because there are serious questions concerning the validity of extrapolating the results of this experiment from a yield of 300 tons to one of 50,000 or 100,000 tons, it would seem important to have conducted experiments with much larger explosions. The willingness to extrapolate results here (where the extrapolated conclusion is consistent with the desires of many Defense Department experts to avoid a complete ban on nuclear-weapons tests) conflicts with the Defense Department's usual position on nuclear-weapons development. For example, the five-megaton Cannikin test conducted on Amchitka in November was supposed to be necessary because it was not possible to base conclusions on data obtained from a one-megaton explosion.

At various times it has been suggested that a series of nuclear detonations, appropriately located and timed, would produce a composite seismic signal that was more typical of earthquakes than explosions. Although this procedure might generate waves that in some respects were similar to waves made by earthquakes, it would be difficult for a treaty violator to be confident that the similarity was sufficient to avoid creating suspicion.

A violator might also try to conceal illicit test activity by setting off an explosion almost immediately after an earthquake. If this were done properly, the seismic signals associated with the explosion would be masked by those generated by the earthquake. One disadvantage of testing in this fashion would be the need to maintain the nuclear device and the apparatus associated with the experiment in a constant state of readiness for a period that would range from months to years, depending on the size of the test detonation. It would also be necessary to determine rather quickly that the earthquake was suitable for purposes of masking. That would require an interconnected network of seismometers from which data would be fed to a computer. The computer would immediately calculate the location and size of the earthquake, and it would give a "go" signal when the earthquake met the preset conditions. As with other imagined evasion techniques, the practicality of this method would depend on how badly a country wanted to test, on the size of the test and on how the country evaluated its chances of being caught.

The usefulness of on-site inspections in deterring such efforts would be contingent on procedures that had been established for submitting requests to conduct an inspection. If it were necessary to base the request on specific kinds of seismic data indicating that an unidentified event had occurred, there would be much less deterrent value than if it were possible to base the request on unrevealed intelligence information with only scant reference to publicly available seismic data.

Scoville notes that an easy, although seldom discussed, way for a country to cheat a weapons-test ban would be for it to mount a program of setting off nuclear devices for peaceful purposes, such as the U.S. Flowshare program. One part of Flowshare is the development of nuclear explosive devices for use in nonmilitary projects. Since these devices are in many ways identical with

weapons, it would be virtually impossible to determine the kind of development activity being undertaken without being given access to the experimental apparatus. Such access is not likely to be granted by either the Russians or ourselves. Therefore if there is going to be a complete ban on nuclear-weapons tests, it will be necessary either to live with the possibility of some weapons development under the shelter of Plowshare-like programs or to forgo the yet to be established economic benefits of this type of activity.

A further consideration affecting a country's assurance that it could detect clandestine tests (or evade detection) is the possibility that there might be a mistake or an accident in such a test. An unexpected collapse crater or the venting of radioactive debris could lead to the discovery of prohibited activities. There is a significant chance of unintentional venting and a significant probability that such venting, if it occurs, will be detected. In the past radioactive debris has been unintentionally emitted from underground explosions conducted by both the U.S. and the U.S.S.R. The possibility of such accidents would tend to deter violations.

A useful device for summarizing the concepts that enter into evaluations of the likelihood of detecting clandestine test activity or of escaping detection is represented by the graph on the opposite page. (Illustrations not furnished in the Record.) The abscissa represents the product of the annual number of tests and their average yield; for instance, a value of 10 could mean 10 tests with an average yield of one kiloton or two tests with an average yield of five kilotons. The ordinate is a measure of the confidence that a test or series of tests with the specified yield-number product would be detected.

The "deterrence" curve represents the situation as it might be viewed by a country undertaking a clandestine test program. The "assurance" curve represents the situation as it might be perceived by countries concerned about their ability to detect violations by others. The deterrence curve invariably lies to the left of the assurance curve because the country concerned about violations by others will, in comparison with the evaluations of the potential violator who presumably places a high premium on not being caught, tend to underestimate the chances of a violation's being detected.

For example, the great variability in seismic data may cause a violator to "play it safe." He would assume, as actually happens, that his explosions would produce at some observation points seismic signals substantially greater than the signals suggested by the averages implied by the curves in the top illustration on the opposite page. (Illustration not furnished in the Record.) The violator would have to conservatively evaluate his chances of being observed from space or having an accident that resulted in the venting of radioactive debris. On the other hand, countries seeking assurance might well assume that explosions would produce seismic signals of an average size implied by the average curve, that the violator would make sure that there was no substantial deviation from the average, that there would be no basis for counting on anomalously large signals to reveal a clandestine test, and that the test would be conducted in a manner so as not to produce a collapse crater or other evidence that might be collected by intelligence systems.

Such curves or their conceptual equivalent are an aid in evaluating the risks associated with a nuclear-test ban even though they are necessarily imprecise because of the large number of intangibles and uncertainties they encompass. The inability of anyone to develop more quantitative estimates has caused consternation among presidents, members of Congress and interested citizens. Adding to

the uncertainty is the fact that the detection of clandestine tests must be considered an integral part of the broader question of how significant undetected violations would actually be.

It is fortunate that the recent advances in verification technology have simplified the issue. Many informed observers now conclude that the U.S. need no longer be concerned about developments that might result from clandestine nuclear-test activities, since such developments would not affect the strategic position of the U.S. with respect to its adversaries. It is thus possible to focus on the role of any nuclear tests at the present juncture of the arms-development cycle.

In discussing nuclear testing it is necessary to consider global questions, including what the intentions of adversaries are, how nuclear testing would influence the probability of a nuclear war's starting and what effect nuclear testing would have on the outcome of the war if it should start. It is clear that such complex questions cannot be answered conclusively, but certain facts, opinions and speculations can be stated, and inferences can be drawn from them.

The public record contains very few details of the U.S. nuclear-weapons program. Information about what goes on in the U.S.S.R. is even scantier. Nevertheless, it is possible to get an idea of both the objectives and the costs of U.S. activities from official testimony before committees of Congress and from committee reports based on that testimony. From these sources it appears that during each of the past six years the U.S. has spent approximately \$450 million on the development and testing of nuclear weapons. The objectives are to develop weapons that have greater explosive yield for a fixed weight, to develop weapons in which certain nuclear effects are either increased or decreased with respect to other effects, to verify that the performance of existing weapons does not decline with the passage of time and to gain confidence in safety against accidental nuclear detonations. Some nuclear explosions are used as sources of radiation and blast in experiments to determine their effects on weapons systems and their components.

Nuclear detonations for these purposes can be justified to some extent on the grounds that in the long run they will make it possible to save money. For example, it may be that a missile warhead with a certain explosive power and a specified weight could be developed only through nuclear testing. If tests were not allowed, the same destructive power would have to be put into, say, three missiles instead of two, thus preventing a saving in the cost of producing a given amount of damage.

Similarly, there could be uncertainties about the performance of stockpiled weapons or the effect of nuclear explosions on military hardware that could be resolved only by subjecting the hardware to the effects of a nuclear explosion. If such uncertainties could not be eliminated by nuclear tests, it would be necessary to eliminate them through the more costly route of conservative design. In "National Security and the Nuclear-Test Ban," an article that appeared in the October 1964 issue of *Scientific American*, Jerome B. Wiesner and Herbert F. York addressed the uncertainty question at some length. They pointed out that whatever uncertainties might be resolved by nuclear testing would be very small compared with those that abound in military planning. The fact that some of these uncertainties might be removed by nuclear tests would, in their view, "contribute virtually nothing more to management of the real military and political problems, even though it would produce neater graphs."

Some have argued that nuclear testing must continue because of the possibility of surprise findings: either findings that lead to important new developments or, what is

more likely, findings that expose a problem where none had been expected. Others argue that tests are necessary to help ensure that the Russians do not acquire knowledge not in the possession of American experts. It is of course not possible to demonstrate that surprise result will not be obtained. Nor is it possible to prove that the Russians do not know things of which American experts are unaware. As for the likelihood of there being a surprise of the kind that suggests a new line of weapons, one may take note of York's belief that the rapid technological advances of recent decades are neither typical of the past nor predictive of the future.

It is sometimes suggested that the U.S. could not forgo testing as long as China or France was continuing its tests. This contention has little validity. For the indefinite future whatever dangers might arise from the fact of Chinese or French nuclear-weapons developments are most unlikely to be ameliorated by the products of U.S. tests. Such dangers must be countered by other means.

More generally, the need for continued testing should be considered in the light of the fact that in this 27th year of the nuclear age some thousands of nuclear weapons of proved design are fully deployed. No foreseeable weapons developments based on further nuclear tests, conducted either openly in the absence of a complete test ban or clandestinely in the presence of one, would affect the ability of either the U.S. or the U.S.S.R. to deliver a substantial portion of its strategic stockpile to an opponent's cities. McGeorge Bundy has remarked on the implications of even a small fraction of these weapons being detonated over urban targets: "In the real world of real political leaders—whether here or in the Soviet Union—a decision that would bring even one hydrogen bomb on one city of one's own country would be recognized in advance as a catastrophic blunder; 10 bombs on 10 cities would be a disaster beyond history, and 100 bombs on 100 cities unthinkable."

In brief, the advanced status of nuclear-weapons development, the existence of very large weapons stockpiles and the deterrent value of the ability to destroy even one city suggest that neither the continuation of nuclear-weapons tests nor the cessation of such tests will affect the strategic position of one superpower with respect to the other. If this is the case, it should mean that continued testing need not necessarily be a source of international tension and a motive force in the arms race.

Yet in spite of the decline of the substantive importance of nuclear tests, testing has developed a life of its own and, as was evident in the Cannikin episode, does exacerbate international discord. If only because there are such strong feelings concerning the need for either an indefinite continuation of testing or its elimination, the matter retains a large symbolic importance. Accordingly there is much to be said for a treaty that removes nuclear testing as an issue that obscures the real problem: how to avoid nuclear war.

The ban on atmospheric testing grew out of the fears generated by the Cuban missile crisis of 1962 and the increasing radiation levels caused by fallout. The superficial reason the treaty did not encompass underground tests was the inability of the signatories to reach agreement on verification procedures. Underlying the omission of such tests was the opposition of persons in and out of the U.S. Government who believed it was essential that this country continue its test activities. At the same time the importance of a prohibition on underground tests was recognized in the preamble of the Limited Test-Ban Treaty of 1963 and later in the Non-proliferation Treaty of 1970, both of which incorporated a commitment to continue negotiations toward a ban on all nuclear-weapons tests.

Not only has little been done to fulfill this commitment but also it is debatable that the atmospheric ban has had much effect on the development of nuclear weapons. In order to secure the endorsement of the U.S. Joint Chiefs of Staff for the Limited Test-Ban Treaty the Kennedy Administration agreed to implement a program of safeguards that included "the conduct of comprehensive, aggressive and continued nuclear-test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future." This was to counter the Joint Chiefs' concern that the treaty might presage a "euphoria in the West which will eventually reduce our vigilance and willingness of our country and of our allies to expend continued efforts on our collective security." The result of these safeguards has been what many believe is a nuclear-weapons development effort that is indistinguishable in scope—if it is not even larger—from the one that had been under way before the treaty.

Since 1963 there has been little serious discussion of extending the Limited Test-Ban Treaty to include underground tests. The ostensible obstacle remains: the U.S.S.R. continues to maintain that on-site inspections are not needed; the U.S. asserts the contrary. The verification issue is still a pretext for not achieving agreement. As the foregoing discussion suggests, however, the plausibility of the pretext has dwindled to the vanishing point.

The failure to prohibit underground tests plays into the hands of those in the non-nuclear nations who press for the acquisition of nuclear forces; it tends to reinforce the contention that the statements of the superpowers are not matched by actions, and it undermines the credibility of the U.S. Government, which has maintained for more than a decade that unresolved verification problems are the obstacle to a ban on underground tests.

The attainment of a treaty banning underground tests would demonstrate to the non-nuclear countries that the major nuclear powers would accept substantial restrictions on their own nuclear activities, a demonstration that would strengthen arguments against the acquisition of nuclear weapons by other countries. As a result of its symbolic value, a cessation of underground testing, particularly in the absence of a major agreement at the Strategic Arms Limitation Talks, would more than any other likely step signify an almost irrevocable commitment to seek security through arms-control agreements rather than through the never ending cycle of weapons and counter-weapons that has characterized the period since World War II.

#### MORE OF THE GOOD THINGS ABOUT NEW YORK

#### HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. HALPERN. Mr. Speaker, earlier this month I had occasion to read into the RECORD a newspaper article which called attention to a few of the pleasant, humanizing features of New York City. This great metropolis has for years been the favorite target of a host of authors and journalists.

It is most refreshing to note that more and more people—some residents of New York, others mere visitors—have decided

to strike back at these prophets of doom and to recount the many wonders of New York City.

New York Magazine recently published just such a delightful article by Bruce Kovner. Mr. Kovner manages to put all the criticism of New York in true perspective by having his readers look at the other side. He points to such distinctive New York traits as the growing number of multicolor adventure playgrounds, minority television programs and theater, and on-the-street gourmet food stands—to mention only three of the many described by Mr. Kovner.

Mr. Speaker, I insert this fine article in the RECORD. It is appropriately titled "101 Signs That the City Isn't Dying."

The article follows:

#### THE 101 SIGNS THAT THE CITY IS NOT DYING

(By Bruce Kovner)

A backlash of good news seems to be upon us. Kind words about the city are cropping up all over. Certain New Yorkers we know may have to stop congratulating themselves on their survival as the fittest just because they live within city limits.

There will always be complainers, of course—people who vaunt their pioneer ingenuity in getting from home to office. But we forgive them. With all that's going on in New York, it's possible to overlook signs of life and growth. Where else, for example, would an expenditure of \$1.9 billion for a sewage treatment program go unremarked? Or a new \$35-million ocean liner terminal look like business as usual?

We decided to do a little pleasant calculating of our own, to take a look around town for signs of change and vitality in New York to counterpoint those death knells that someone is always ready to ring. It didn't take us long to find more than a hundred reassurances, large and small, that New York is, if not yet in the pink of health, at least constantly renewing itself. (Obviously, the accomplished nay-sayer can find something amiss in nearly all our citations. But just because he doesn't have a rose garden is no reason to slight elegant new Green Acre Park.)

So here's our idiosyncratic list of urban encouragements. We could easily have come up with 1,001. We stopped at 101. Go on, if you like.

1. Every day is Arbor Day. A mighty feat in the asphalt canyons: New York City is planting more than 8,000 trees a year, twice the figure of five years ago; 2,000 trees are paid for by private organizations, the rest by the city.

2. Creme de la creme. Baskin-Robbins, an ice cream chain now owned by United Fruit Company, has been expanding madly. Six new stores opened in Manhattan in 1971, and there are another twelve scheduled to open in 1972. Grand Central Station has just gotten a Baskin-Robbins parlor of its own, and there are another 34 parlors in the four other boroughs.

3. Upward mobility. The New York Bicycle Racing Association, a predominantly black racing club, has grown from one bike shared by 400 kids (in 1966) to some 40 bikes and 1,500 kids (in 1971). Steven Rockefeller donated 25 racing bikes; the Union Theological Seminary has paid for others. The Association uses the attraction and discipline of bicycle racing as well as special guidance programs to help black kids cope with personal and school problems. Though woefully underfinanced, it's still growing.

4. Ay! Que Triste Estoy! Now you can weep in Spanish. Since July, Channel 9 has been giving us *Nino*, a Spanish soap opera made in Argentina. There are 264 chapters, so there's still time to catch most of it.

5. Fast tracks. Remember trains? They're coming back. Now there's hourly service from New York to Washington, just as there was in 1937, and there are now 11 trains daily to Boston—an increase of two over last year. More suburban stop have been added (e.g., Rye and the new Metropark in New Jersey) and trip times have been shaved a little. Two of the New York/Washington Metroliners are nonstop, and the trip takes only two hours and 50 minutes; you can't do much better than that by air these days.

6. Adventure playgrounds. The city continues to build small parks with ropes to swing from, waterfalls to get wet in, and unusual things to crawl through. The most recent adventure is at 139th Street and Lenox Avenue, where a gift from the Reader's Digest made possible a park with a regulation-size basketball court, seating for 500 spectators, splash areas for cooling off in warm weather, built-in chess and checker boards, and special lights for night-time use of the park. There is also a 90-by-14-foot mural painted by neighborhood children.

7. The new sound of music. The New York Philharmonic is a vastly improved orchestra under Pierre Boulez—both in sound and in adventurous programming. Among the Boulez innovations, all designed to make symphony-going a part of today's world: pre-concert recitals with commentary; concerts of new music at Joe Papp's Public Theater with lots of post-concert rap, taking the orchestra out of its archaic white tie and into something more nearly resembling clothes.

8. Remember the Brooklyn Navy Yard is showing a great deal of life. Twenty-three companies have leased space and Seatrain Corporation is building the largest tankers in the American fleet there.

9. More day care centers. In 1971, the number of the city's day care facilities nearly doubled, to 270 centers caring for 15,700 kids. In the next two years, another 243 centers will open. Call 433-2960 for location and eligibility information.

10. Finger-lickin' good. There may be bleak days ahead for knife-and-fork manufacturers, considering the number of places around town where you can get a wide variety of hand-held food. Think past the pizza slice and the hot dog; the range includes Japanese sushi, various kinds of Chinese dumplings filled with anything from soup to nuts, Greek souvlaki and gyros (various sauces on the lamb) and, of course, the omnipresent knish in its many guises.

11. Work now, play later. La Guardia Community College, which opened last fall, is the first in the City University complex to concentrate on work/study programs. The 550 students attend school for five 13-week terms, and work for three terms. The school actively places students in study-related jobs in the area. Temporary quarters: 31-10 Thomson Avenue, Long Island City, Queens.

12. Myerson's marauders. It's the law now; stores doing more than \$2 million in retail sales must display unit pricing on most goods. Food stores must now display dating on dairy and bakery products (among others) that don't require a cryptographer to decipher. These are among the breaks the consumer is now getting in New York, and if the consumer still has something to beef about, complaining has also been simplified. The Department of Consumer Affairs will listen to you 24 hours a day on 964-7777, and there are local Neighborhood Complaint Centers now in East and Central Harlem, the Lower East Side and Forest Hills.

13. Take a deep breath. Some day it's hard to believe, but New York's air improved last year. As measured by the city's Environmental Protection Agency, there were 61 days rated "good" as opposed to zero days in '69 and '70; 198 were rated "acceptable," against 86 in 1970; the number of "unsatisfactory" and "unhealthy" days last year

dropped accordingly. Much of this improvement has been in the sulfur-dioxide-level controls imposed on Con Ed and industrial polluters. Of course, improvements still have to be made in controlling hydrocarbon and particulate levels.

14. Child centered theater. Opened in January, 1971, on an experimental basis, the Children's Theater at City Center is now running year round, offering five shows a week for children of different ages (131 W. 55th St., JU 6-2828).

15. Up from H. Since November, 1970, the city has opened 21 methadone clinics, treating 2,500 drug addicts. By the end of 1972, the program will be expanded to four times that number.

16. Town Hall tonight. After years of decline, Town Hall has begun to show signs of life. In the spring of 1971 Jerold Ross took over as director. Since then, Town Hall has started a Great Artists series, jazz concerts, and, for the midtown worker waiting out the rush hour, early-evening "interludes" of dance, jazz, classical music or rock. They're every Wednesday, 5:45 to 6:45.

17. Care close to home. New York's Health and Hospitals Corporation has started a series of neighborhood family care centers all over the city to supplement the outpatient services of the city hospitals and provide clinical care in areas where services are otherwise short. The first, the Sydenham Center at 215 W. 125th St., opened last October. Two more are being built in the Bronx, and others are on the board for Brooklyn and Manhattan. Each center will have over 50 people on its staff and will provide general and preventive health care as well as dental, optometric, psychiatric and other services.

18. Greasy spoons. Now you can find out which of your favorite restaurants is as dirty as you fondly suspected. Read about rats, grease-encrusted stoves, ice cream freezers being used for fish storage, rusty refrigerators and improperly functioning dishwashers. The city's Health Services Administration (and most of the city's newspapers) now publish the lists which describe the violations in lurid detail, and, even better, follow up with reports on whether or not these violations have been corrected.

19. Air space. A completely new \$200-million passenger terminal is nearing completion at Newark Airport. A new runway is now open, and the rest will be done within 18 months. The passenger capacity of the airport will be nearly tripled and there will be fancy devices like moving sidewalks to reduce the wear and tear on passengers.

20. Theaters of the thoroughfares. New York City now has more than 20 street-theater companies which bring dramatic works to the streets during the summer months and to Lincoln Center at Christmas-time. There is the Puerto Rican Traveling Theater, the Afro-American Folklore Troupe, the Soul and Latin Theater, and the Bedford-Stuyvesant Theater, among others. The city's Department of Cultural Affairs sponsors the groups.

21. Lights, camera. Otto Preminger says that New York is the easiest city in the country in which to shoot movies, and the movie and television companies are proving it by coming to New York in greater and greater numbers. Last year, in spite of labor difficulties which stopped filming for several months, 41 films were shot here. In 1971 you could have watched the filming of *The Godfather*, *The French Connection* and *The Gang That Couldn't Shoot Straight*, among others; this year watch such movies in the making as *Come Back Charleston Blue*, *Heartbreak Kid* and *Hard Feelings*.

22. Little red schoolhouses. Haaren High School, at 899 Tenth Avenue, has divided itself into 14 mini-schools, with from 50 to 500 students in each. The project is designed to break down the impersonality of big schools and crowded classrooms; in the Haaren ex-

periment, students have a hand in planning their own curriculum, which includes courses in aerospace, automotive training, business and performing arts.

23. Penny wise, pound foolish. When you are down to your last seven cents, tired and hungry in New York, you can still get your fill at the Penny Candy Store (183 W. 10th St., at Sheridan Square). The store has more than 100 varieties of the kind of candy you used to get sick on when you were a kid: licorice whips, Mary Janes, spearmint leaves, Jordan almonds, chocolate babies, Tootsie Rolls, candy bananas, Turkish Taffy, and more. The Store is in a tiny space (it used to be an open alley between buildings), about 4 feet wide and 12 feet deep.

24. Break for bikes. Bike racks are going up all over the city; Bloomingdale's, Bonwit's, McGraw-Hill, McCann-Erickson, Trans-Lux Movie Theater, and the Manhattan School of Music, to name a few. Even the Plaza has a new bike rack. There are special park closings for bicycles, and new bicycle paths, but bicycle proponents have yet to win approval for bicycle lanes on city streets.

25. Run of the mill. A little over a year ago, Burlington Industries opened a full scale working exhibit of a modern textile mill (54th St. and 6th Ave.) which is attracting more visitors than either the New York Stock Exchange or the U.N. You don't have to move a muscle since a moving sidewalk takes you through it all.

26. Best beds. Even with all these signs of life, people get sick sometimes. The city is now building six new major hospital facilities, in addition to the expansion at Bellevue; the New Lincoln Hospital (950 beds); Woodhull (650 beds); North Central Bronx (412 beds); Metropolitan (a 14-story 250-bed unit largely for psychiatric care); New Gouverneur (200 bed) and Seaview (312 beds for long-term-care patients). New Lincoln and Woodhull will also have teaching facilities.

27. A treat, a tweet. Next spring, the Bronx Zoo will open its largest natural habitat exhibit, "The World of Birds." The two-story structure will not have conventional cages; all 28 exhibits will be either glassed-in or entirely open and there will be a large rain forest for the birds which visitors will be able to walk through at two levels.

28. The commuter computer. Automobile traffic along Northern, Jamaica and Queens Boulevard is now controlled by a central computer that actually works. It measures volume and speed of auto traffic and adjusts signals accordingly. Traffic speed and volume have been increased by the system.

29. Rebirth at the Brooklyn Museum. In November of 1969, the Brooklyn Museum announced that it was closing down its art school because of big deficits and lack of community interest. The students and teachers had other ideas, however, and convinced the Museum to keep the school open. A new director, Jolyon Hofsted, a ceramics teacher, was installed. Since then, the school has increased its course offerings by more than a third (to more than 100), established special programs for high school students, added faculty and cut class size. Now there's a budget surplus, and the school is now looking for larger facilities.

30. The business of art. The Association for a Better New York (a group of Manhattan businessmen) has donated six large sculptures to the city, to be placed outside and moved periodically to different locations around town. *Curved Cube* by William Crovello went into place in front of the Time-Life Building on January 20. The other five will be up probably by the middle of February. Locations: 24th Street and Fifth Ave., The Brooklyn Museum, Times Square, 54th St. and Park Ave., 91st St. and Broadway.

31. The bogey men. New York is a city of almost compulsive moviegoers, and to satisfy cravings for old classics and other cinematic

tastes, repertory film theaters have begun appearing all over the city. In addition to the old stand-bys, the Thalia and the Elgin theaters, there are now the Bijou, the Garrick, the St. Marks, the Olympia, and the Theater 80 St. Marks. And classics are re-appearing occasionally in first-run movie houses, drawing crowds when new films can't.

32. Hedging the easy life. Last year, city gamblers bet about \$30 million on the state lottery's longshot road to riches. This year, with the introduction of the 50-cent lottery, ticket sales are running way ahead of the old dollar lottery. Last year's big winners in the city—two families from Middle Village, Queens—split \$25,000 a year for the rest of their lives.

33. Glass with class. Last October, Greenwich Village dedicated its Patchwork Plaza in Washington Square, a 1,600-square-foot area of 700 individually made mosaic designs of Venetian glass and etchings in cement. The New York City Community Art Workshop is ready to help businesses and communities carry out similar projects.

34. Fast track to the cleaners. Now you can lose your money in any one of 42 local Off-Track Betting parlors. By the end of 1972, another 60 are planned.

35. Quick, who am I? Red Tape Department: it no longer takes two months to get a copy of your birth certificate. A new computerized system handles most requests within 48 hours. Call 247-0130.

36. A square deal for fish and people. Water pollution is still pretty bad, but getting less so. New York is now building or upgrading 14 sewage-treatment plants at a cost of over \$1.9 billion. When the project is completed—1976 is the target date—New York will be the first city on the Hudson with fully treated sewage. When New Jersey gets into line, some now-polluted beaches at Coney Island and Staten Island could be open for swimming again.

37. Tough but oh so gentele. Goeran Gentele has already made his impact felt at the Metropolitan Opera, although he doesn't officially take over from Rudolf Bing until September. His opening-night *Carmen* will be conducted by Leonard Bernstein and directed by Gentele himself; he says he conceives the sappy hero, Don José, as a real killer. Gentele's immediate plans include bringing more students into the house, in a series of "look-ins" that will show the kids what goes on backstage at an opera. "Poison their minds early," he says, "and they'll love opera for life."

38. Andrew would approve. It's hard to believe, considering the activity at Carnegie Hall these nights, that the building was once slated for demolition (as recently as 1960, in fact). Bookings are up, beyond what they were before the Lincoln Center was built, and the Carnegie Hall Corporation sponsors all kinds of musical events on its own: visiting symphony orchestras, jazz and hard-core new music, singers' series, etc. Furthermore, as part of the international Juneseese Musicale movement, Carnegie regularly sponsors concerts by young artists on the way up.

39. And so would Abe. Lincoln Center, too, does a lot more than merely rent out halls. Its educational program sends out performing groups to public schools all over the Northeast, and other school groups are brought in for concerts, operas and plays at the auditoriums in the Center.

40. Welcome wagons. The variety of food and merchandise you can find on pushcarts around town is staggering: not just hot dogs, but all kinds of exotic foreign foods suitable for curbside eating, handmade candles, clothing and more. Last summer half a dozen vendors wheeled into Lincoln Center Plaza to create an impromptu outdoor restaurant, and the idea is catching on all over.

41. Free for all. Open admissions have been in effect at the City University for over a year, and thousands of students, who could not otherwise have attended college, benefit.

Freshman enrollment has doubled, from 19,500 in 1969 to nearly 38,000 last year. Rockefeller's new budget, however, threatens to kill the program by inadequate support.

42. The expensive spread. Since it began operations six months ago, Interbaco Manhattan Corporation has been spreading good French bread all over town. It is now available in many French restaurants in the city, as well as Bloomingdale's, Macy's, Charles & Co., D'Agostino's, and other stores.

43. Parks-on-wheels. In 1971, the Parks Department introduced 24 special-purpose vehicles, including a zoomobile (live animals), a puppet-mobile (with full stage and show), a sportsmobile (with, among other things, a trampoline), and an arts and crafts mobile. These vehicles, touring the city during the summer, bring their wares to about 75,000 kids per month.

44. Wet and wonderful. The two tunnels supplying New Yorkers with all their drinking water are very old, strained to capacity, and have never been shut down for repairs. So the city decided to build a third tunnel, to avoid the possibility of a major catastrophe. It was started in January of 1970, and the first stage will be finished in 1977. The entire project, extending over a decade, will cost \$1 billion.

45. Puck power. It's becoming as big as Little League Baseball: ice hockey competition for boys five to nineteen. Since its founding in 1965, the Greater New York City Ice Hockey League has grown from 60 boys to more than 1,500. There are 46 teams in five divisions (beginning with the "Mosquitoes," ages 5 to 8), training clinics for boys not on the teams, and all-stars who travel to New England and Canada for their games.

46. You, too, on the tube. In July, 1971, the two cable television companies in New York City began to make available, free to all comers, "public access" television channels on their cable TV lines. Anyone can get free time, and Open Channel (49 E. 86th St.), a foundation-funded group, will help you produce your program. About 25 hours per week of public-access programming is now available on each of the two cable systems.

47. The five-foot shelf grows longer. Even as the New York Public Library struggles to keep its main building and research collection open (they are privately financed), new branches are cropping up around town. The branch system is financed by the state and city, and by fines, which amount to more than \$600,000 a year. The Mid-Manhattan Library at 8 E. 40th St. opened a year or so ago; it accommodates 1,033 readers and has 350,000 books and the largest collection of open-shelf periodicals in the city.

48. The Upper West Side story. Twenty blocks, between Central Park West and Amsterdam Avenue from 87th to 97th Streets, are rapidly returning to the ranks of prime real estate. Private money, plus \$63 million from Federal, state and city government, has gone into renewal in the area—new housing, and brownstones restored to better-than-pristine state. By the end of 1972 there will be more trees, new sidewalks, gaslights, and shopping and play areas.

49. Hot cuisine. Szechuan cooking, a spicier variety of Chinese food, from China's western provinces, has caught on and Szechuan-style restaurants are appearing all over. Among them: Szechuan Gardens, 40 Bowery, off Canal.

50. Soho, ho! The growth of SoHo (the area just south of Houston Street between Sixth Avenue and the Bowery) as an artists' colony continues apace. Four new galleries opened in 1971 at 420 West Broadway (Leo Castelli, John Weber, Andre Emmerich, and Sonnabend), as well as others on Prince Street and Greene Street. And artists continue to move into empty lofts in the area, following zoning changes in 1970 which legalized their use.

51. A new school. Founded in 1970 by blacks, the Uhuru Sasa School (10 Claver Place, Brooklyn) emphasizes African tradition and heritage in teaching the more than 100 students enrolled. Tuition is graduated—\$10 a week up—depending on the parents' ability to pay. Or parents may contribute work at the school in lieu of pay. The school is ungraded and has pre-school, elementary, and secondary divisions.

52. Underground art. Subway riders who use both the Sixth Avenue and Flushing lines have a new pedestrian tunnel under Bryant Park at 42nd Street (between Fifth and Sixth Aves.) connecting the two lines. The tunnel has been brightly lit and tiled with 8 big porcelain enamel murals of New York scenes, such as the Crystal Palace, the Croton Reservoir, and the present Bryant Park and 42nd Street Library.

53. Hell on wheels. In March, 1970, roller derby returned to New York. "The Chiefs" now make Madison Square Garden their home, and attendance has been averaging more than 11,000 per game this season.

54. Orbiting academe. The Board of Education has opened three small "Satellite Academies" to provide special work-oriented training to students in non-school, non-institutional settings. Students spend half their time in school, half at nearby jobs in banks, brokerage houses and hospitals. More than 400 students now participate at academies located at 2 New York Plaza, 132 Nassau Street, and (temporarily) 430 Southern Boulevard, South Bronx.

55. Theater: Black and bountiful. The variety of drama, music and dance programs produced by blacks in New York has been increasing. There is the National Black Theater, the New Lafayette Theater, the Bedford-Stuyvesant Theater, the Alvin Alley Dance Company, the Arthur Mitchell Dance Theater, the Harlem Chorale, and many more. The Negro Ensemble Company is putting on three new plays by black playwrights, plus works-in-progress. And we have seen productions of *The Dramatic Life and Death of Malcolm X*, *Ain't Supposed to Die a Natural Death*, *Black Girl*, and others.

56. Small times. There are more than 50 neighborhood newspapers in New York City, from the *Brooklyn Home Reporter and Sunset News*, to the *Carnarsie Digest*, and they are bulging with advertising, editorials and gossip. These are the papers that take up the local crusades against crime waves and housing problems, or report local marriages and social doings. And they usually contain more information on neighborhood politics than the metropolitan dailies.

57. Home port. The days of fighting your way through drafty, ratty dockside sheds to board an ocean liner at a Manhattan pier are about over. Ground has been broken for a new, modern terminal where all the liners will dock. Located on the West Side between 48th and 52nd Streets, the terminal will cost \$35 million and be open in 1974. If there are more liners than the terminal can handle, the refurbished Holland-America Pier 40 at Houston Street can take up the slack.

58. First of its kind. With the opening of the Center for Multiple-Handicapped Children in 1971, New York becomes the first city in the country providing special public education for children with multiple handicaps. Kids are bused in from all over the city to the Center, at 105 E. 106th Street, for schooling and therapeutic services from doctors, psychologists, therapists and teachers at no cost to the families. The 125 students are referred from public schools, private agencies and individuals.

59. Seeds and weeds. Health food stores are cropping up all over the city like dandelions in a pasture. *The Natural Guide to Health Food Stores and Restaurants In and Around New York* by Lynne Skreczko (Ballantine Books, 1971, \$2) lists more than 120 in the area, and that doesn't include new

places like Food (127 Prince Street), The Front Porch (253 W. 11th St.), The Great Harmony (203 E. 60th St.), or Winter House (60th St. and Third Ave.), which becomes Summer House with the first thaw.

#### EVERYTHING GROWS IN BROOKLYN

All over the borough, signs of life hang upon every tree. Old neighborhoods are being turned into handsome residential streets, blighted swamps are becoming modern industrial parks. The result of all this is more than economic: it is making Brooklyn into a genuine urban state of mind, in which community spirits are everywhere apparent. It's what the Dodgers used to provide, but the new ground-swell of Brooklyn spirit is everybody's doing. Here are some of the developments:

60. Downtown Brooklyn development. In downtown Brooklyn, in December, a 6-story Con Ed building was topped. An 18-story office tower is under lease. So is a six-story diagnostic center. Other retail, education, and medical facilities will be built, and there will be 1,500 units of middle- and low-income housing. In addition, \$55 million of city money is being spent on various projects in a 19-block downtown area.

61. Flatlands industrial park. A 96-acre swamp out Canarsie way has become an industrial park employing more than 4,000 people, and among the modern conveniences is a day-care center for workers' children.

62. Park slope. Private companies as well as private citizens have been taking a hand in community restoration work. In an attempt to stimulate renovation in the area and show what can be done with abandoned buildings, the Brooklyn Union Gas Company recently took over three abandoned stores on Prospect Place and converted them into townhouses (they will be finished in March). The Company is also helping residents fix up the exteriors of their brownstones on the block.

63. Red Hook development. In this South Brooklyn area the Urban Coalition is sponsoring the building or restoration of 31 townhouses, each with two apartments. Only residents of the district will be eligible to rent, at \$155 for a two-bedroom apartment and \$208 for a four.

64. Clinton Hill. This area west of Bed-Stuy is experiencing large-scale renovation. The builders have been buying up houses along the main thoroughfares—Green Avenue, Grand Avenue and Cambridge Place—and putting them back into shape. As a further sign of life, new stores, nice stores, have been opening on Myrtle Avenue, where none would have dared before.

65. Fort Greene. This busy renewal area behind the Brooklyn Academy now has its own campus: the Medgar Evers College C.U.N.Y. It opened last fall for an enrollment of 1,200, offering two- and four-year degree programs in education and technical fields. Counseling and remedial work are available, and the college is actively recruiting veterans and school dropouts.

66. In the nick of time. When Earl "The Pearl" Monroe, the ultimate one-on-one player in basketball, arrived in New York last November, he raised the trampled spirits of the Knicks and their fans. Though bothered by ankle and foot trouble, he still manages to draw opposition blood in the few minutes of each game he has played.

67. In the swim. In 1971, nine major swimming pool facilities were opened in the largest pool construction program since WPA days. Another 20 new "mini-pools" (temporary above-ground pools) were opened, too.

68. Our lady of the calories. When Lady Godiva came to New York in November, 1969, it brought to 701 Fifth Ave. some of the best chocolate in town. Now the company has opened up another "chocolate boutique" to satisfy expensive cravings (821 Madison Ave. at 68th St.).

69. A better life on welfare. Last May the Welfare Island Development Corporation broke ground on a \$325-million development of housing, schools, offices, recreational facilities and shops to be completed in 1977. Instead of private automobiles, there will be a new subway stop, electric mini-buses and, perhaps, an aerial tramway from Manhattan.

70. The village re-villaged. Furniture, antique and leather stores, a pottery workshop, a bakery and a hand-crafted jewelry store, have all opened recently on East 9th Street (between First and Second Aves.). There was a street closing for a Halloween festival last fall. In short, it's what a street in the Village is supposed to be.

71. A new Bellevue. The city is building new hospitals everywhere, or so it seems. The new Bellevue Hospital will be 25 stories—1.6 million square feet, 1,274 beds—and cost \$138 million before it is finished (1973).

72. Down to the sea in shifts. The new C.U.N.Y. Institute of Oceanography, located at City College but serving the entire university system, is a research and training facility for graduate and undergraduate marine and oceanographic studies. The Institute, which has a 90-foot twin-hulled steel catamaran equipped for maritime research, is investigating, among other things, possible methods of converting waste into protein-enriched food for oysters; the effects of thermal pollution; cooling problems of nuclear power plants; designs for deep water reclamation projects; and the ecology of unpolluted marshes to determine their natural ecological balance.

73. Wings of the dove. Not all restaurants in the city are going out of business. At The Sign of the Dove (Third Avenue and 65th Street), proprietor Dr. Joseph Santo is expanding, turning the four-story building into a sensual environment. For the past 18 months he has been adding a greenhouse, tile floors, a new kitchen, a duplex dining room for private parties, the only glass elevator and movable glass dome ceiling in New York, a wine cellar established for President Kennedy (and bought from the Carlyle Hotel). His program to restore all four stories will be finished this year. Now, if the victuals only come up to the visuals . . .

74. Ms. on the job. Newtime, Inc. (156 E. 52nd St., Pl 5-0505), an employment agency that has been going for nearly a year and a half now, has placed more than 150 women (and occasionally men) in responsible permanent 25-hour-a-week-jobs—and has given the business higher-quality personnel for less money.

75. In on the ground floor. Melvyn Kaufman has transformed the ground floors and roofs of his office buildings at 77 Water Street and 127 John Street into whimsical pedestrian happenings. There are fountains, flowing streams, bubblers heaving and gurgling sculpture, benches, a candy store, a light show (at John Street, the office worker enters through a corrugated steel tunnel which is lit by electric-blue neon lights). The roof at 77 Water is graced by a full-size sculpture of a Sopwith Camel, while the roof at John Street is taken up by a gravel mosaic of a 50-foot-long cat stalking an enormous bird.

76. A tree grows in the Bronx. Zion and Breen Associates, the landscape architects for Paley Park and the new Welfare Island development, have saved Co-Op City from the near-total dreariness that seemed its destiny. They have covered the more than 300 acres of landfill that the city is built on with hills, walks and gardens, and over 22,000 trees. And there are no "keep off the grass" signs.

77. The going public. In the last few years, the New York Shakespeare Festival Public Theater has become the most attractive performing arts center in town. There are four productions now at the downtown theater at

425 Lafayette Street, plus an avant-garde film theater, Philharmonic concerts, etc.

78. Ships, ahoy! Across from South Street at Pier 16 on the East River you can see a variety of old ships; an iron sailing ship, a Gloucester fishing schooner, a lightship, a steam tug, and the last survivor of the Fulton Street Ferry run. There is also a small museum, a bookstore, and plans to restore the 19th-century buildings in the area.

79. Wandering minstrels. Many musical groups—Puerto Rico Sings, the Urban Arts Corps, and several steel-drum bands—take to the streets and parks during the summer months. One concert of Puerto Rico Sings was attended by more than 100,000 people in Central Park last summer.

80. Meanwhile, at the Mercer. In fast pursuit of the Public Theater is Seymour Kaback's Mercer Art Center (in the former Broadway Central Hotel building at 240 Mercer Street). Mr. Kaback has converted the old hotel into four theaters, a cabaret and several lounges with satire and entertainment. Several drama workshops call the Mercer Center home. There are plans for a repertory company started by Rip Torn and Geraldine Page, and a sidewalk cafe.

81. Mall without pall. Cheers for this passageway in the newly renovated C.U.N.Y. Graduate Center at 33 W. 42nd St., between Fifth and Sixth Avenues. It is beautifully designed, a delight to the pedestrians.

82. How do you rob a robot? Chemical Bank is experimenting with automatic banking machines at several of its branches (Penn. Station, 60th Street and Lexington Ave., Lefrak City, Rockville Centre, and Bensonhurst) which allow the user to withdraw money automatically at any time of the day or night. The needy one inserts a specially coded credit card and punches a 6-digit identification number onto a keyboard to confirm he's the real account holder. If the number checks out, the machine and its computer issue the cash (either \$25 or \$50). If the card is invalid, or if the wrong number is punched (you get three tries), the machine holds the card.

83. Art for the hoing. The Metropolitan Museum, already plenty big, is expanding in all directions. The new Lehman Wing, housing the magnificent Lehman collection, is underway, and the Museum's Costume Institute has re-opened in new quarters after being closed for five years. The Temple of Dendur, sealed mummy-like in an airtight plastic bubble, awaits its new quarters. One of the Museum's many new features is the Andre Mertens Galleries, which will house the marvelous collection of musical instruments. When you've seen what people used to put on the outsides of pianos and harpsichords, today's blank boxes could make you weep.

84. Outdoor art. Bright multi-storied paintings have been appearing on various blank walls around the city—at Houston and West Broadway, Lafayette and Bleecker, at Third and Mercer, and at the Alfred Smith Housing Project in the Two Bridges area of the Lower East Side, to name a few. City Walls, Inc. and the Community Arts Workshop are responsible for bringing a little more color to New York.

85. Cross the river and over the bridge. Since Harvey Lichtenstein took charge four years ago, the Brooklyn Academy has become one of the hottest culture centers around town. The 1971-72 season has already presented an Afro-Asian Dance festival (six countries represented, five for the first time in the United States.) There are also Marathon Concerts by the Brooklyn Philharmonia and a Dance Festival including Merce Cunningham and Dance Company and the Netherlands Dance Theater. It's a lovely, lively place.

86. No more going around in circles. Part

of the \$68-million Bruckner Interchange has just been opened to traffic, shortening the driving time from East Bronx to West Bronx by as much as, on some days, twelve hours. The rest will be done by early 1973, shortening north-south driving and lengthening drivers' tempers (and life expectancies) considerably.

87. Starving artists, eat. During 1970-71, its first year, the Creative Artists Public Service Programs (CAPS) paid professional fees to 123 creative artists for new work and for making themselves available for lectures around the city and state. The program is jointly funded by the New York State Council on the Arts and the city's Cultural Council Foundation. New work is being generated in all areas of the arts: sculpture, painting, photography, music, choreography, film, literature and drama, video, and multi-media work—and being viewed by a wider audience.

88. Garden of delights. At Hammarskjöld Plaza, at the corner of Second Avenue and 47th Street, there is now a 10,000-square-foot sculpture garden, built and endowed by Harry Marlowe (the owner of the adjoining office building) and designed by the architectural firm of Raymond and Rado. The garden will have a different sculpture show every three months. Now showing: the work of Robert Murray.

89. The beautiful men. From high-heeled Italian boots to elegant French suits and English shirts, high fashion for men has arrived on the U.S. Pricey boutiques abound as courtier turns haberdasher: Pierre Balmain (795 Madison Ave.), St. Laurent (543 Madison), and St. Germain (231 E. 53rd St.) are but a few examples. The nude male torso in the St. Laurent window has a special allure of its own.

90. Walkers' Delight. A comprehensive and pioneering program of zoning requirements and financial incentives for developers is beginning to transform the lower Manhattan area. The Greenwich Street Plan, as it is called, convinced U.S. Steel and Fisher Brothers to build enclosed pedestrian shopping arcades, underground connections between buildings, and at the U.S. Steel building, a two-acre park on a deck above the street. A round of applause to the Office of Lower Manhattan Development and to the Downtown-Lower Manhattan Association, a city agency and a private group, respectively, which speak the same language.

91. Landmarking. The city's Landmarks Commission has been busy classifying areas and buildings around the city as off-limits to real estate developers. Four new districts have been named in the last 18 months; Stuyvesant Heights, Mount Morris, Chelsea, and Jumel Terrace. The Commissioner has also persuaded the city to buy some 15 acres on Staten Island that include 5 magnificent Creek Revival buildings built in the 1830s as a retired sailors' home (at the bequest of one Captain Robert Randall). Now that the supply of retired sailors is running out the city will turn the buildings over to the Staten Island Museum.

92. Working It Off. In April, 1971, the Vera Institute of Justice established the Pioneer Messenger Service (206 E. 52nd, 688-4700) to provide employment to former drug addicts or ex-convicts who are trying to put their lives back together. Pioneer now has 33 full-time messengers serving more than 220 firms. Messengers start at \$2.25 an hour, are given periodic raises and, eventually more responsible and better-paying jobs.

93. Abortion and family planning. More than 278,000 abortions have been performed in the city since legalization in July, 1970. Planned Parenthood's Family Planning Information Service (677-3040), among others, directs women to inexpensive abortions, and the Catholic Church has set up

its own organization, Birthright (260-2700), to help unwed mothers who choose not to have an abortion.

94. Oasis on 51st. New York millionaires are developing an admirable tradition of sponsoring elegant little parks in midtown Manhattan. Mrs. Jean Rockefeller Mauze (sister of the Governor) has paid for such a park, Green Acre (51st St. between Second and Third Aves.), which, like Paley Park, comes complete with waterfall, refreshments, attendants, and a special endowment for upkeep.

95. The Great White Way. There will be four new theaters on Broadway in the next few years. In addition to the newly opened American Place Theater, a 1,640-seat theater will soon open on the site of the old Astor Hotel at Broadway and 44th St., and two theaters will open in the building now under construction at Broadway and 50th. All of these theaters are a direct result of the important change in zoning laws which gives developers an attractive floor-area ratio bonus for including theaters.

96. On a clear day you can see Long Island City. Construction has begun on Waterside, a 6.1-acre project on the East River between 25th and 30th Streets. There will be 1,460 apartment units, shops, restaurants, and terraces on a deck overlooking the East River.

97. Exterior Decorating. Companies and block associations are beginning to put up "street furniture" and other amenities for the pedestrian. Check out the benches in front of the Chemical Bank Building (65th Street and Broadway). The Urban Improvements Program of the Parks Council (80 Central Park West) helps firms, associations, and individuals with tax-deductible contributions for bike racks, street lighting or repaving. Write for the Council's brochure or call 799-6000 if you want to help decorate.

98. Good news from the underground. The Second Avenue Subway, long a myth, a dream or a joke, is now about to become a reality; construction begins this year. Work is already underway on a new East River tunnel, linking Manhattan to Welfare Island and making Queens more accessible; extension of the BMT and Sixth Avenue Lines are also under construction. And running through these new holes in the ground will be some new and, they say, noiseless cars.

99. Sole on ice. Last season the city opened new ice skating rinks in the Bronx (Mullaly Park) and Staten Island (Clove Lakes Park), bringing to seven the total number of municipal rinks.

100. On the Avenue, Fifth. The new Fifth Avenue District Plan, which gives builders financial incentives to provide arcades, enclosed public spaces, bridges, tunnels between buildings, and other pedestrian amenities, promises to be one of the most important planning changes midtown New York has seen. The Olympic Tower (at 51st Street) will have two floors of retail stores, 19 floors of offices, and 27 floors of residential apartments. Another building incorporating similar features will be built on the site of DePinna's, at 52nd St.

101. Easy riding. There are now express buses to Manhattan from most outlying residential areas in the other boroughs and New Jersey—Riverdale, Co-op City, Douglasson and Lefrak City, for example. Some are privately run, some are under the Transit Authority. The T.A. has just added two lines from Queens and one from Bay Bridge, bringing its total express lines to eight. The buses' routes have been speeded up by new express lanes on the L.I.E. and New Jersey's Route 3, which can save 15 minutes or more on an average trip.

## DEMOCRACY IN ACTION: HOW EDUCATION GAINED PUBLIC SUPPORT ON A BOND ISSUE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, I am pleased to submit an article authored by Herbert L. Garris, president of the Arlington County Council of Parent-Teacher Associations with an introduction written by Dr. Robert L. Chisholm, superintendent of schools, Arlington, Va.

This article describes the community effort which brought a very favorable vote on school bond issues totaling \$7.6 million in the general election of November 1971.

The article follows:

INTRODUCTION TO ARTICLE BY HERBERT L. GARRIS

(By Robert L. Chisholm)

Mr. Garris has described this article as a case study in an atypical community. This is true to some degree, for Arlington, Virginia, a highly urbanized county, is unique in many respects. Nevertheless, the process he details is one containing many transportable elements and thus may be of help to other school systems.

Of particular interest may be consideration of the kind of mix this bond issue represented. Fiscal dependency of the school system forces reliance upon the governing county board for operational support and approval for the submission of bond proposals. A greater wisdom, however, appeals to both the school system and to the county government to cooperate, mutually support, and to search out ways and methods to work together for the eventual benefit of the identical populations served by both units.

Some of the steps taken in Arlington to assure voter support are taken in other places. The combinations of efforts herein described are somewhat unusual. Certainly the extensive use of citizens-at-large for overall management and direction suggests possibilities for helping to reverse the anti-bond trends all too common today.

## DEMOCRACY IN ACTION: HOW EDUCATION GAINED PUBLIC SUPPORT ON A BOND ISSUE

There is a grave situation in America in the field of education. When we stop and regard the questioning of our many institutions since World War II and the Viet Nam War apart from education, we could call this inquiry a mark of the 70's. This is particularly true in education, which has entered a head-on collision course with its requested support from several segments of our society which have begun to show serious doubts about the overall effectiveness of our educational system and the present approaches being utilized. At the same time doubt seems to stem from a lack of information, or misinformation, both of which lead to mounting disaffection in the usual support given for public funds to the degree required for the continued operation and growth expectancy of America's schools.

This leads us to this case study in an atypical community which has developed a need for four educational facilities at a cost of about 7.6 million dollars and the struggle attendant to educating and persuading an

electorate to vote favorably in a referendum as a part of a general election.

*The Community.*—Arlington, Virginia is a twenty-five square mile city-county combined metropolitan government. The lessons of Miami, Toronto, and Nashville are all applicable to some extent here. Its affluence is attested to its position in rank among the first five richest per capita incomes of counties throughout the United States. Yet with such affluence, there are below the surface of apparent wealth some persons who live in far less attractive conditions and approach poverty levels. It enjoys a most progressive council type of government with a forward looking planning and execution type of leadership therein. The advantages of its small size, good communications, and a compactness far overshadow the relatively few disadvantages of its proximity to metropolitan Washington. It shares nonetheless the urban and rural adjoining neighborhoods of Washington, Maryland, the City of Alexandria and Fairfax County, all of which add many dimensions to an already attractive environment. Thus in short, the community is atypical.

Moving to the purpose of this article, we shall see an educational need announced, reasonable hearings follow, and the placement of the requisite needs in descriptive wording on a ballot with approximate costs of each proposal, the educational process adopted to show the electorate the way, and finally the response of the electorate at the polls.

*The Announced Needs.*—When an elementary school plant has served for forty-five to sixty years, it is obviously in need of replacement to meet today's needs. The physical plants and their internal layouts obtain to a 19th century educational process. Innovative ideas, programs, and their implementation are difficult, if not totally impossible, under such handicapped conditions. By building a new school on the available real estate in one case and by adding a new separate facility to an already centrally located school, which would consolidate three schools, reduced the requirement to *two elementary schools*, no acquisitions were necessary.

The willing acceptance that the noncollege bound population has not enjoyed a centrally, well orchestrated effort to train them adequately means progress in itself. Thus the three high schools and the six junior highs need a new separate vocational-technical center with superior facilities, a highly qualified staff, and the latest equipment to better answer the needs of this often relegated segment of young people. This proposal acknowledges the shortfalls of satellite and often marginal quality programs within the nine facilities mentioned above and a segment which has increased by 17% in five years.

The two senior highs already have excellent new libraries with their incorporation of the latest advances in educational technology, information retrieval and storage. The third high school has a need to bring its media center up to date in a corresponding degree of quality.

In short, the four proposed facilities described have been carefully studied and reviewed by the County Board and the School Board and will meet the standards required in the educational needs at this time.

*The Hearings.*—The hearings were scheduled and accomplished over the late spring and summer of 1971. Each presentation was directed toward a basic model which the architects drew up to meet the educational specifications. At this point there may be, and certainly will be, plan modifications; to im-

prove, to save money, or even to drop less feasible characteristics from the original plans. In short, the architects' plans were such that great flexibility of reasonable change was insured.

At any rate, the hearings at both levels of administration generated favorable response and a lingering negative reaction in a limited but noticeable way. The key points favoring the proposals were generally concentrated in the superintendent's adequately stated needs in keeping with his assessment of the social and economic motions in tune with the school population of the county, both now and at long range, and its requisite educational facility needs.

Finally after many trying and tiring hours of frequent and even repeated questioning by those who failed to understand fully what the professional educators were trying to portray on the four basic proposals, they were assuredly given a place by the County Board on the items for referendum on the November 2d ballot.

**The Educational Process.**—Basically, referenda items fare poorly when placed on a general elections ballot. Experience has shown that only an approximate fifty percent of those that vote on such occasions even bother to read or vote on those issues. In contrast, the same voters rarely fail to cast a vote for the respective candidates of their choice. The reason for this is twofold: first, the electorate hears and sees the candidates regularly in the media and becomes somewhat familiar with the face and his chief views. In this manner an opinion is formed to some limited extent for or against the candidate. This is often correlated to the charisma, experience, reasonableness, temperament, and events in which the candidate has participated and in which an observation has been made possible. Secondly, the position of the referenda items or their placement on the ballot seems a trivial matter; yet if they are placed at or near the end, there is an even stronger tendency that they may go unnoticed.

The last point must have received serious attention over the past few years for the State of Maryland and the Commonwealth of Virginia have made an attempt to move these items nearer the top of the ballot. A sample ballot has been included to show this important consideration. (Enclosure 1)

Before the electorate went to the polls and faced this crucial and final step for or against the education support, many steps were taken to insure that the message, in a proper and correct portrayal, had been disseminated. Let us examine a few, but surely not all, of the sequence of steps taken in this regard.

The County School Board following a 1968 similar referendum pattern appointed a dynamic and dedicated committee chairman to head a group to guide this effort. He was given wide latitude in his selection of his staff and their assistants. The chart attached shows the organization as it was finally adopted. (Enclosure 2)

You will notice that the committee used no chief of staff or administrative assistant to centralize the coordination. At the initial stages as the progress went slowly but smoothly it did not require more than three to five telephone calls among the chairmen and the principals to study and make decisions on the recommended proposals as they came forth.

In the first week of October (one month before the election) a Speakers' Briefing was conducted by the committee. Most staff members attended and they heard the chairman of the School Board, the superintendent, and two top administrative assistants to the superintendent present details on the proposed items for inclusion.

The County Council of PTA's had already met and found unanimity among all members present for the endorsement of the proposals. At the same time a list of some 150

civic, service, and community organizations and civic associations was produced. Since it contained the identity, presidents, addresses and telephones of each organization, it made the assignment of ten names to each member present that evening a rapid way of reaching them. Over the weekend as many as could be reached were called and a request was made for a reservation of a small amount of time at the next executive or general meeting for someone to present, in ten minutes, the highlights of the proposed items.

The PTA unit presidents had been called the weekend before and were asked to place the bond issues before their respective executive and general groups for consideration and a vote of support as well as to assist financially within their means in the support of the campaign for the bond issues of the educational drive.

There was a favorable response in the week following the Speakers' Briefing by numerous requests for speakers and that continued through the drive as well as request for displays with handouts of pertinent materials and for persons to answer questions.

On Friday of the following week at noon, a kick-off presentation took place at a luncheon at the New Glebe Elementary School. An opportunity was provided for the principals to speak for five minutes each on their areas of concern with the bond issues. Those speakers and their positions are as follows:

Chairman of the County Board.  
Chairman of the County School Board.  
Superintendent of Schools, and County Manager.

The four page fact sheet was placed in their hands and in one brief hour the highlights were covered and the attendees left with a good overview of what the ten county referenda items really were.

By that evening twenty-five copies of the fact sheets had been placed into the mail for all unit PTA presidents to assist them in their task of getting the right information into all possible voter hands. They had already been given an abbreviated narrative description of the three school bond issues, whereas this fact sheet was slightly more detailed and included costs and other important facts. It was considered that this was about as far as the PTA presidents could go at this time and allowed a chance for them to decide the best possible approach in their respective units to attain full support for the issues.

In this connection, it must be made clear the concern which some PTA's held for supporting all of the ten issues in which only three were oriented directly to education. At a test case at the County Council level, it was apparent that unanimity was not available—that the best and most sensible approach would be a compromise to support only the three educational issues under the name of PTA. Obviously all seven others would indirectly affect the old and new school developments in some way or another insofar as the physical plants were concerned. In short the PTA's were given no mandate to provide support except to the salient issues of the education proposals which have since proved a wise piece of discretion.

The last period or the remaining two weeks of October were marked with quiet optimism and a rare burst of parochial opposition usually based upon erroneous information. In each case, as these items of false information came to light, they were quickly reported to the truth squad to evaluate and to be properly countered henceforth. As the speakers made the rounds, these rebuttal inserts were especially helpful when such opposing views were expressed in question or in statements.

The effectiveness of the speakers before some audiences remains a question that an empirical measurement would be hard to come by. Generally, the reception accorded to

all of them was warm and cordial and it appeared that in each case the audience was composed of devoted citizens who wanted more information upon which to base their deciding vote.

One or two other segments that were on hand to give support in a visible way were the parents and young people who volunteered to stand near the polls and the bridge tenders to remind the voters of the need for school assistance. Innumerable Arlington residents commute daily across the Potomac River and work in Washington and Maryland. These bridge tenders, with appropriate signs handed to drivers when possible a neat and short fact sheet with the highlights of the issues and a request for a favorable consideration. The last group was one which concentrated at the ten largest food store entrances on two weekends before the election and passed out similar materials. One energetic member of the Youth Council, also a bridge tender, and his friends developed a poster which not only was attractive but most meaningful with its message.

What were the rewards that these civic minded groups received? They were the identical ones that the same groups would expect to enjoy from any such community directed effort toward improvement. New and better schools, motherhood, and apple pie are somewhat synonymous and the electorate had to be reminded of the virtues of at least one in this case. The system of organization that has been portrayed was a highly successful one, easily managed, and skillfully directed with a great sense of responsibility and devotion to duty. Such an organization may be geared to mainspring any such community action and is truly representative of the American democratic process. The main result is that the results of this drive could easily be converted, for example, to give the required support to the mandate that the new Constitution of July 1971 has given to the Commonwealth's General Assembly holding it responsible for Standards of Quality Education in this state or support for an effective educational cable television program for communities who desire it.

**Conclusion.**—The story ended at 7:00 p.m. as the polls closed for the 1971 elections and referenda items. The recorded votes are as shown below:

	Proposal—		
	8	9	10
Votes for the school bond issues.....	16,381	15,099	14,920
Votes against the school bond issues.....	11,000	12,229	11,984
Percentage for.....	60	56	56
Percentage against.....	40	44	44

The Superintendent of the County Schools gave a convincing argument to the County School Board of the validity of his need for the 7.6 million dollar expenditure for the continuing educational effort in the form of new structures. The County Board was persuaded to provide a place on the ballot for the electorate to consider the feasibility of the expenditure scheduled in November. The committee that the School Board appointed went to work with its enlightenment program to insure that the facts relating to the program were clearly understood by as much of the electorate as could be reached. The process of majority rule in a democracy is clearly demonstrated as the ballots were counted after each eligible voter declared his respected and honored wish on the issue at hand.

SCHOOL BOND ISSUES TO APPEAR ON THE  
NOVEMBER 2, 1971 BALLOT

PROPOSAL 8—TECHNICAL EDUCATION CAREER  
CENTER BONDS

Shall the County Board of Arlington County, Virginia, contract a debt, borrow money and issue bonds of Arlington County,

Virginia, in the aggregate principal amount of \$4,600,000 for the purpose of providing funds for the construction and acquisition of school improvements in the County consisting of a technical education career center building for vocational training, including a technical and community library and the acquisition of any necessary land and equipment?

PROPOSAL 9—ELEMENTARY SCHOOL BONDS

Shall the County Board of Arlington County, Virginia, contract a debt, borrow money and issue bonds of Arlington County, Virginia, in the aggregate principal amount of \$2,600,000 for the purpose of providing funds for elementary school improvements, including the construction of elementary schools in Arlington County, and including the acquisition of necessary land for school buildings or additions to school buildings, the construction of school buildings or additions to, or alterations of existing school buildings, and the furnishing and equipping of school buildings or additions to school buildings?

PROPOSAL 10—WAKEFIELD HIGH SCHOOL LIBRARY BONDS

Shall the County Board of Arlington County, Virginia, contract a debt, borrow money and issue bonds of Arlington County, Virginia, in the aggregate principal amount of \$470,000 for the purpose of providing funds for school improvements, consisting of the reconstruction and remodeling of the library at Wakefield High School in Arlington County, including the acquisition of necessary land and equipment?

THE AUTHOR

Herbert L. Garris is a retired military officer who has in four short years become a dedicated activist in community relations, especially secondary education support. In addition to a B.G.E. from the University of Omaha and an M.A. from the University of Maryland, he will complete his Ph. D. in Government and Politics at Maryland next June. His dissertation is entitled "Constitutional Revision: An Evolution of the Democratic Process in the Commonwealth of Virginia in 1970." His service on the committee described in the following article is a continuation of his devotion to the duty of the President of the Arlington County Council of PTA's which embraces forty unit PTA's and some 15,000 members. He is presently a part time instructor of Political Science at Montgomery College in Rockville, Maryland

WEST COAST DOCK STRIKE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. LANDGREBE. Mr. Speaker, cargo losses are almost \$24 million per day. Crops of our American farmers are being lost daily as they are exposed to the elements. Huge losses are accruing to businesses dealing directly or indirectly in foreign trade. Jobs are being jeopardized. The American economy is suffering serious damage.

All this is occurring because the Congress has failed to act to resolve the west coast dock strike. For 2 years, the President has had permanent legislation to deal with transportation strikes pending before Congress. It remains there, tied up in the Interstate and Foreign Commerce Committee. Congress must enact emergency legislation to end the west coast dock strike immediately.

To this end, I am proud to join with 11 of my colleagues in sponsoring a resolution to establish a procedure for the settlement of the dispute. Our presidentially endorsed resolution calls for the appointment of a three-man arbitration board to resolve the conflict.

The need is great. The strike has gone on for more than 100 days with no end in sight, while bargaining began 15 months ago. Efforts to resolve the dispute under procedures established in the Labor-Management Relations Act of 1947 and through exhaustive mediation efforts have failed to result in settlement. Under present law, there is no further effective action available to bring about agreement.

I agree with President Nixon that Government intervention in collective bargaining processes must be avoided whenever possible. However, as the President has said repeatedly, this critical situation affecting untold numbers of Americans in all walks of life dictates prompt congressional action. Legislation is imperative to provide the legal resources to end the west coast dock strike and work stoppage. I urge all dedicated Americans to call upon my congressional colleagues for enactment of this urgent legislation.

MISSISSIPPIAN HONORED BY NATIONAL INSTITUTE OF ARTS AND LETTERS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. GRIFFIN. Mr. Speaker, on May 17, 1972, Miss Eudora Welty will receive the gold medal award of the National Institute of Arts and Letters for her distinguished achievement in the arts. I can think of no more deserving individual to receive this high honor than Eudora Welty. This lady, a native Mississippian has spent her life writing about those things dear to her and familiar to those of us fortunate enough to have been raised in Mississippi.

Eudora Welty's prose style is simple and without pretention. Yet, it rings with truth and sincerity and reflects Miss Welty's love of her homeland. Throughout her writing, it is apparent that she has come to terms with herself and that she sees clearly the value of unadorned honesty in writing.

Miss Welty's credits are far too numerous to mention, but most recently published was her best-selling novel, "Losing Battles."

I join with her many Mississippi friends in lauding Miss Welty's latest honor. As a part of my remarks, Mr. Speaker, I include an editorial which appeared in the Clarion Ledger, Jackson, Miss., on Thursday, February 3, 1972.

The editorial follows:

A GOLD MEDAL FOR EUDORA WELTY, LATEST HONOR FOR GRACIOUS LADY

Mississippi's distinguished novelist, Eudora Welty of Jackson, was named as this year's recipient of the Gold Medal award of the National Institute of Arts and Letters, a coveted award given each year in two cate-

gories for distinguished achievements in the arts.

The other recipient is Henry Steele Commager, famous historian and lecturer regarded as one of the most notable figures in his field.

The Gold Medal for Fiction and the Gold Medal for History were last given to Katherine Anne Porter and Arthur Schlesinger Jr., in 1967.

Miss Welty and historian Commager will be honored with formal presentation of the medals this May 17th at the joint annual Ceremonial of the National Institute and its affiliate, the American Academy of Arts and Letters in New York.

Chartered by Congress in 1913, the National Institute of Arts and Letters and the American Academy of Arts and Letters encourage and further the arts by their broad program of giving awards and honors to members and non-members.

Eudora Welty, recognized as one of America's foremost novelists and short story writers, is a native Jacksonian. She studied at the Mississippi State College for Women, the University of Wisconsin and Columbia University School of Advertising.

Among Miss Welty's works are "A Curtain of Green" (short stories), 1941; "A Robber Bridegroom" (novella), 1942; "The Wide Net" (short stories), 1943; "Delta Wedding," 1946; "Music From Spain," 1948; "The Golden Apples," 1949; "The Ponder Heart," 1954; "The Bride of Innisfallen" (short stories), 1955; "The Shoe Bird," 1964; "A Sweet Devouring" (autobiographical essay), 1969; "Losing Battles," 1970.

Miss Welty held a Guggenheim Fellowship in 1942, and received an O'Henry Memorial Award in 1942 and again in 1943. She received a National Institute of Arts and Letters Award in literature in 1944, the William Dean Howells Medal of the American Academy of Arts and Letters in 1955, the Creative Arts Medal for Fiction from Brandeis University in 1966, and the Edward MacDowell Medal in 1970. She was elected to the National Institute of Arts and Letters in 1952, and to the American Academy in 1971.

In addition to her brilliance as a top authoress, Eudora Welty is endowed with sterling qualities which have made her esteemed and beloved by fellow Mississippians who are proud of her latest honors.

UKRAINIANS

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mrs. GRASSO. Mr. Speaker, the Ukrainians are a noble and freedom-loving people. Yet, for so many years these brave patriots have been forced to bear the heavy yoke of Communist oppression.

Fifty-four years ago, for all too brief a time, Ukrainians experienced the contentment and inner peace of personal and political freedom. Unfortunately, their brilliant torch of freedom was quickly extinguished through reoccupation by the Bolsheviks.

Though the period of democratic rule in the Ukraine was shortlived, these courageous people have maintained their strong spirit, their conviction that someday they may regain what is their right—the sovereignty of their homeland.

All over Europe, Ukrainian exiles keep alive these treasured hopes. In the Ukraine itself, more than 30 prominent intellectuals have been arrested and sentenced over the past 10 years by ruthless

officials who resent and fear the nationalistic sentiments expressed by these freedom lovers. The same energy and selfless devotion to the cause of democracy has been the legacy of Ukrainian immigrants to this country—from their heroic contributions to the army of Gen. George Washington to their daily contributions to our way of life in America.

It is my great honor to pay tribute to our citizens of Ukrainian ancestry and to their kinsmen who have distinguished themselves by their courage and have endeared themselves to free people everywhere.

**NEW YORK TIMES ARTICLE BY ENID NEMY EXPLORES PROBLEM OF COSMETICS SAFETY**

**HON. LEONOR K. SULLIVAN**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mrs. SULLIVAN. Mr. Speaker, yesterday's New York Times carried an article on cosmetics safety which I hope every Member of Congress will read, and which I am therefore placing in the CONGRESSIONAL RECORD.

Written by Enid Nemy, the articles, "Cosmetics Safety: Admittedly A Problem, But What's The Solution?" is a low-key, balanced summary of attitudes of government officials, consumerists and the cosmetics industry on the pros and cons of various approaches to more effective regulation of the cosmetics industry.

But there is a concensus reflected in the article that the present system of regulation is woefully inadequate and is not protecting the public.

**INGREDIENTS NOT DISCLOSED**

Most consumers assume that cosmetics products are demonstrably safe or they could not be offered for sale. This is not the case. Any cosmetic product can be marketed by anyone who wishes to go into the business, without clearance of the product by the Food and Drug Administration and without disclosure to the customer, or even to the FDA, of what the product contains. Since most consumer injuries from cosmetic products result from individual allergic reactions to ingredients which are generally not harmful, it is essential that the ingredients be listed on the labels for the protection of users who know what they are allergic to but have no way of knowing which cosmetics products may contain those materials except through painful, and expensive, trial, and error. And even when they find a cosmetic product they can use comfortably, the formula may be changed overnight without their knowledge.

**NO REQUIREMENT FOR PRETESTING**

A much more serious problem is that new materials can be introduced into cosmetics without pretesting of any kind, and it is only after sufficient injuries have been brought to light that the FDA learns that there is a problem and then begins the long-drawn-out process of trying to determine if there is enough

legal evidence of danger to enable it to ban the product from sale.

The burden of proof of the safety of any cosmetic ingredient should be placed on the cosmetics industry. Drug manufacturers must prove the safety of a product before marketing it; so must food manufacturers. But the cosmetics industry has successfully fought this idea since Congress began to consider the Food, Drug, and Cosmetic Act, which brought cosmetics under regulation for the first time in 1938.

As Enid Nemy's article points out, the cosmetics industry has recently been proposing various "voluntary" approaches to the cosmetics safety problem. The industry has had 34 years to make the "voluntary" method work, and it has not been effective.

Mr. Speaker, along with the article from yesterday's New York Times which appears below as part of my remarks, I urge Members interested in knowing more about this problem to read also statements of mine in the CONGRESSIONAL RECORD, volume 117, part 15, pages 19393-19394, 19406-19407; part 18, pages 23628-23632.

**60,000 COSMETICS INJURIES A YEAR**

With 60,000 injuries being reported annually to insurance companies from the use of cosmetics, but with only 314 consumer complaints on cosmetics being filed last year with the Food and Drug Administration, it is obvious that the Government agency is not able to keep up with the situation under present limitations on its powers.

I disagree completely with the statements made to the New York Times writer by some of those she interviewed that it would be either impractical or unnecessary to require pretesting of cosmetics for safety. The recent developments in connection with the widespread concern over the use of hexachlorophene in cosmetics products show the importance of adequate testing of the safety of any ingredient before it is used in cosmetics, rather than waiting for the customer, who is now serving as an involuntary human guinea pig for the cosmetics industry, to experience injuries from it before anyone takes a look to see if the product should remain on sale.

The article referred to from the New York Times, by Enid Nemy, is as follows:

[From the New York Times, Feb. 6, 1972]  
**COSMETICS SAFETY: ADMITTEDLY A PROBLEM, BUT WHAT'S THE SOLUTION?**

(By Enid Nemy)

Most people assume (cosmetics) products are safe or the Government wouldn't let them be sold.

Marketing of a product constitutes an inherent, implied warrant or fitness for its labeled purpose, including safety in use.

People don't read labels . . . nothing is as bad as a law that isn't helpful.

Most women assume that cosmetics are a harmless way of trying to improve on nature. It isn't always so.

Despite the fact that the vast majority of cosmetics are safe, some aren't. The "some" according to a 1970 report of the National Commission on Product Safety, annually injure 60,000 people. The injuries are mostly to women and involve such complaints as skin eruptions, loss of hair, severe allergic reactions, burns, and itching,

all considered sufficiently serious to restrict activity for one day or require medical attention.

Another survey by the same Presidential commission indicated, too, that beauty aids accounted for the second largest group of personal injury claims among American insurance companies. The survey took in the 30 products most frequently linked to injuries, from glass bottles and containers, which ranked first, to stairs, cleaning agents, clothing, ladders and lawn mowers. It excluded automobiles, foods and drugs.

Unlike food and drugs, cosmetics are almost completely unregulated. There are no mandatory standards in the \$6-to-\$8-billion-a-year industry, in which about 200 of the estimated 1,000 cosmetic companies account for 90 per cent of the sales. Nor are there requirements for pre-marketing testing, although some manufacturers maintain both on a voluntary basis. There is also no necessity to list ingredients on a label.

"The public becomes the guinea pig to test the safety of cosmetics," said Representative Leonor Sullivan, the Missouri Democrat, who has unsuccessfully been introducing cosmetic legislation since 1954.

"The burden of proof is on the Food and Drug Administration to show that a product is not safe, rather than on the manufacturer to prove it is safe," she said.

The latest version of her bill is still pending before a House committee, but a spokesman for Mrs. Sullivan conceded that "there's not much hope" when asked about its chances.

"Not unless there is much more consumer interest than there has been up to now," he added. "Most people assume products are safe or the Government wouldn't let them be sold, but the Government doesn't know whether or not they are safe until they get complaints."

The Government does get complaints, although they are minimal considering the millions of cosmetics products sold each year. The complaints in no way reflect those reported to other sources, such as doctors and insurance companies. Dr. Charles Edwards, the F.D.A. commissioner, has acknowledged that the agency "receives only a fraction of the total number of cases of adverse reactions."

Last year, for instance, the F.D.A. received 314 consumer complaints, up about 40 per cent from 1970, the last year for which there is a breakdown of figures. Thirty per cent of the complaints dealt with hair cosmetics, including bleaches, dyes, shampoos, straighteners and wave sets (Government authority over coloring in food, drugs and cosmetics does not include coal tar hair dyes, which are used in many permanent hair dyes).

Both preparations, particularly bubble baths, some of which were found to have an excessive amount of wetting agents that caused bladder problems, accounted for 11 per cent of the complaints and another 9 per cent stemmed from mouthwashes and dentifrices. In the latter area, inflamed lips were attributed to chloroform, which has since been excluded from most of these products.

Deodorants and antiperspirants added 7 per cent and so did eye preparations, and nail preparations and facial creams were each responsible for 6 per cent. The remainder was divided among many areas.

At the moment, the F.D.A., with some cooperation from the industry, is reviewing certain hair dyes, doing research in mercury reactions, testing the possible asbestos content in talcum powder and investigating the effect of certain shampoos on eyes.

It is also investigating aerosol sprays, considered potentially harmful to people with heart conditions, continuing the evaluation of hexachlorophene in many areas, including vaginal deodorants, and carrying on gen-

eral testing of bacterial contamination in cosmetics, with special emphasis on eye make-up.

Realistically, the F.D.A., and most proponents of consumer legislation, are well aware of two facts:

The first is that pre-testing would not entirely preclude the possibility of potentially harmful ingredients being used in cosmetics. This would apply particularly if the possible danger came from a cumulative, or long-term effect, such as is thought to be the case with hexachlorophene and mercury. It would also not eliminate the possibility of sensitive or allergic reactions to some products by some people.

The second is that pre-testing would not mean that the product would have to be cleared by the F.D.A. before being marketed. A pre-clearance policy would, an F.D.A. official pointed out, require considerably more staff ("several hundred or more"). An industry official noted that it would also delay the introduction of new products for what could be a considerable period of time.

Although Representative Sullivan has attributed some of the continued resistance to her proposals to the cosmetics industry . . . able to convince the all-male committee that the women of America would rise up in revolution if Congress in any way interfered with their "right to be beautiful," there is little doubt that more stringent regulations or guidelines of some kind are being seriously considered.

On the Government level, bills affecting cosmetics have already been introduced by Representative John Moss, a California Democrat, and Senator Warren Magnuson, Democrat of Washington. The Moss proposal would set up a Products Safety Commission that would have stand-by authority to regulate the safety of cosmetics should other Federal agencies with jurisdiction fail to take action. The Magnuson bill is similar in effect.

Representative Frank Evans, Democrat of Colorado, has also drafted, and is continuing to research, a bill that would provide certain mandatory standards for the cosmetics industry. It would require registration of cosmetics manufacturers, listing of ingredients, expiration dates and manufacturer's addresses on labels, and pre-testing in 13 areas, including toxicity, irritation, eye irritation, microbiological contamination and stability of preservative systems. It would also require quarterly reports to the F.D.A. on consumer complaints received by cosmetics companies.

On the industry level, the Cosmetics, Toiletary and Fragrance Association (C.T.F.A.), has filed two petitions with the F.D.A., and prepared a third, which would set up voluntary procedures for its membership. And the F.D.A., in a proposed statement of policy, has taken a new approach to cosmetics control.

The F.D.A. proposal, conceived by Peter Hutt, the agency's general counsel, would provide controls without a law being enacted by Congress. It is a theory of "implied warranty" where, in effect, the agency concedes that it has no pre-marketing clearance authority over cosmetics but "the marketing of a product constitutes an inherent, implied warrant of fitness for its labeled purpose, including safety in use."

The new concept could become a major point of argument in court cases against products alleged to be unsafe by the F.D.A.

The C.T.F.A. petitions would provide voluntary registration of such information as headquarters and plant locations and product ingredient formulations (to the F.D.A. and Poison Control Centers). The as-yet-unfiled petition would make available to the F.D.A. adverse reaction or complaint files of consumer experience.

As yet, the industry has filed no petitions on pre-testing, although it has issued a number of guidelines "designed to upgrade the entire manufacturing process."

"A substantial amount of testing is now being done," said James H. Merritt, president of the 200-member association. Asked how many members, or what percentage of the membership did, in fact, pre-test, he had no precise figures. "I get the impression that a wide amount is being done," he said.

The industry, he said, was in favor of self-regulation, rather than mandatory controls and most members of the association agree with this view.

Dr. Robert Shaffner, director of product technology in the F.D.A., agreed that a voluntary program would be "a good starting place." However, other consumer experts favor some form of mandatory control, contending that "fly-by-night" manufacturers and others might not comply voluntarily.

"You can't have A, B and C saying 'we'll cooperate' and D saying, 'go jump,'" said Dr. Cyril H. March, former chairman of the American Medical Association's committee on cutaneous health and cosmetics.

Dr. Marsh, an associate professor of dermatology at New York University, favors a scientific advisory board on cosmetic ingredients. The board could consist of representatives from industry, Government, law and medicine.

Although he favored more explicit "warning" cautions on certain products and the availability of product formula information in central locations, he did not approve the concept of ingredient labeling for the public.

"People don't read labels . . . nothing is as bad as a law that isn't helpful," he said.

The industry, "as a general proposition," also opposes ingredient labeling. Some of the reluctance has been attributed to fear of disclosing formulae to competitors and complicating package design.

Last year, Barnaengen AB, a major Swedish company, began listing its ingredients on packages and inserts, to enable customers to avoid substances to which they might be allergic and at least two American companies, Revlon, one of the largest, and Estee Lauder, one of the most prestigious, are considering their own ingredient labeling. Spokesmen for both companies said they were not concerned at being copied.

"Products can be copied without even knowing the ingredients," said Norman Grief, a Revlon vice president.

Avon Products Inc., the largest manufacturer (\$870-million last year) said it recognized "the consumers' right to know" with a recently adopted policy of sending product ingredient information to anyone requesting it.

All three companies are also among those with extensive research and testing programs.

To Leonard Lauder, a member of the C.T.F.A. board of directors, the industry's increased concern for self-regulation stems from greater sophistication and awareness on the part of the consumer.

"Things that were taken for granted before are not taken for granted anymore," he said.

THE YOUNG WILL GET OLD  
TOO SOME DAY

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. OBEY. Mr. Speaker, no one knows like the person who has been there.

After reading in my hometown newspaper, the Wausau Daily Record-Herald, about legislation to provide outpatient prescription drug coverage under Medicare, a 69-year-old woman in Hatley, Wis., wrote me a moving letter about

the problems she and her husband face. Here are some excerpts:

. . . you and other Congressmen introduced a bill, I hope it comes thru . . . my medicine, pills, his medicine, pills are so expensive . . . I can't pay \$22.00 for shoes for my husband, so we look around for something cheap as I have to put away money for our pills and medicine . . . I get \$76.40, my husband gets \$107.70 . . . If we could only get help sometimes. His medicines and mine over \$20.00-\$25.00, so we pinch on that to make them last longer . . . Please support that bill. It would mean a lot for all us elderly . . . The young will get old too some day, only some are more fortunate with money . . .

Mr. Speaker, letters like this one help explain why 113 Members are cosponsoring my bill (H.R. 2355) to provide outpatient prescription drug coverage under Medicare, and why 23 Members of the Senate are cosponsoring companion legislation by Senator JOSEPH MONTOYA that is pending before the Senate Finance Committee as an amendment to H.R. 1.

Here is her letter:

January 27, 1972.

DEAR MR. OBEY:

I read my Record Herald over very carefully and in the Jan. 20-72 I read something very interesting, you and other Congressmen introduced a bill, I hope it comes thru.

I am 69 in good health so goes for my husband he is a heart patient at the Stahmer Clinic I have so much to say, every month I want to put away some money for some clothes, well my medicine, pills, his medicine, pills are so expensive, I told him to get a check up but really it cost's so much he doesn't go my husband is 66 yrs. I need eye-glasses but can't afford that I can't pay 22.00 for shoes or my husband so we look around for something cheap as I have to put away money for our pills and medicine, I get 76.40 my husband gets 107.70 its church dues, gas for house heat as he gets cold have to fire more—Elec. Tel. gasoline & car to get to Hatley and no trips. Clothes that all goes all we do is live, if we could only get help sometimes his medicine's and mine over 20.00 25.00 so we pinch on that to make them last longer! sure we belong to Medicare, but it helps if we go to hospitals but have to pay 60.00 to hosp. so we have to part with it there same is the doctor we have to pay too.

Please support that bill it would mean a lot for all us elderly, when I got to be 65 at the Battery works I had to quit stay at home, I could go out and earn a little money—but I am 65 they tell me I would feel lot better if I worked then to look out and kill time.

Thank you for reading this, and hope that Medicare drug coverage bill passes.

The young will get old to some day only some are more fortunate with money, if there was work many of us still can do it maybe would feel better to get out.

God Bless you with everything you wish for.

Mr. & Mrs. Frank J. Kosidowski.

FTC ELIMINATION OF EXCLUSIVE  
FRANCHISE AGREEMENTS—SOFT  
DRINKS

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. MOLLOHAN. Mr. Speaker, in mid-January of last year, the Federal Trade Commission announced its intention to

issue complaints against seven soft drink franchise firms for the purpose of eliminating the exclusive franchise agreements which these firms sign with local distribution companies. At this time the major companies follow a practice of entering into agreements with local companies for an exclusive franchise within a given geographical area. The impact of this agreement is to provide competition between brand names of different soft drink products, but not between two companies distributing the same brand name soft drink.

The purpose of the FTC's proposed action was to increase competition and to give the public the benefit of competition within the same market area between companies distributing the same brand name soft drink.

And, Mr. Speaker, if the real impact of this action would conform to the impact intended by the FTC, there would be no problem. However, just the opposite effect will be the result if the FTC is allowed to carry out its purpose.

For the beneficiary of this action will not be the public, but the large chain food and drug companies. The economics of this business require that the local distributor sell a substantial volume of the soft drink in order to break even, and while there may be certain areas of the country where the FTC's actions might give the public the benefit of more competition, throughout most of the country the reverse is true. All but about 100 of the nearly 3,050 local distributors are classified as small businesses by the Government, while the major chain food and drug stores are virtually all classified as large business in that they do more than \$5 million worth of business per year.

These small distributors sell not just to the large food and drug stores, they also service the gasoline service stations, and motels and retail outlets.

Naturally, since it is more profitable to do a large volume in this business, the food and drug stores are prime customers for the local distributor. To deprive the local distributor of this most profitable section of his market while leaving him with only the small volume customers, and at the same time require further competition through more distributors is to drive the small businessman up against the competition of the large chain store, and there can be little doubt who would survive that competition.

This would be bad for the small distributor, though if it resulted in price savings for the public it might be justifiable. But the impact does not end there, for the chain stores certainly cannot be relied upon to go into a service business that would give service to the many small outlets in the community that sell soft drinks, and certainly they could not be depended upon to properly service their smaller competitors in the food or drug store business.

Another impact would be to remove the decision making process from the locality where the distributors are presently and shift it to the warehousing centers of the chain stores.

In my State of West Virginia, there are presently 43 soft drink distributors. If the chain stores were allowed to move

into these areas, their shipping points would be in Ohio, Pennsylvania, and Kentucky, not West Virginia, and the decisions about who to sell to on what terms would be made in those centers, not locally. This cannot give the residents of West Virginia better service. Rather it would give us less service, with no guarantee of a less expensive price. Indeed, because of the differences in volume, the chain stores could virtually destroy the small distributor on the basis of initial price competition, and then leave the small outlets with no service whatever.

Most of us believe that competition should start at home, and that we should be opening new areas of competition rather than encouraging the concentration of capital and decisionmaking away from the actual market place.

There can be no doubt that the present exclusive franchise agreement limits competition. But there can be even less doubt that the elimination of this system would give us even less competition, poorer service, and more economic concentration.

Because of this, I am today introducing legislation on behalf of Congressman JOHN SLACK, KEN HECKLER, JAMES KEE, and myself to protect competition in our State in this industry. I urge that this legislation be given immediate consideration and that we overturn the unwise decision of the Federal Trade Commission.

#### DISCRIMINATION AGAINST HANDICAPPED VETERANS

### HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. VANIK. Mr. Speaker, over 4 million men and women have been released from military services since the beginning of the Vietnam conflict. Unemployment among Vietnam era veterans at the end of 1971, was 7.8 percent. For younger veterans, aged 20 to 24 years old, the unemployment rate is 8.8 percent. While these statistics point out the problems facing the healthy returning veteran, the statistics reveal a more critical unemployment situation for the disabled veteran.

Of all the handicapped veterans registered with the Veteran Employment Services, only 1.6 percent of registered handicapped veterans were placed as a result of job contacts made in 1971, while 87.7 percent were unable to be placed in regular nonagricultural jobs. While the handicapped veteran represents nearly 10 percent of all veterans registered at the Employment Services Center, he received inadequate attention in both the areas of job placement and job development.

The handicapped veterans' barriers are medical, psychological, and educational. He seeks insurance, and is rebuffed by private agencies' exemption clauses concerning Veterans' Administration hospitals—he seeks medical care in the Veterans' Administration hospital, and is provided with inadequate care

and unduly long hospital stays. He seeks counseling and is placed on a waiting list. He seeks employment and is rebuffed either by the private employer as incompetent, or by his Government as being essentially unplaceable.

It is of particular humiliation to all of us that our soldiers return only to find that peace, like war, is hell.

Executive Order 11598, dated June 16, 1971, created special programs for job counseling and placement for both the healthy and disabled veteran in the belief that the "Nation owes these veterans not only its deepest thanks for their service and sacrifice, but also its assistance in their efforts to resume normal civilian activities." While I do not doubt the sincerity of such counseling and placement programs, statistics question the effectiveness of this program.

The program can be defined as threefold. First, the inability of our Government to reach and counsel the handicapped veteran as to the availability of additional programs to help him; second, the overall inability of our programs of job contacts and job development to be successful in creating new jobs—and lastly, the inability of our Government to help the citizen who is discriminated against because of a physical or emotional handicap.

My own State of Ohio became the first in the Nation to compile a listing of all its Vietnam veterans who are looking for work. Winning praise from the White House, the compilation is expected to be reproduced in the remaining 49 States. But the divergence between intent and action in the United States is also reflected in the failure of the States to provide jobs and placement. Ohio, for example, lagged well behind the national average in providing both jobs and placement for the veteran. While the Employment Services Center, on a national average, was able to counsel 20 percent of all disabled registered veterans, Ohio counseled only 11.2 percent of their registered disabled veterans.

The Ohio average of placing only 0.6 percent of its registered handicapped veterans is only slightly outdistanced by the disgraceful national percentage of 1.6 percent.

The situation is not the result of a lack of funding for counseling and placement centers. Rather, it is the result of the inability of centers to reach the disabled veteran or to make him aware of the programs available to him.

The money exists. The programs exist. Indeed, the Committee on the Disabled Veterans states that its No. 1 problem is a lack of publicity. Veterans groups and businessmen must be informed to act now on how to support the disabled veteran.

One important instance bears out the contention that while the money and organizational structure is available to groups to start rehabilitation programs, groups do not take advantage of that money. One Ohioan, Patrick McLaughlin, a student at Ohio University and vice-president of the National Association of Collegiate Veterans, stated that:

Education and training cannot be separated from unemployment.

The predischarge education program, is an educational program available to disabled veterans to notify them as to the education and job opportunities available to them. Yet many hospitals have not instituted such programs, even though the Committee on Disabled Veterans is quick to point out that both the authority and money is available to the hospitals to institute such programs. While we eagerly inaugurate new programs, such as jobs for veterans, veteran jobs, national alliance of businessmen, we fall terribly short in the successful implementation of such potentially far-reaching programs.

The Federal Government is, in effect, defeating its own purposes. While Executive Order 11598 requires that federally related job contractors list their job openings with the Federal Government, the Federal Government itself is practicing a subtle form of discrimination against the veteran. The Veterans Employment Service of the Department of Labor's Manpower Administration reports that while 255,419 handicapped veterans were available for work and registered at the 2,400 local Public Employment Service offices for the fiscal year 1971, only 31,442 handicapped veterans were placed in regular nonagricultural jobs. This means that seven out of eight handicapped veterans who registered with the Government to find employment were not placed.

The Manpower Administration has emphasized programs relating to minority and disadvantaged groups, and is trying implementing those programs. But at the same time the Department of Labor has permitted a disproportionately small number of disabled veterans to utilize MDTA benefits. Statistics illustrate that 4,453 handicapped veterans were enrolled in MDTA programs. This, of course, is much too low, when you consider that more than a quarter of a million disabled veterans were available. These figures, obviously, do not reflect the intent of Congress as expressed in chapter 41, title 38, United States Code, which asserts that veterans will receive "maximum employment assistance."

The Veterans Preference Act provides that the positions of guards, custodians, messengers, and elevator operators will be restricted to veterans as long as qualified veterans are available. However, in recent years, Federal agencies have contracted these services from independent businessmen with no provision for veterans preference. The Federal Government's plea cannot be that few veterans have a particular skill to market. It is estimated that 80 percent of our veterans, able and disabled, have marketable skills. In compliance with the Veterans Preference Act and to our veterans themselves, it is suggested that contractors provide preference for veteran applicants in their independent contracting arrangements.

Pursuant to Executive Order 11246, title 41 of the Code of Federal Regulations was amended by adding part 60-2, the affirmative action program. This program requires prime contractors and subcontractors of the Federal Government to initiate active recruitment programs for the disadvantaged. Would it not be

equally meritorious to employ qualified disabled veterans and to accord a degree of preference to such veterans with respect to federally funded programs? Why not develop an affirmative action program for disabled veterans?

Money is not at the heart of the issue here. The Veterans' Administration and the President's Executive order of last June have initiated a wide ranging variety of programs in each State to combat the unemployment of veterans. The problem is one of motivation. The programs exist, but are not actively used on behalf of the disabled veteran. The problem is also one of publicity. The programs are known to the project director, but not to the general public.

One group endeavor, an attempt to provide publicity for the disabled veteran, is the Job Fair concept. Employed already in 32 States, they have been very successful. They estimate that they have placed 10 to 15 percent of those veterans who have attended and who were seeking employment. This program, the result of citizen action and VA sponsorship, illustrates the need for publicity, in order to bring the plight of the disabled veterans to national attention.

While the GI educational benefits could benefit many, VA educational funds go unused in many instances. Many institutions, such as the University of Massachusetts, have provided 4 years of tuition-free education to recent veterans. For years, GI educational benefits have existed. Publicity and effort can make their importance better known to the veteran.

While the President's Council on the Handicapped has made an effort to publicize the handicapped citizens plight, veteran or nonveteran, society continues to ignore them. Only the most recently constructed public buildings contain ramps for wheelchairs. Army base theaters exclude the wheelchair. Most public transportation facilities require companions for the blind and handicapped.

The average American discriminates by his attitude against the disabled veteran. The State governments discriminate by their apathy. The Federal Government, large and unwieldy, has cooperated in this discrimination by multiplying programs rather than services to the disabled veteran. The Federal Government has not been active enough in the attempt to include the disabled veterans in their placement programs.

The handicapped in this country constitute another minority group and should be provided for in our society.

I introduced legislation on December 9, 1971, H.R. 12154, to amend the Civil Rights Act of 1964 to specifically include the handicapped. This bill would make it illegal to discriminate against any handicapped individual or to deny him access to federally assisted programs, unless there is a bona fide qualification reasonably necessary to the normal operation of the particular program. This amendment will reinforce prior efforts on behalf of the disabled American by making the spirit and the implementation of the law equal.

While the amendment will make the letter of the law supportive of the dis-

abled veterans, other efforts must be made to make this proposed amendment effective. We must increase the national awareness of the veteran as a job candidate by emphasizing the skills he brings to the civil employment market. We must improve utilization of existing programs that can link the veteran with job and training opportunities. We must stimulate the further formation of action groups at the State and local levels to marshal available resources. And finally, we must encourage the public and private employers to actively seek out and hire veterans.

It is my hope that this legislation will receive early hearings and support from my colleagues. This endeavor to insure the protection of the legal and constitutional rights of our handicapped citizens is an effort that deserves the support of all Americans.

#### INDIAN ARMY LOOTED MILLS, PLANTS, AND FACTORIES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DERWINSKI. Mr. Speaker, in my judgment, there has been an unfortunate lack of objectivity by the U.S. press over the developments in the Indian-Pakistani conflict going as far back as the original problem when the Pakistani Army cracked down on Bengali political leaders.

A story in the Washington Post of January 26, was of special interest to me since it reported on problems that Bangladesh is evidently facing as a result of certain actions by the Army of India. As a news article, this speaks for itself, and I insert it in the RECORD:

INDIAN ARMY LOOTED MILLS, PLANTS, FACTORIES, BANGLADESH OFFICIALS SAY

(By Martin Woollacott)

KHULNA, BANGLADESH.—Systematic Indian army looting of mills, factories and offices in the Khulna area has angered and amazed Bangladesh civil officials here.

The looting took place in the first few days after Indian troops arrived in the city Dec. 17, but in the words of one official, it was not "ordinary looting."

Mill and factory storerooms where spare parts for the machines were kept were broken into and their contents loaded on trucks and taken back to India.

Electric motors for machinery were particularly sought after. Also taken were typewriters, duplicating machines, telephones and other office equipment.

In the case of one jute mill, it is claimed, virtually every machine there was carried off. A port official who refused to be identified said that when he went into his office after the end of the fighting, it was completely bare. Desk, telephone, filing cabinets, all had been taken.

Another Bangladesh official said, "This was organized looting which for a few days was on a large scale. Fortunately, new spare parts were the main target in the factories, so with the existing machinery we have been able to restart the work. We also had looting by the Mukti Bahini East Pakistan guerrilla army but that was the random looting you expect of soldiers. As far as the Indian army looting

was concerned, we think there may have been a tie-up between certain army officers and merchants in Calcutta."

Khulna district authorities have reported the looting to the new Bangladesh government. The current estimate of the value of the stolen machinery stands at about \$1 million.

The Bangladesh government is understood to have protested to the Indian government, which is taking steps to recover the stolen goods.

According to officials here, another problem in the Khulna area, easily accessible from India, is that the amount of illicit trade both ways is increasing daily. Indian cigarettes, oil, kerosene, matches, salt and other goods are coming in while eggs, fish and milk are going out.

Indian calendars featuring Prime Minister Indira Gandhi, Bangladesh Prime Minister Sheikh Mujibur Rahman and Gen. Manekshaw, the Indian army commander in chief, are on sale at every bazaar.

Bangladesh as yet has no trade pact with India, and in any case the country's new state trading corporation is supposed to handle all import and export deals.

Two-way smuggling, which has developed in the Khulna area and no doubt elsewhere, means that trade with India is subject neither to control nor to customs duties and tariffs.

In an effort to reduce smuggling, civil officials have directed that the border posts once manned by the old East Pakistani Rifles, an elite military unit, should be reoccupied by men of the new national militia, formerly Mukti Bahini.

#### SST OR ATC—IMPLICATIONS OF A POLITICAL DECISION

### HON. CHARLES A. MOSHER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. MOSHER. Mr. Speaker, tomorrow the House will consider the creation of an effective new arm for the Congress, an Office of Technology Assessment, as proposed in H.R. 10243.

I submit there is solid evidence of the need for H.R. 10243 in our torturous experience last year, dealing with the SST issue, a prime example of how the Congress too often wrestles almost blindly, lacking its own adequate sources of information, when making decisions which involve complex technologies and their potential for immense good, or bad.

Therefore, I call to the urgent attention of the House a fascinating and I believe accurate analysis of our struggle over the SST decision, written by a very respected friend of many of us here, Dr. Edward Wenk, Jr., now professor of engineering and public affairs at the University of Washington, in Seattle.

His article, titled "SST—Implications of a Political Decision," was published in *Astronautics and Aeronautics* for October 1971.

I doubt that anyone alive knows better from his own practical involvement, plus scholarly study, the strengths, and many weaknesses of our congressional process for making decisions concerned with science and technology, than does Ed Wenk.

In his analysis of the SST decision-making, which follows here, one conclusion is this:

Every participant . . . needs to be better prepared by technological assessment.

And he declares specifically that approval of H.R. 10243 "would take a major step toward reinforcing congressional access to expert analysis."

I submit the Congress crucially needs that major step, and I urge all my colleagues to study Ed Wenk's analysis:

#### SST—IMPLICATIONS OF A POLITICAL DECISION

(By Edward Wenk, Jr.)

With the dust settled and the battle cries stilled, a postmortem search for clues to the demise of the late-lamented SST may help prepare us for the future. Similar issues will likely be examined in a public forum on the beneficial application of technology to meet national goals and on new opportunities for partnership between the governmental and the private sectors to create and manage large new enterprises.

In retrospect, both sides would probably agree on a number of points concerning the SST:

Among the contending parties there was confusion both about the nature of the key issues and how to resolve them. Judging by the public record at the moment of truth, one might have supposed the SST decision was largely an environmental issue. In fact, this was only one among perhaps a dozen in a web of complex and unprecedented questions involving technology for which familiar patterns of decision-making and planks of national policy were conspicuously lacking.

The magnitude of the project and its risks called for supportive efforts by both government and industry, but a balanced relationship never matured.

Insufficient homework was done on both sides in winnowing from the plethora of information and guesses a meaningful array of verifiable facts. In the absence of a convincing rationale, the last-minute, belated burst of lobbying by both sides proved naive and even counterproductive.

The SST cutoff was a political decision—not economic, social, technological, or environmental—but political. Politically determined issues inevitably tend to be accompanied by as much heat as light, and, sadly, the very word "political" has come to have negative connotations for much of the public.

Future technological issues may suffer the same fate in a deluge of rhetoric because of inadequate or belated technological assessment.

Case History of the Patient: First, a brief chronology.

Early 1950s—Faint stirring of the concept of a civilian supersonic transport.

1956—Feasibility study launched by NACA of requisite powerplants for supersonic flight.

1958—B-70 bomber, prelude to SST, contracted for with North American Aviation. Program soon scrapped after \$330 million of research, on grounds that ICBM rendered manned bombers obsolete. Federal Aviation Act created Federal Aviation Agency and authorized development of civil aeronautics. The aerospace industry began independent studies of a privately financed SST, but found a prototype development necessary to solve key technical problems and the cost of this beyond its borrowing capacity.

1960—General Elwood R. Quesada, chief of the new FAA, undertook studies of an SST, contending the U.S. could not neglect the competition in market, prestige, and leadership from the USSR and the Anglo-French consortium. His request for funds was trimmed by Budget Bureau. Quesada's successor, Najeeb Halaby, assumed SST advocacy, urging through "Project Horizon" and the Supersonic Transport Advisory Group that development of a commercial SST with governmental assistance be deemed a national objective.

1961—Appropriated for supersonic-transport development: \$11 million.

1962—Appropriated: \$20 million.

1963—British-French decision announced to proceed with Concorde. June 5, President Kennedy announced U.S. commitment to supersonic plane (with an additional \$60-million appropriation). He said, "Neither the economics nor the politics of international air competition permit us to stand still in this area . . . An open preliminary design competition will be initiated . . . If these initial phases do not produce an aircraft capable of transporting people and goods safely, swiftly, and at prices the traveler can afford and the airlines find profitable, we shall not go further . . ."

1964—First Congressional debate on issue; cutoff rejected by the House of Representatives, 109 to 26. Early in a long series of special feasibility studies by various parties, one by Stanford Research Institute concluded that there was "no economic justification for an SST program."

1965—President Johnson called for 18 months of additional research before construction.

1966—Intensive opposition developing in Congress, especially from Representative MacGregor and Senator Proxmire, leading to cuts in every subsequent appropriation bill. Studies by NASA and OST raised questions about noise. December 31, Boeing and GE announced as winners of design competition.

1968—Johnson Administration continued support for SST, including explicit assignment of project to newly hatched Department of Transportation. In autumn, Boeing announced its swing-wing design would be scrapped, resulting in a technological setback of 18 months.

1969—*Ad hoc* committee chaired by Under Secretary of Transportation James M. Beggs appointed by President Nixon to review the SST. Resultant report not released until October 31, under severe Congressional pressure. Final draft of committee report apparently watered down members' criticisms and exaggerated positive findings, bringing sharp and bitter comment from other government officials representing the Council of Economic Advisers, Department of Interior, Surgeon General's Office, etc. Confidential study undertaken by outside experts, through office of the President's Science Advisor, recommended withdrawal from SST prototype on various grounds, detailed later. Report not accepted by President, but rather held under executive privilege until court action compelled its release late in 1971.

1970—SST debate caught fire, with full parliamentary maneuvering in Congress. National Environmental Policy Act of 1969 adopted in response to newly aroused public concern. Environmental implications of SST began to emerge staccato. In May, DOT appropriations request of \$290 million for SST squeaked by House by 102-to-86 vote on an amendment to delete all SST funding. Test vote of 176 to 162 shut off debate. In Senate, amendment by Senator Proxmire used environmental issue to cut off SST (vote of 52 to 41). Conference committee met to reconcile controversy; their resolution favoring SST was backed by House 205 to 185 but opposed in the Senate by a filibuster which overrode two attempts at cloture. With time running out on the 91st Congress, a compromise was reached to continue to fund at the \$210-million level until next Congress.

1971—March, House reversed earlier position and acted twice to delete SST funding (217 to 203, and 215 to 204). March 24, Senate gave the *coup de grace*, 51 to 46. May, House attempted to revive issue with \$85.3-million appropriation passing House twice (201 to 195, and 201 to 197) but failing in the Senate (58 to 37). The conference committee then agreed with Senate position.

The patient expired, but it is clear that the SST had suffered for a long time from a

series of ailments in the course of its early maturation.

Background: Behind these events lurked other causative situations evolving at different rates and in different forums.

In the land of free enterprise, we have a strong and proven tradition of responding to the call of the marketplace with goods and services targeted on a consumer body of some predictable characteristics. Where only the private sector is involved and profit is a clear motive, perceptive market analysis usually can determine whether a project should be undertaken. But the case of SST was complicated by a mix of public and private goals which neither government nor industry could (or should) be expected to satisfy independently, further clouded by the project's sheer magnitude and high risk, attended by market and technological uncertainties. Unique characteristics of each partner, it was hoped, would promote a profitable collaboration. But in the development, cooperation seems to have burned out in the fever of jurisdictional precedence and misunderstanding: The industry began to assume a subsidy that was initially thought unnecessary, and the government assumed a design state of the art that had not been achieved.

#### TECHNICAL UNKNOWNNS

On this latter point, sight had been lost of the large number of technical unknowns confronting the project. Symptomatic of the design problems was the fact that the movable-wing design had to be hastily changed to a fixed wing. The gaps might have been filled if the fallout from B-70 development had been available, as expected when the SST fuse was lit in 1963. But when the B-70 was phased out, the full burden of development fell on industry, which had largely grown accustomed to dependence on governmental support when undertaking research. (Some of Boeing's SST research proposals, however, were rejected by the government.) Moreover, the government itself was seriously remiss in allowing space exploration to absorb almost all aerospace research talents and funds. As far back as 1963, Congress had been calling for a re-balance of goals, which only now, in 1971, is perhaps being effected.

During the SST development, the airlines never demonstrated great enthusiasm over the big new contender for their favor. They were experiencing low load-factors along with increased costs, and were having difficulty even honoring their commitments for jumbo jets. None of the lines was in a position to pay the cost in a free market. In a psychologically ho-hum mood, they seem to have been nudged into orders mainly by the threat of their competition moving to SST, although FAA and CAB support of SST was also a gentle spur.

Baffled by indifference of the future employers of the SST, the public had its confidence further shaken by the F-111, C-5A, and repeated criticism by the GAO as to the validity of predictions about cost and performance.

Simultaneously, the new ethic of environmental conservatism was taking root, reflecting a major shift in social values.

The body politic came to realize that a closed environmental system can absorb only so much abuse. The new awareness had been forced largely by burgeoning technologies powerful enough to produce conspicuous damage to the biosphere or the social environment, usually in the form of unwanted and unpredicted consequences of some technological initiative which succeeded admirably in its primary purpose. To this mood was added the political counterpart of consumerism—more citizens wanting a piece of the action. Responding, the Congress made preservation of the environment a political issue and enacted sweeping new legislation.

Concurrently, the House Science and As-

tronautics Committee introduced the notion of an "early warning system" by inquiries of technology assessment—processes of study to foresee the socio-economic impact of technological initiatives and then, from the standpoint of public interest, to identify and evaluate alternatives which could avoid or reduce unfavorable consequences.

As to the SST, its vulnerability had been pointed out in 1969 in the two adverse reports submitted, respectively, by the in-house Beggs Committee and by the outside experts assembled by the President's Science Advisor.

The first report reached the damaging conclusions that—

1. Regarding balance of payments, "an adverse impact of speed-induced supersonic travel on the U.S. travel account is likely to be greater than the estimated beneficial impact of supersonic aircraft sales."

2. On economics, there was uncertainty because of "unverifiable matters of judgment" of experts, coupled with military experience that "production costs have often been more than three times what they were predicted to be."

3. As to demand, estimates varied from 200 to 500 units, involving conflict between corporate profits and return of government subsidy, since cost recovery to the government would not be possible at the smaller total of 350 planes at \$48 million each, at which point profits to the manufacturer would be maximized.

The second report, in recommending unequivocal withdrawal from the SST prototype program, cited among other items that The Boeing Co. had defaulted because the required takeoff and landing runs were 50% greater and speeds substantially higher than specified in the contract (not an unusual problem with untried technology); that the balance-of-payments effects were likely to be small; that returns to the government on its projected \$1.3 billion investment would come only after the 300th aircraft, whereas the market was probably fewer than 250; that air-traffic delays in major airports would reduce interest in flights except for a small group of international businessmen; and that public reaction to the sonic boom in both the U.S. and Europe could be expected to lead to prohibition of operation over land.

The first report, toned down and built up, was not released until severe Congressional pressure brought it out in 1969. The second report was never unwound from the wraps of executive privilege until long after the demise of the patient. A suit brought by the American Civil Liberties Union, Friends of the Earth, and the Sierra Club under the Freedom of Information Act of 1966, and fought to the U.S. Court of Appeals, finally brought the report to light in August 1971, with an accompanying press release by Presidential Science Advisor Edward E. David seeking to dispel "certain impressions which have arisen depicting the government as attempting to conceal hitherto undisclosed factual data."

Postmortem Diagnosis: Both proponents and opponents of the SST failed in critical ways to serve their cause through wise use of the political process. Indeed, it seems to have gone almost unnoticed that a key element of political decision making is the capacity to sway opinion by a clear, reasoned, and sophisticated presentation of facts. Presidents Kennedy, Johnson, and Nixon were each motivated by a separate vision, but none of them seems to have had the benefit of unadulterated objective analysis.

The issues involved were patently complex and interrelated; some were without precedent. Yet there was inadequate effort by governmental and industrial participants to lay out all the issues at the beginning, before political trends were accelerated by massive vested interests or psychological commitment. Had the issues been raised early

enough and satisfied, the debate would have been more constructive.

On the side of the proponents, the arguments included maintenance of national prestige and technological superiority; the historical role of speed as a positive advance in transportation; underutilization of a brilliant aerospace capability; market requirements for travel in the 1980s; a desirable liaison of governmental and industry in promoting public social goals; and the side benefits to be expected for balance of payments and for employment.

The opponents talked of worthier alternatives for national priorities, of environmental hazards, of the effect of further governmental expenditures in firing up inflation, of general hostility to uncontrolled technology, and whether the fast craft was really needed.

National prestige has two sides. As a desirable alternative to force, in a world that continues to be jarred by nationalism, prestige remains a critically important goal in its own right. Historically, different aspects of our national prestige have earned durable respect in the world community—our spirit of independence and love for freedom; our willingness to accept, even to promote, change; our open society and technological prowess. But there can be honest differences of opinion as to what steps taken in the 1970s may be respected in a 1980 world. The widely admired manned lunar landing might not gain in the 1980 world acclaim that could be accorded a breakthrough in cancer research, effective alternatives to DDT for malaria control, and automobiles free of exhaust emissions. When proponents pointed out that SST could aid the nation in efforts to maintain world order and economic growth, a responsibility undertaken by the U.S. after WW II, they may not have considered such adverse effects as the sonic boom, which could prove an embarrassing environmental albatross. And certainly it was unjustified to question the patriotism of SST opponents (as was done in debate) on grounds of their undermining national prestige.

As the decision came closer to the wire, other levels of prestige came into view; the prestige of executive-branch departments and even of the individual protagonists themselves. At the end, the loftiest possible level of prestige was involved—the Presidential office itself. Although the White House staff usually proves cautious about leaving open an escape hatch of Presidential options when defeat appears likely, alternative exits here were closed. Further concerned by growing unemployment, the President's only reasonable tactic left was to fight hard for victory. In the frantic scramble to mount a last-minute blitz, the office of the President's Science Advisor entered the campaigning, five major airlines were enlisted to support the SST in some contradiction to their earlier coolness toward SST in reaction to the Beggs Committee 1969 study, and a governmentally facilitated lobby of industry and labor raised \$350,000 for full-page ads and a campaign of high-pressure tactics.

At the end, proponents raised two important economic issues. The development of SST, they contended, would support the national objective of full employment and would improve the balance-of-payments picture. Yet, it is a matter of record that almost all nationally known economists opposed the SST. They disagreed sharply with proponents, as to whether SST production would actually generate jobs or would simply divert the labor force from subsonic jumbo jets. And on the question of gold flow, many felt that the effect might actually be adverse in that more Americans would be stimulated by the SST to travel abroad and spend far more than would be recaptured.

A more cogent argument involving employment was the contention that a powerful, talented aerospace capability had been assembled as a public investment over a period

of 25 years to protect our national security, but in the face of military cutbacks together with that of the SST this capability would be dismantled and lost. Moreover, unemployment in the Seattle area was then at a peak of 15 percent, and the loss of the contract to Boeing would compound the regional short-term depression that was affecting many, many families.

#### LACK OF POLICY

Both considerations reflected a deeper problem: *the almost complete lack of a national policy as a frame of reference on utilization of our nation's scientific and engineering talents.* How much was the capability worth? How could the surplus capability be converted to other socially viable goals? How could a problem of regional unemployment be met on a longer-term basis? The SST argument represented a makeshift effort of a single program to fill a vacuum of policy without solving fundamental questions. Seattle unemployment thus joined prestige as a somewhat masked but powerful issue in the final incandescent moments.

Simultaneously, the opponents were scattering their shots over a wide range of targets not propped up too firmly by carefully reasoned arguments. Pointing out that the Vietnam conflict had already drained off any surplus of the nation's productive free-enterprise system, they asserted that a whole bevy of desirable programs and social ambitions should be ranked ahead of SST development. Urban sprawl, traffic congestion, growing medical costs, a disadvantaged one-third of the population deprived of effective citizenship—these were of far more crucial importance than what was alleged as a plaything for the elite who could afford to pay the premium for fast travel—even assuming some beneficial economic fallout from the project. Realistically, however, tradeoffs with SST were unlikely.

The issues of environmental hazards were advanced more with fervor than facts; each newly issued and unevaluated scientific observation was rushed nervously into the public forum if it undercut the SST. Some old-fashioned demagoguery was practiced with the cancer scare. As to economics, a map was produced showing that only seven states could be expected to benefit directly from the SST; that at a time state and local governments were hoping to receive fruits of a new Federalism, 43 would lay out in taxes more than they would receive. This latter meat-and-potatoes exercise may have been far more potent than the environmental issue to a Congress impatient with White House priorities that pushed "citizen concerns" further and further back.

With such a variety of issues swirling in the political brew, the main one seemed almost lost. Was the SST really needed?

Very little was said either by carriers or by the government about the results of market studies. The traffic was at first forecast as though the faster and more frequent shuttling of SSTs could replace subsonic jets of any size. Such questions as water versus land routes, suitable airport runways, and intercity flight patterns received only belated attention. When cost estimates were given by proponents, they were based on a 500-craft fleet, thus unfortunately fuzzing up the real issue of the feasibility and wisdom of constructing two prototypes. Only toward the end did proponents mention that, once those two had been flown, a review might determine the wisdom of proceeding in light of an objective evaluation then of costs and environmental effects. By then, dismayed by the momentum of the advocates' lobby, opponents had doubts whether the enterprise could be stopped by some future review after \$1.3 billion were invested. As a matter of plain common sense, a projected technological development should include a built-in checkpoint where cool appraisal can determine whether to go forward or to terminate because priorities have changed, serious im-

pediments have arisen, or cost estimates have proved dangerously faulty.

All parties, moreover, failed to predetermine the share of the cost burden to be borne respectively by industry and by government. *The Wall Street Journal* in opposing SST wanted to reduce the argument to a private-enterprise marketplace issue; but clearly public as well as private goals were at stake. All components of our national transportation system have depended on governmental partnership in funding—e.g., for roads, seaports and channels, ship construction, and passenger-train operation. Hinged as it was on nascent technology, the SST issue had few precedents. Peaceful application of nuclear energy to electrical power generation was perhaps the only analogue; but lacking the military muscle which hurled us into the nuclear age, the SST was without a strong precursor. An earlier Kennedy proposal would have limited government investment to \$750 million, leaving the greater burden to industry. How much government support should buoy up new technology if industry is unwilling or unable to share the risk remains a moot question in the wake of the SST debate.

Finally, it should simply be noted that neither side lobbied reasonably and logically for the same reason: neither had a base of consistent, well-knit judgments to back up its position on an issue of such high technological content wherein the decision depended critically upon scientific fact. The role of objective expert was sadly confused with those of politician and advocate.

While SST proponents charged the environmentalists with uninformed emotionalism, they had egg on their own faces. As much as six years earlier, in 1966, both NASA and OST had issued pessimistic reports about noise.

As late as 1969, the President apparently received a staff report that filtered out the uncertainties, over objections by officials who raised questions. Congress approached the issue with both sides having their minds made up and not necessarily wanting to be bothered by facts. The Congressional Research Service—a research arm of the Congress—had made valiant efforts to assemble an objective analysis of the situation; but while their study dealt effectively with environmental issues, it did not consider policy, economic, and administrative questions.

#### LACK OF SURE FACTS

It being thus incomplete, the report was marketed by SST supporters as evidence that the opposition was overwrought. Between that missed congressional opportunity and the executive privilege that was exerted over expert opinion available to the President (justifiable in this author's mind), *nowhere in the process was there an objective, authoritative, fact-gathering, and analytical body, adequately protected by prestige and position so that it could lay out for the public as well as clients the facts, implications, gaps, and alternatives without fear of retaliation.*

The public witnessed the whole contest, dismayed but no better informed.

The inevitable result, in an argument confused by legitimate differences in expert interpretation of facts: the process of decorous lobbying, which is part and parcel of the American political system, was violated on both sides by naivete and by assertion of unproven claims. The last-ditch appeals by affected industry, the coalition between private and governmental vested interests, and the frantic scrambling by all parties left a bitter taste with everyone who emerged from debate—even those who "won."

The Senators and Congressmen from the intimately affected State of Washington did their best, but at what political cost is hard to tell. The aggregate of congressional energies invested on both sides squeezed out for months other major issues which might better have been acted upon. And the horsetrad-

ing implicit in such efforts to mobilize votes may still cost dearly in future sessions.

Prognosis for Technology-Management Issues: On the basis of this diagnosis, a few major prescriptions emerge for those complex and fascinating "children of the future"—issues which involve the utilization of technology to serve jointly public and private goals and which are likely to require administrative reforms in new coalitions of government and industry.

First and foremost, any such issue can be resolved in one way and one way only: by frank acknowledgment that it is a political decision. Approving substantial public funds is one way of setting national priorities. Where else can such action legitimately take place but at the highest political levels in the land?

This means, first, that the issue involves several factors of our social-economic framework, and the outcome of any decision may affect each differently. Very likely some will win and some lose. What is "good for the country" is difficult to assess in a pluralistic society where a whole spectrum of public and private interests are in competition, and perhaps in disagreement about what constitutes the public good. The political process is the melting pot for different points of view and the essential arena for compromise, bargaining, and accommodation. Congressmen are obliged to consider the local constituency in a given issue—be it geographical, some vested interest related to his sponsoring state, or a committee under his jurisdiction. Scholars consider only the President to have a universal constituency, but in practical terms his concern is likely to oscillate between interest groups—depending on all the other issues on his agenda, on his political equilibrium, current strength, and opportunities for future reelection.

Next, a political decision means that the issue seldom heats up in isolation. It may be intricately bound up with questions ostensibly unrelated in content or in time, so that in dealing with a number of decisions within the same time frame, domino effects occur as each in a sequence of separate decisions nudges its neighbor. In turn, the substantive issues may be colored by political ambitions, partisan polarity, and relations of the Congress with the President.

Third, a certain onus attaches to the concept of political decision-making. Certainly the hysteria attending the last days of the SST did nothing to allay this feeling in the mind of public or participants. The clumsy tactics that accompanied the public act of making one of the most important technological decisions of our history left the contenders exhausted and the system shaken. They surely reinforced a public anxiety that some elements of the political process are inimical to our national interest in that powerful lobbies thwart the will of the majority.

This anxiety can be dealt with only by a more informed, reasonable, and sophisticated approach to such problems. (Perhaps the only reasonable, conservative statement in the final moments came from Boeing's president when he reestimated costs to restart—only to infuriate the executive branch and congressmen who wanted a different reappraisal to support their commitment.)

If there is a single lesson to be learned from the SST debacle, it is that none of the advocates was prepared from the beginning to deal with the issue in exactly this way as a political decision.

New Homework for Political Decisions: Homework for future political decisions of this magnitude must include sound analysis in advance of public debate, not only of the issues but of the very process of political decision-making. The environmental policy signed into law January 1, 1970, for which both President Nixon and the Congress proudly took a bow, imposed on all future technological initiatives involving the federal government a requirement for published assessment to identify possible adverse en-

environmental effects, their external social and economic costs, and alternatives considered and rejected. The SST escaped that public review until congressional debate, and then, under pressure, harsh tactics developed.

In the open forum of such decision-making, the aerospace industry and its governmental sponsors are not used to the rough-and-tumble adversary proceedings of a political system that depends on public consensus. In the future, industry, technologists, and participants in the political process must all come to the forum armed with facts and garrisoned with virtue—the virtue of acknowledging a common obligation to protect the planet we live on and to meet the needs and claims of the citizen. It is a travesty on our technological age that our institutions are so slow that we find a single Ralph Nader as major institutional critic.

Both politicians and industry must listen more attentively to the dissenters. The environmental warnings, especially as to noise and sonic boom, had been sounded repeatedly but brushed aside until too late; thus the opportunities for a technological fix were wasted. As part of this attention to dissent, when one sector of government becomes a promoter it tends to behave so as to enhance its relative influence and minimize adverse factors inimical to its development. Another must play watchdog, a role now shared by the Council on Environmental Quality and the Environmental Protection Agency. Their performance thus bears watching.

A new factor is the growing public hostility to science and technology. To be sure, a small and articulate group of environmentalists wants to turn off technology entirely. Some in this group intemperately ignore what technology has contributed to a society increasingly freed from hunger, ignorance, disease, and disability. But others concerned with our social well-being look more analytically at the overbalancing adverse potential of a new phenomenon: the power of technology to affect the natural and social environment, the pace of change, the evolving concern for quality of life, and the sheer size of technological creations spawned by a military-industrial-scientific complex essential to our post-war national security. At what critical size, they ask, will such behemoths become immune to social control—their rampant energies unleashed from any purposeful goals and beyond the reach of any destruct button?

In seeking civilian applications of their know-how, the aerospace industry may have to take a new approach to market analysis and include in their reckoning the continuous advice of non-technical disciplines to examine socio-economic implications. Such technological assessment by the private sector necessarily assumes a heightened sense of social responsibility, with special attention to social priorities and second-order consequences when goals are jointly public and private.

Failure of proponents to meet such requirements simply hands an ammunition train to those who would gun down all technological innovation. In the SST debate, proponents were obliged to compensate by a hasty lobby for their procrastination over five years during which questions about the

environment and costs were avoided. If comparable decisions are to be handed that crudely in the future, technology faces serious danger indeed.

The concern for proper utilization of underemployed talent should be treated as a separate issue, to overcome the default in national policy. The conservationists concerned with waste avoidance may recognize, for instance, problems with human as well as natural resources.

In short, the proponents of new technological change and innovation must consider the socially desirable as well as technically feasible. Every participant in the technological process needs to be better prepared by technological assessment, with anticipatory rather than reaction analysis. Timing is of the essence—to elicit light rather than heat. This places an obligation on government, on industry, and on the professions. It also places an obligation on the public. But where will they find expertise?

Some authoritative, sophisticated body, perhaps independent of both branches of government and better sheltered from winds of interest and gales of emotion, should be available to examine both human values and technological opportunities, lay out the facts with objectivity and candor, and illuminate alternatives. This could be in effect a technological ombudsman, as I proposed in the form of a future-oriented "Commission on Social Management of Technology" to collect, evaluate, and publicize such information. (Proceedings of October 1970 National Conference on Goals, Policies, and Programs in Federal and State Governments.) Such steps would maximize room for maneuver and assist the decision-maker with evaluated options; it would also give the affected but unrepresented some opportunity for an informed voice in the political process. This concept has been picked up by Senators Warren Magnuson and Philip Hart in S-1800, introduced May 6, 1971.

A bill to create a Congressional Office of Technology Assessment has progressed much farther through the legislative mill. The House Subcommittee on Science, Research and Development chaired by John W. Davis has recently reported out the House version, H.R. 10243, and the Senate Rules and Administration Committee under B. Everett Jordan has the Senate variant, S-2302, under consideration. If enacted, the bill would take a major step toward reinforcing congressional access to expert analysis.

The industry that mobilized American genius to meet threats to the Free World in the 1940s and 1950s is challenged by new opportunities of dealing with peaceful applications of technology. The aerospace industry, which distinctively excels in systems analysis, will be called upon to translate its skills to a broader scheme of people, their concerns, and institutions. Since the process involves a curious blend of science, economics, law, and politics, a new dimension of industrial capability must be developed to meet a full range of social needs and human values to make our constitutional system more rational in a technological age.

Technological prowess might then be better matched by political wisdom. The SST

trial illustrates why we should all hope it will be.

SUMMARY OF SOIL AND WATER CONSERVATION ASSISTANCE ACTIVITIES IN THE NINTH CONGRESSIONAL DISTRICT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. HAMILTON. Mr. Speaker, the Soil Conservation Service, working in Soil and Water Conservation Districts, plays a vital role in the development not only of rural areas, but of areas which are making a transition from rural to urban in makeup.

This role is especially apparent in the rural counties of the Ninth Congressional District of Indiana. Officials of the Soil Conservation Service and the Soil and Water Conservation Districts have been anticipating and promoting a shift from completely rural programs to programs which meet the needs of rural and urban residents alike.

From July 1 through June 30, 1971, 546 land-users in the district were assisted in preparing inventories and evaluations of conservation plans. In all, 2,494 land-users applied one or more of the recommended conservation practices, ranging from recreational developments to plant, wildlife or woodland management improvements.

I am pleased to submit the following summary of accomplishments for the year in the Ninth District:

SUMMARY OF SOIL AND WATER CONSERVATION ASSISTANCE ACTIVITIES IN THE NINTH CONGRESSIONAL DISTRICT

There were 428 new Soil and Water Conservation District Cooperators in FY 1971 bringing the total District Cooperators to 8,923 as of July 1, 1971.

From July 1, 1970 through June 30, 1971, 546 land users in the District were assisted in preparing inventories and evaluations or conservation plans and in revising 79 additional conservation plans.

For the same period: 4,622 individual land users were assisted; 11,562 total technical services were provided to individual land users; 2,494 land users applied one or more conservation practices; 173 units of government were assisted; 26 groups were assisted; 875,110 acres have been soil surveyed and mapped to date; 141,272 acres of these soil surveyed acres were accomplished in FY 1971.

As follows are a number of other conservation accomplishments which took place in the District with Soil Conservation Service technical assistance. These accomplishments were carried out primarily on rural agricultural land.

	Fiscal year 1971	On the land June 30, 1971	Units
Noncommercial recreation developments.....	229	2,922	Number.
Public recreation developments.....	3	89	Do.
Conservation cropping system.....	19,875	437,524	Acres.
Critical area planting.....	422	27,149	Do.
Crop residue management.....	22,671	382,168	Do.
Diversion terraces.....	25,300	1,149,445	Feet.
Ponds.....	264	6,337	Number.
Fish pond management.....	213	1,879	Do.
Field windbreaks.....		8,525	Feet.
Grade stabilization structures.....	71	1,418	Number.
Terraces gradient.....	1,000	2,620,156	Feet.
Terraces parallel.....		35,072	Do.

	Fiscal year 1971	On the land June 30, 1971	Units
Grassed waterways.....	301	6,082	Acres.
Minimum tillage.....	12,037	127,881	Do.
Pasture and hayland management.....	13,758	97,319	Do.
Pasture and hayland planting.....	8,764	197,163	Do.
Recreation area improvement.....	166	2,434	Do.
Tile drains.....	1,100,983	22,201,289	Feet.
Tree planting.....	374	18,224	Acres.
Wildlife wetland management.....	58	69	Do.
Wildlife habitat management.....	4,406	27,621	Do.
Woodland improved harvesting.....	2,481	77,745	Do.
Woodland improvement.....	626	206,300	Do.
Land reported as adequately treated.....	59,703	1,159,531	Do.

RÉSUMÉ OF EXAMPLES OF SOIL CONSERVATION SERVICE ASSISTANCE IN BROAD RESOURCE PLANNING AND DEVELOPMENT ACTIVITIES PROVIDED THROUGH SOIL AND WATER CONSERVATION DISTRICTS IN THE NINTH CONGRESSIONAL DISTRICT

*Fayette County Soil and Water Conservation District*

A Special Project to solve flooding problems was completed with SCS technical assistance in cooperation with REAP, that will benefit agricultural land and protect 45 homes in a subdivision and will also protect state and county roads.

*Jackson County Soil and Water Conservation District*

The SCS working through the SWCD: Is assisting in the preparation of the draft work plan for the Vernon Forks Watershed Projects.

Provided soils information and interpretations including water management and erosion control for the establishment of four sanitary landfills in Jackson County.

Assisted in conducting an environmental workshop for teachers.

Assisted the Brownstown school system in the development of an outdoor science laboratory on the school property.

Assisted in development of plans for the second outdoor teaching laboratory in the county for the Crothersville school system.

*Washington County Soil and Water Conservation District*

The SCS working through the SWCD: Provided technical assistance to the County Highway Department for erosion control and drainage.

Provided soils information and interpretations to City of Salem for its sanitary landfill site selection and also developed an erosion control plan for the site.

Provided technical assistance to the town of Campbellsburg for erosion control and drainage.

Provided technical assistance to the three county school corporations for land shaping, grading and erosion control.

Provided technical assistance to the City of Salem for operation and management of Henderson Park.

Developed a drainage plan for the Salem Airport.

Assisted other USDA agencies in a countywide grassland program.

Completed Structure No. 1 in Delaney Creek Watershed and have Structure No. 2 under construction. Both structures are for flood prevention and irrigation water.

*Lawrence County soil and water conservation district*

The SCS working through the SWCD: Assisted other agencies in a REAP Special Project for pasture and hayland establishment and management.

Provided FHA the soils information and interpretations for suitability of soils for waste disposal using septic tanks and filter fields at proposed new development sites.

*Soil surveys*

Scott County has completed and published a soil survey report with SCS technical assistance. Floyd, Clark and Shelby Counties soil surveys are ready for printing. (An interim report has been developed for local use.) In Bartholomew and Jennings Counties field work was essentially completed in FY 71. Both SWCDs are planning to circulate an interim report. SWCD Supervisors in Dearborn, Ohio, and Jefferson Counties are making a concerted effort to secure county funds to accelerate the soil mapping in their area.

Stucker Fork Watershed in Scott County SWCD now has completed 8 single purpose structures and plans are being made to construct 4 more this fiscal year. The completed structures are beginning to have an impact on the flooding problems in the valley.

The SCS Watershed Planning Party is continuing its planning efforts on the two Vernon Forks projects and hope to formulate the plans in early 1972. This project includes several multi-purpose structures for water supply, recreation, fish and wildlife, as well as land treatment.

Local sponsors of Indian Creek Watershed Project are currently working with the SCS Planning Party trying to arrive at a solution to their areas problems. A discovery of a geologic fault in one of the structure sites has caused planning people and the local sponsors to look to other alternative sites.

*Resource Conservation and Development*

The Historic Hoosier Hills RC&D Project is now approved for planning. The Education Committee has been extremely active with its primary purpose to start a community college type program in the Versailles Vocational School. Presently, Purdue University and Ball State are cooperating in this venture. Recreation Committee has been working diligently promoting recreation and tourism in the area. It has printed and distributed signs to business places and exchanged numerous material to advertise the area. The Council has made plans to formulate a forestry committee and give consideration to other needed committees.

*Resource Planning*

SCS and SWCD have been active in resource planning in each of the counties. SWDC programs are continuing to shift rapidly from a completely rural oriented program to one of an assistance to all within the District. Many units of government are being assisted with soils information to help them in their planning programs. Many of the SWDCs are encouraging local leaders to implement zoning regulations that assure orderly development and proper uses of land. This is a slow process. The SWDC and SCS are assisting and progress is being made. SWDC Supervisors in Dearborn and Ohio Counties are working with the SWDC Supervisors in the other counties in the Ohio, Kentucky, and the Indiana Regional Planning Authority (OKI), and are assisting the Planning Authority by providing resource data.

SUPPORT FROM ALL SEGMENTS OF SOCIETY FOR SELECT COMMITTEE ON PRIVACY, HUMAN VALUES AND DEMOCRATIC INSTITUTIONS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. GALLAGHER. Mr. Speaker, I rise today to briefly discuss some of the support which has been received for the proposal to create a Select Committee on Privacy, Human Values and Democratic Institutions. This proposal, sponsored by primarily myself and our distinguished Republican colleague, Congressman FRANK HORTON, will be voted upon tomorrow, February 8. I would urge all my colleagues who have yet to reach a firm decision on this matter to consider the excerpts from various letters, articles, and editorials I am inserting into the RECORD today. They disclose a range of support that I regard as unprecedented—all segments of our society have some reason to be concerned about the erosion of individual privacy in this country and are rightly alarmed at an overwhelming trend toward eliminating

the diversity and spontaneity which has been a central creator of our national power and prosperity.

SENATOR SAM J. ERVIN

Senator SAM J. ERVIN of North Carolina is quite probably the most distinguished authority in the Congress of the United States on constitutional law. The actions of his Subcommittee on Constitutional Rights have been enormously effective in moving the Nation toward a respect for the continuing relevance of the Bill of Rights. I know of very few Americans who would dispute the opinions of Senator ERVIN in this area, and I am very proud to insert the Senator's personal letter to me in the RECORD at this point:

U.S. SENATE, COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS,

Washington, D.C., May 4, 1971.

Hon. CORNELIUS E. GALLAGHER,  
U.S. Congress,  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: I was sorry to learn that your special Subcommittee on Privacy had been abolished. You and your colleagues did a magnificent job in bringing to the attention of Congress and the public the consequences of a national data bank and the serious threats to privacy from some current attitudes and practices of government and private organizations.

There is a real need in the Congress for a committee which can devote its full attention to a study of privacy as a human value necessary to our society. In particular, I see a need for a continuing study of those elements of the new technology, the machines, devices, instruments, methods, and attitudes which bring many benefits to society but which also may sometimes be used to violate privacy and threaten the liberty of individuals.

Therefore, I wish you all success in your efforts to win the establishment of a Select Committee on Privacy, Human Values, and Democratic Institutions.

With kindest wishes,  
Sincerely yours,

SAM J. ERVIN, Jr.,  
Chairman.

Mr. Speaker, there are those who might say that since the Senator is taking dynamic and continuing action in the area of privacy, there is no need for a special group here in the House. I would argue to the contrary for several reasons. First, the Senator himself sees a need for a group whose entire focus is on privacy and the multifaceted attacks on that right—attacks which come actions in the Federal area, in the private sector, and from academic and professional groups. As impressive as SAM ERVIN's work has been in this area, he recognizes that the problems are so immense that even he and his splendid staff cannot alone deal adequately with the preservation of our American values.

Second, the fact that a Senator has made a fine record in this field is no reason for the House to ignore its responsibilities. In point of fact, my Special Subcommittee on Privacy within the Committee on Government Operations was the first focus on the issue of privacy in either body. The House must continue to assure its responsibility. If the Government Operations Committee had retained jurisdiction I would not be urging a new select committee.

THE ST. LOUIS POST-DISPATCH

On December 30, 1971, the St. Louis Post-Dispatch, one of the truly great newspapers in this Nation, editorially supported the creation of the select committee. The Post-Dispatch points out that when the Committee on Government Operations declared the Privacy Subcommittee outside its jurisdiction, it abolished "a lonely outpost against incursions directed at one of a citizen's most precious rights—the right to keep parts of his life to himself."

Mr. Speaker, I can offer personal testimony in support of the Post-Dispatch's view that the privacy struggle I have been waging for some 8 years is indeed a lonely outpost.

I insert the Post-Dispatch's important editorial at this point:

## AN OUTPOST FOR PRIVACY

At a time when threats to individual privacy were greater than at any other moment in American history, the House Government Operations Committee last spring incomprehensibly decided to drop its support for a continuing inquiry, under the leadership of Representative Gallagher of New Jersey, into problems of privacy. Next month, the House will have the opportunity to correct this mistake by voting to create a Select Committee on Privacy, Human Values and Democratic Institutions.

Understaffed and underfunded as it was (it received just \$75,000 over seven years), Mr. Gallagher's special inquiry nonetheless rendered the nation a distinct service. Among other things, its hearings on the proposed computerized national data bank provided Congress with a valuable early warning on the dangers inherent in such a system. Perhaps even more important, the inquiry served, along with Senator Ervin's Subcommittee on Constitutional Rights, as a lonely outpost against incursions directed at one of a citizen's most precious rights—the right to keep parts of his life to himself.

The Select Committee, of which Mr. Gallagher presumably would be chairman, would not confine its activities to monitoring assaults against privacy that emanate from Government, although that, of course, remains the largest single source of unnecessary surveillance and information gathering. It also would pay attention to the dangers to privacy that exist in the private use of advanced technology and in the use of new behavior modifying chemicals. Not only should the House approve the Select Committee, it should provide it generous support as well, for its proposed task is one of great importance for the country.

## COMPUTERWORLD

Mr. Speaker, Computerworld is the leading journal of the computer community and it is very concerned about the creation of an atmosphere in which the industry can fulfill its anticipated growth potential. During the years I have been concerned about the computer's capacity to invade privacy, some of the most vocal support I have received has come from computer people, because they fully understand the dangers of the misuse of their machines. I would agree with Computerworld that the Select Committee on Privacy, Human Values and Democratic Institutions would be a responsible and continuous "watchdog" and I insert the editorial at this point:

## WATCHDOG NEEDED

Eighty-four percent of U.S. adults think the government should be concerned about regulating the use of computers and 57%

think the government will determine what computers can or cannot be used for, according to the Aflps-Time survey. From what we've seen so far, government concerns seems to be a very spotty affair. If this situation is allowed to continue, pressure for government action may build up to the point where some single computer-related scandal will result in an outpouring of restrictive legislation.

What is needed is a permanent government watchdog committee to continuously monitor the situation and to recommend, as needed, the minimum amount of legislation required to protect the public interest.

This month the U.S. House of Representatives is expected to vote on creating a Select Committee on Privacy, Human Values and Democratic Institutions. We urge the House members to establish this committee so that computer use can be "watchdogged" now rather than "hounded" later.

DR. NICHOLAS N. KITTRIE, DIRECTOR OF AMERICAN UNIVERSITY'S INSTITUTE FOR STUDIES IN JUSTICE AND SOCIAL BEHAVIOR

On January 18, 1972, at page 204 in the CONGRESSIONAL RECORD, I inserted a paper by Dr. Kittrie which gives example after example of his contention that:

There is a human modification revolution upon us, which in its magnitude is not unlike the industrial revolution of nearly two hundred years ago.

Techniques to monitor, manipulate and absolutely control the life of each American are in use now and their number and potential are known only to an elite of experts. I contend that since these new devices and techniques will have such a great impact on the very foundation of human values, the House of Representatives must have a body which can understand and, hopefully, evaluate their use. As in the case of the computer and its applications, there can be and are useful roles for these scientific wonders but, as Dr. Kittrie puts it:

They can seek to impose a totalitarian and authoritarian culture of uniformity.

One easy way for that to happen is if public men permit it to occur by default, and the select committee would allow the Congress to reassert the balance in which public policy decisions are supposed to be made. Now, these devices are being advanced by their proponents who never have to answer the searching questions we public men are obliged to reply to.

I am proud that Dr. Kittrie supports the creation of the select committee and I insert his letter at this point:

THE AMERICAN UNIVERSITY,  
Washington, D.C., January 25, 1972.  
Representative CORNELIUS E. GALLAGHER,  
Congress of the United States, House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE GALLAGHER: I have read with great care your statement before the Rules Committee in support of the resolution to create a Select Committee on Privacy, Democratic Institutions and Human Values. I fully endorse your position.

Science, which has long concentrated on the natural world which constitutes man's environment, is increasingly developing tools which will directly affect man's very being. I firmly believe, as I stated recently at the A.A.A.S. Conference, that there is a human modification revolution upon us, which in its magnitude is not unlike the industrial revolution of nearly two hundred years ago. But while the industrial revolution concerned itself with the production of goods

the new revolution concerns itself with the improvement and control of man.

Expectedly, the new sciences are capable of diverse forms of utilization. They can help foster a pluralistic society, in which conflicting ideologies, religions, races and life styles are encouraged, or they can seek to impose a totalitarian and authoritarian culture uniformity.

It is vital to our society to know and understand the tools of the new sciences and to provide adequate societal scrutiny and control over their development and utilization. We should not allow a rehashing of the industrial revolution, where technological advance went on for a century and a half before we fully realized its societal implications. Only a few nineteenth century thinkers were alarmed by the prospects of the Industrial Revolution when it first came on the scene. Many more people of diverse philosophical persuasions are now concerned with its manifestations as they have become apparent over the years: the unequal distribution of its benefits, and its effects on the family, on employment, on natural resources, on the environment, and on the quality of life generally.

I wish to commend you for your foresight in urging the formation of a Select Committee on Privacy, Democratic Institutions and Human Values. It is not too soon for us to concern ourselves with the future uses of science in such areas as information gathering and data banks, behavior control and human modification. We cannot stop science but we can help direct it. And it is the duty of this society's leaders to do so.

Sincerely yours,

NICHOLAS N. KITTRIE,  
President of Law and Director.

PSYCHOLOGY TODAY

A phenomenon of the publishing world is the emergence of specialized magazines which bring a particular expertise to bear on specific areas. Psychology Today is probably the most successful, the most widely read, and often quoted of these new magazines. In its January 1972 issue there is a discussion of behavior modification, triggered by Vice President Agnew's attack on the basic attitudes of its practitioners and my own revelation that the National Institute of Mental Health had funded Prof. B. F. Skinner with \$283,000 during the time he wrote his very popular but deeply antidemocratic "Beyond Freedom and Dignity." See CONGRESSIONAL RECORD, Volume 117, Part 36, page 47185, for my complete remarks on this Skinner grant.

What I regard as most important about this article is that the editors and reporters of Psychology Today are extremely knowledgeable about the new behavioral technology and might be expected by some to disagree totally with anyone who had doubts in the area. But just as in the case of the computer industry's support for the select committee, so the psychological community recognizes the necessity for careful evaluation of what they do. For example, Kenneth Little, executive secretary of the American Psychological Association, is quoted in the article as follows:

All I hope is that the Executive and Congress take Fred Skinner's book seriously. Behavior shaping is here. If they dismiss Skinner's book, decisions will be made at a level beyond their control.

Mr. Speaker, understanding "the technology of behavior" and giving the people's representatives the opportunity

to exercise their responsibilities before behavior-shaping gets out of control is exactly what the proposed Select Committee on Privacy, Human Values, and Democratic Institutions is intended to accomplish. The Psychology Today article follows:

IT CAN'T BE ALL BAD—AGNEW DISLIKES IT  
(By Kenneth Goodall)

The great public debate has begun on the behavioral sciences. With Vice-President Spiro T. Agnew's caustic attack on child-care proposals, on behavior modification and control, on psychodrama, on psychoactive drugs, and on two major figures—B.F. Skinner and Kenneth B. Clark—the behavioral sciences entered the political arena and are likely to remain there through the closing decades of the 20th century. Despite its shotgun nature, the attack can be valuable if it leads to a thorough national exploration of the character of freedom and control in a technological age.

The Vice-President's speech is a concise statement of a widely prevalent view of the behavioral sciences and their attempt to perform "radical surgery on the national psyche," as Agnew calls it. Agnew's speech pinpoints the areas of major concern to a great many Americans: problems that Skinner and Clark and hundreds of other behavioral scientists have spent lifetimes exploring. Until now, they usually explored in quiet desperation. Spiro Agnew has relieved them of their quiet if not of their desperation.

Skinner, whose best-selling book *Beyond Freedom and Dignity* probably was the single most important catalyst of the debate, welcomed the Vice-President's interest. It is a sign, he told *The Line*, that "people in high places are beginning to think about behavioral science and policy." He doesn't care whether the politicians are for his ideas or against them, he said, but "I think they will come around when they think about it."

Kenneth Little, executive officer of the American Psychological Association, said, "All I hope is that the Executive and Congress take Fred Skinner's book seriously. Behavior shaping is here. If they dismiss Skinner's book, decisions will be made at a level beyond their control."

At least one Congressman is well aware of this possibility. Representative Cornelius Gallagher, a New Jersey Democrat who is no fan of Skinner or Clark, has prodded the House to set up a special committee to probe issues emerging from "a whole new era of behavioral technology." Gallagher praised Skinner and Clark for initiating public debate of their ideas. The problem is not controversial ideas, he said, but the possibility that they might insinuate themselves into public policy without public and Congressional knowledge. "If these issues are not publicly aired," he warned, "I fear that one of these days we will have a new Luddite movement." And when the vigilantes organize, he said, "behavioral scientists will be strung up from the nearest skyscraper."

On specific Agnew points, Skinner said that he stands by his ideas on child care. "Unless we can teach the mothers," he said, "child care should be taken over by the state. With the rise of working mothers especially, day-care centers become practical. They are good for the children's social development. Instead of being isolated at home, they are with others their own age."

Edward Zigler, director of the U.S. Office of Child Development and the Administration's top psychologist, cautioned against any simplistic acceptance or rejection of behavioral products, including the use of amphetamines on hyperkinetic children, innovative classroom techniques, and child-development centers. He strongly defended day-care centers but deplored the "ridiculous

concept which is all too quickly sweeping the country that every child ought to be taken from the family and put in a center because such wondrous things happen there."

T. George Harris, editor of *Psychology Today* and author of the P.T. lines Agnew quoted, said he was glad to see the social sciences take their proper place alongside other Agnew targets—the effete corps of impudent snobs, numerous Democratic Senators, student protesters, Nelson Rockefeller, and "that fat Jap" and most of the rest of the press corps. "We're honored," said Harris. "Unless you've been blasted by Mr. Agnew, you can't be sure you're doing anything useful. And the issue involved—how human beings retain control over their destiny—is too basic to be wasted. Serious people will still deal with it in spite of the fact that Agnew has taken it up."

So the great debate is on, and it means that behavioral scientists, who have spent so much time detecting and analyzing the ills of the individual and the society, will be forced to prove that they have found a better way to alleviate them.

PROF. ARTHUR R. MILLER

Professor Miller, now visiting professor at the Harvard University Law School, is renowned as one of America's leading authorities on privacy. He is the author of "The Assault on Privacy—Computers, Data Banks and Dossiers," the most recent and probably the best of the many books on privacy. Professor Miller wrote to Chairman COLMER of the Rules Committee in support of my resolution to create the select committee and I think some remarks in that letter put the case very well:

My experience in this field leads me to one inescapable conclusion. Technology is changing our lives so rapidly that we must develop new mechanisms to insure that the people receive the full benefits of the genius of our scientists but at the same time are protected against the possible abuse and misuse of their productivity. Nowhere is it more essential to have expertise for achieving a balance between democracy and technocracy than in the United States Congress. Given the pace at which technology moves, the importance of preserving our delicate democratic institutions and the desirability of propagating the freedom and humanistic spirit of our citizenry, it strikes me as dangerous to rely exclusively on the appropriations process and the often ponderous reactions of the courts.

To me, House Resolution 164 is an important step in the right direction, a step that is amply justified in light of the work of Congressman Gallagher in recent years.

THE SCOTT REPORT

Mr. Speaker, Paul Scott is one of the outstanding conservative columnists in the Nation today. His report is carried in hundreds of newspapers as well as in a leading journal of conservative opinion, *Human Events*. Mr. Scott's column of January 5, 1972, discusses my remarks about the ideas of B. F. Skinner and those who propose to educate our children according to rigid formulas with only a cursory consideration of the concerns of the children's parents. I insert Mr. Scott's column in the RECORD at this point:

BEHAVIORAL STUDIES STIR THOUGHT CONTROL FEARS

(By Paul Scott)

WASHINGTON.—One of the best kept secrets in government today is the amount of federal funds being spent in the behavioral re-

search field and the scope of these investigations.

No one in Congress or the Executive Branch is willing or can tell you the government's full involvement.

Not even the General Accounting Office, the congressional watchdog on government spending, claims to know.

This is the amazing finding of Rep. Cornelius E. Gallagher, D-N.J., who is seeking a full-scale congressional investigation of government activities in this highly sensitive field.

Gallagher's inquiry request, which the House will vote on when it convenes later this month, was triggered by the discovery that the National Institute of Mental Health had granted \$283,000 to Dr. B. F. Skinner, author of the controversial book "Beyond Freedom and Dignity."

The highly questionable grant, running through 1974, was made by NIMH to free Skinner, chairman of the Psychology Department at Harvard, from teaching and research responsibilities so that he could pursue "scholarly activities."

These activities have consisted mainly of his writing the controversial book and appearing all over the country on television and at symposiums to talk about and promote his idea of government controls over the way we think and live.

When Gallagher sought information about the Skinner grant and the scope and amount of government spending in the behavioral research field, the General Accounting Office reported back that the task was virtually impossible.

Agency officials stated that there were tens of thousands of behavioral research projects being financed by government agencies.

A preliminary check turned up 70,000 grants and contracts at the Department of Health, Education and Welfare (HEW), and 10,000 within the Manpower Administration of the Labor Department.

Thousands of additional behavioral projects, costing millions of dollars, also are being financed by the Defense Department, National Aeronautics and Space Administration, and the Atomic Energy Commission, according to the General Accounting Office's survey.

While the main center of the government's behavioral research activities appears to be concentrated within HEW, now the biggest spender in government, so many other agencies and departments are involved that GAO officials claimed they had neither the money nor the manpower to make a meaningful investigation.

In circulating to House members these and other details of the government's deep involvement in this field, Gallagher hopes to convince lawmakers of the need for an extensive inquiry to determine if there is any "grand design" to these activities.

It is Gallagher's contention that the Skinner grant is only the tip of the iceberg and that millions of dollars in federal grants are being spent in such a way that could bring about what is proposed in "Beyond Freedom and Dignity"—to alter modern life by conditioning the behavior of each citizen by positive or negative reinforcements.

Gallagher doesn't oppose Skinner's right to advocate his thought-controlling proposals as a member of his profession or a private citizen but he does question whether the government should subsidize them since "they threaten the future of our system of government by denigrating the American traditions of individualism, human dignity, and self-reliance."

The power of computerized information systems, coupled with mood creating or altering biochemical discoveries, provide an overwhelming new tool for those who, like Skinner, feel that social engineering is more important than individual freedom.

In Gallagher's opinion, these technical

developments answer those who would dismiss Skinner's ideas as being impossible to implement and are the basic reasons why members of Congress should take the threat he represents very seriously.

Wide influence—Most disturbing to Gallagher is the great influence that Skinner has among psychiatrists in and out of government.

The huge grant by the National Institute of Mental Health clearly indicates his influence within the government.

In a recent Johns Hopkins University poll, psychology faculties and graduate students around the nation named Skinner as the most respected social scientist alive despite his thought controlling proposals.

A Southern Methodist University poll found that he was the only living man among the 10 great minds in the history of psychology.

These single facts, Gallagher says, reveals the need for Congress to take a long, hard look at the federal government's role in promoting Skinner and his "new man" concept that in many ways is like that proposed by Aldous Huxley in his novel "Brave New World."

Other lawmakers will be given a chance to show whether they agree with Gallagher when a proposal to create a Select Committee on Privacy, Human Values and Democratic Institutions, comes to the House floor this month.

#### THE NATION

One of the most liberal journals of opinion in the country today is *The Nation*. As a means to show my colleagues in a forceful manner that the issues I discuss today are totally beyond any ideological disputes, I insert at this point an article about my Skinner disclosures from *The Nation* of January 10. It is unlikely that Mr. Scott and the editors of *The Nation* agree on much else beside the importance of human values but on this issue they are as one. In the past, the columns of Carl Rowan and James J. Kilpatrick both supported my privacy activities. At this very moment, the Washington office of the American Civil Liberties Union is actively lobbying for the creation of the Select Committee, while the Daughters of the American Revolution are also in support.

Truly, since privacy touches a most basic part of every human being, support for the proposed Select Committee on Privacy, Human Values and Democratic Institutions is to be found everywhere there are people who believe in the American experiment in democratic government.

The article follows:

GRANT K6-MH-21775

Every day, in a variety of small ways, our world is becoming a bit more Orwellian. When B. F. Skinner's *Beyond Freedom and Dignity* was published—it was of course an outstanding publishing success of the 1971 fall season—it was reviewed in most of the mass media as though the reviewers had long been waiting for someone to provide them with the ammunition that Dr. Skinner so bountifully presented. These reviewers seemed to feel that such old-fashioned notions as freedom and dignity should be downgraded the better to prepare the way for a more ordered, controlled, and in some respects authoritarian society. Regardless of the author's intentions, the book—(to borrow one of his favorite words)—"enforces" the sensed need to control and direct human behavior.

Now one learns, courtesy of Rep. Cornelius Gallagher (D., N.J.), that the National Institute of Mental Health has made grants to Dr. Skinner that total—or will total by 1974—

\$283,503. The first phase of the grant, from 1964 to 1969, totaled \$137,296, but the grant was renewed in 1969 for \$146,207, covering an additional five-year period. The grant, we are told (CONGRESSIONAL RECORD, vol. 117, pt. 36, p. 47186) made it possible for Dr. Skinner to take off from his academic work to write *Beyond Freedom and Dignity*. Specifically the grant, made under the Research Career Program, was to enable Dr. Skinner to carry out "a research project in Behavioral Analysis of Cultural Practices." More specifically: to read, discuss, publish, lecture, and write free of academic burdens so that he might have an opportunity to consolidate his theories and ponder the "consideration of their application to the problems of society."

Dr. Skinner is, of course, our leading behavioral psychologist. His academic credentials are impeccable. And given the way Washington ladles out huge sums these days for a wide variety of improvident corporate subsidies, it is most refreshing to see that some individuals at least are able to "rip off" relatively modest funds so that they may devote their full time to scholarly research and writing. All the same there is something truly Orwellian about the notion that society should pay for research which generates theories and techniques for the manipulation and control of human beings and popularizes the assumed need for such control. Future administrations may not share even Dr. Skinner's diminished concept of the importance of the dignity and freedom of the individual. In Representative Gallagher's view, Aldous Huxley posed the underlying problem correctly when he wrote: "Who will mount guard over our guardians, who will engineer the engineers? The answer is a bland denial that they need any supervision. . . . Ph.D.s in sociology will never be corrupted by power. Like Sir Galahad's, their strength is as the strength of ten because their heart is pure; and their heart is pure because they are scientists and have taken six thousand hours of social studies."

#### AFL-CIO MARITIME TRADES DEPARTMENT COMMITTEE ON INVASION OF PRIVACY

Mr. Speaker, organized labor has not been silent on the issue of privacy over the years and I am very pleased to release a letter I have received from Mr. Edward J. Carlough. Mr. Carlough is general president of the Sheet Metal Workers' International Association and is also chairman of the AFL-CIO Committee on Invasion of Privacy. Mr. Carlough worked long and hard to have a special committee considering privacy matters within labor and his group has issued two reports—one of the lie detector and one on the credit bureau, credit reporting industry. My privacy subcommittee had initiated congressional consideration of the credit industry in 1968 and I also attach at this point in the RECORD an editorial from the New York Times of February 29, 1964 which comments on my early interest in the polygraph. Both of these documents reveal again the need for a select committee to bring informed scrutiny to bear on continuing problems facing our society.

The articles follow:

#### SHEET METAL WORKERS' INTERNATIONAL ASSOCIATION,

Washington, D.C., December 17, 1971.

HON. CORNELIUS E. GALLAGHER,  
Congress of the United States,  
House of Representatives  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: I understand that the House has scheduled a vote in January on your proposal to create a Select Committee on Privacy, Human Values and Democratic Institutions.

As Chairman of the AFL-CIO, Maritime Trades Department Committee on Invasion of Privacy, I want you to know that we deem it essential to create the Select Committee. Our studies over the past two years have demonstrated to us that the privacy of all Americans, in and out of the labor movement has been invaded during the past few years to an insidious degree, and this is why we fought two years ago to create our own Select Committee on the privacy issue. The enemies of privacy work on a twenty-four hour, seven day week basis, and those of us who believe as we do, that the question of privacy is an integral part of liberty can afford to do no less.

You can be assured of our full support in the House on this fight when it occurs.

Incidentally, I am enclosing a copy of a Convention last month concerning the privacy issue.

Sincerely yours,

EDWARD J. CARLOUGH,  
General President.

#### FEDERAL LIE DETECTORS

The use of lie-detectors as a condition of employment is growing in the Federal Government. That is the startling report made in a preliminary Congressional study. Job applicants and those already on the job have been subjected to polygraph tests—some, it is believed, by hypersensitive instruments without their knowledge—not only by the Pentagon but by many Federal agencies.

The Government owns hundreds of such machines. Lie detecting is said to be a five-million dollar enterprise. In fiscal 1963 the Government carried out 23,122 lie-detector tests. Most were conducted by the military.

The methodology of lie-detecting is haphazard and the effectiveness in dispute. Operators of the equipment are often mere high-school trainees without the ability to form pertinent questions and weigh responses; these are matters which cannot be left to machines. The Congressional study discloses that questions have been asked about political affiliation, union and organizational membership, even social friendships.

Hearings to determine the manner and extent of this Government intrusion into the lives of its employees are proposed by Representative Gallagher of New Jersey. He also advocates legislation to set up minimum standards for polygraph operators because they—more than their equipment—are the real "lie detectors." Many Americans feel that there is something repugnant about underhand detection or even open detection tests as a condition of employment.

#### THE NATIONAL HEALTH FEDERATION

Mr. Speaker, the National Health Federation is a group of American citizens vitally concerned about drugs and food additives. It now has some 50,000 members, from every State in the Union, and they became interested in privacy when, in September 1970, our inquiry held a hearing on the use of behavioral modification drugs—most often, the amphetamines—on grammar school children. We disclosed that at least 250,000 children were now receiving this therapy and that the diagnosis of minimal brain dysfunction had to be based exclusively on the behavior of the child at home or at school. A blue-ribbon panel was formed 2 short weeks after our hearing by the Office of Child Development at HEW and its report repeated many of the criticisms surfaced by the privacy inquiry.

Incidentally, I received a personal letter from Dr. Edward Zigler, Director of

the OCD, which contained the following sentence:

All of us who are concerned over the education of children are grateful to you for arousing national concern over this treatment.

And the blue ribbon panel's director, Dr. Edward X. Freedman, chairman of the department of psychiatry at the University of Chicago, wrote me that:

Together, we may have slowed down a fad.

I mention these two gentlemen, both experts on the therapy, to show that the concerns of ordinary citizens are shared by professionals, but that corrective action only comes when vigorous exposure is given an issue. Now, since the abolishment of my Privacy Subcommittee, there remains no formal forum within the House where legitimate doubts can be raised.

Some 15,000 copies of the following form letter from the National Health Federation have been sent to Members of the Congress.

— 19 —

The Honorable \_\_\_\_\_,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN: I approvingly note the Rules Committee of the House has voted favorably on the Gallagher Resolution (H. Res. 164) and that the proposal is to come to a vote on the floor of the House within the near future.

I respectfully urge you to cosponsor and/or support and vote for H. Res. 164 to establish the House Select Committee on Privacy, Human Values, and Democratic Institutions.

I agree with Newsweek (July 27, 1970) that it would help protect our privacy . . . "If his (Gallagher's) colleagues would just vote him some money" and that his "fight for privacy for five years on a single Congressional appropriation of \$65,000 (is) the most economical campaign since Joshua's at Jerico."

There was never more evidence of the need for a major fully funded and fully staffed congressional select committee working in the area of preserving Bill of Rights guarantees.

Respectfully,

\_\_\_\_\_ (Name, print).  
\_\_\_\_\_ (Signature).  
\_\_\_\_\_ (Street).  
\_\_\_\_\_ (City).  
\_\_\_\_\_ (State, Zip).

PROFESSOR VERN COUNTRYMAN OF HARVARD  
LAW SCHOOL

Mr. Speaker, I believe it would be fair to say that almost every member of the National Health Federation would describe himself as a conservative. Certainly, its top national leadership is composed of life-long Republicans. To show again how little ideology means to the mounting concern over privacy, I insert at this point a letter I received from a man who must be classified as a leading liberal in our Nation. Prof. Vern Countryman is one of America's premier law experts and he has recently written extensively on the threats of computer technology by both public and private bodies, the theory of privacy, and the danger of the potential irrelevance of the Bill of Rights in our sophisticated technological society. I venture the opinion that few members of the National Health Federation agree with Professor Countryman on anything other than the absolute necessity for a Select Committee on Privacy, Human Values, and Democratic Institutions.

The letter follows:

LAW SCHOOL OF HARVARD UNIVERSITY,  
Cambridge, Mass., December 22, 1971.  
Hon. CORNELIUS GALLAGHER,  
U.S. House of Representatives,  
Washington, D.C.

DEAR REPRESENTATIVE GALLAGHER: As your own stalwart work in the Congress has done so much to reveal, the public and private practice of compiling personal dossiers on literally millions of citizens, combined with the advent of the computer, poses a threat to individual privacy of truly Orwellian proportions.

I know of few problems in the country today more deserving of Congressional attention. I therefore heartily endorse your resolution to create a select Committee on Privacy, Human Values and Democratic Institutions.

Sincerely,

VERN COUNTRYMAN,  
Professor of Law.

DR. EMMANUEL G. MESTHENE, DIRECTOR, HARVARD UNIVERSITY'S PROGRAM ON TECHNOLOGY AND SOCIETY

Harvard's Program on Technology and Society has done magnificent work for some 4 years in attempting to bring our actions as a society into consonance with the wonders of technology. The program has produced extremely valuable research materials on all the ramifications of technological development to the social and political spheres, and I am proud that Dr. Mesthene endorses the select committee. I particularly call my colleagues' attention to Dr. Mesthene's opinion that the select committee could promote opportunities for the positive use of technology as well to disclose its negative consequences. I do not regard the work of the proposed select committee as being either naive or anti-intellectual. It should oppose the new Luddites as vigorously as it should oppose the blind technocrats and I commend Dr. Mesthene's opinions, contained in a letter he sent to a number of Congressmen, to the attention of all of my colleagues:

HARVARD UNIVERSITY,  
PROGRAM ON TECHNOLOGY  
AND SOCIETY,  
Cambridge, Mass., June 8, 1971.

Hon. MICHAEL J. HARRINGTON,  
U.S. House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN: I understand that the Rules Committee of the House has voted favorably on the proposal to establish a Select Committee on Privacy, Human Values, and Democratic Institutions and that the proposal is to come to a vote on the floor of the House within the near future.

I am taking the liberty of writing to urge you to support this resolution. A Select Committee on Privacy, Human Values, and Democratic Institutions would provide a useful congressional forum for airing the issues pertaining to the political and social effects of technology. It would serve as an input and complement to technology assessment efforts currently being planned in both the Congress and the Executive Branch. By seeking and making known information about the effects of technological programs, it would both promote research and enlighten the public as well as the Congress.

It seems to me particularly desirable to have an interjurisdictional, cross-disciplinary committee of the sort proposed, because of the nature of the problem. Decisions to develop technologies in our country, by and large, are made by individuals—by individual entrepreneurs, individual firms, individual government agencies, or individual military services. All such decisions are made in pursuit of the individual goals and mandates of these groups.

This decision-making context, with its emphasis on individual decision-making, makes for inadequate attention to the potential indirect consequences of technological development on third parties. These indirect consequences tend to go unintended, to fall between the stools of innumerable individual decisions to develop individual technologies for individual purposes.

This means, not only that these indirect negative effects get inadequate attention, but also that potential technological opportunities are missed because they are not responsive directly to the individual goals for which the technologies are introduced.

The present committee structure of the Congress is not, in my view, the one best designed to handle that kind of problem, because in most cases the jurisdictions of existing committees and subcommittees coincide with the jurisdictions of the individual agencies or the individual economic sectors—the armed services, agriculture, industry and commerce, space—which are charged with technological development. This tends to lead to a fragmentation of concern, to a partial view of the implications of technological development.

Such partial views are inadequate to assessing the dangers and stimulating the opportunities of new technologies that cut across individual interests, individual goals, and individual decisions.

It seems to me, therefore, that a select, cross-jurisdictional committee could be particularly responsive to this defect in the existing committee structure, because it would be able to take an overall view and to concentrate specifically on the indirect effects of technological development.

Sincerely yours,

EMMANUEL G. MESTHENE.

SHARON L. HAANSTRA OF ORINDA, CALIF.

Mr. Speaker, Miss Haanstra is a high school senior in Orinda, Calif., and I insert her letter as an example of the literally thousands of letters I have received through the years from young people. One of the major accomplishments of my privacy subcommittee was to encourage courses in high schools and colleges on the social impact of the computer and Miss Haanstra's statement about "better balance is needed" is exactly the point I have been making to my colleagues through the years. Perhaps this would be a good place to mention that the College Debate Topic for 1972 is directly related to privacy—Should greater controls be put on agencies collecting information about Americans? Especially in a year when 18-year-olds will vote for the first time, it seems appropriate to form the select committee.

The letter follows:

ORINDA, CALIF.,  
January 28, 1972.

Congressman CORNELIUS E. GALLAGHER,  
Cannon House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: The purpose of this letter is to encourage you in your efforts to protect the constitutional rights of individuals. I am a Senior at Miramonte High School in California, and have been studying the issue of data banks versus personal privacy of individuals, for a project in my government course.

Review of your comments on the subject, along with those of others, has brought home to me the importance of the issue. Professor Charles Freed's view that "Privacy creates the moral capital which we spend in friendship," was particularly meaningful to me.

From what I have read, the managers of the data banks seem to place all too much importance on their data and not enough importance on the basic human value of pri-

vacy. Better balance is needed, and you are helping to bring this about.

Sincerely,

SHARON L. HAANSTRA.

DR. ALAN F. WESTIN, DIRECTOR, NATIONAL ACADEMY OF SCIENCES PROJECT ON DATA BANKS AND DUE PROCESS

Mr. Speaker, Dr. Westin has probably been the single most active American, outside the Congress, in studying the impact of the computer on our law. Dr. Westin has testified numerous times before the Congress and I remember with great pleasure his informed and incisive testimony before my privacy subcommittee when we considered credit bureaus in 1968. He is director of the American Civil Liberties Union committee on privacy, editor of the Harvard University's Program on Technology and Society's brilliant source book "Information Technology in a Democracy," and is now completing a 2½ year study of the problem for the National Academy of Sciences' Computer Science and Engineering Board. I am very pleased to be a member of the National Advisory Panel of Dr. Westin's project and, after reading drafts of the project's report, I know that their disclosures will have a major impact on the continuing debate over computerization.

One purpose I would envision for the select committee would be to insure that the policy recommendations of Dr. Westin's project receive full congressional hearing. In my judgment, what the project will disclose is too important to the future of our Nation to allow it to gather dust on some committee's shelves—the fate of far too many prestigious outside commission reports. The Congress must have a means to bring expert opinion on the computer into our own decision-making process.

Mr. Speaker, I commend Dr. Westin's words, as contained in a letter to Rules Committee Chairman COLMER to the attention of my colleagues and I hope they give the Select Committee on Privacy, Human Values, and Democratic Institutions the same favorable consideration as was given by the Committee on Rules.

The letter follows:

COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK,  
New York, N.Y., April 30, 1971.

Representative WILLIAM COLMER,  
Chairman, House Rules Committee,  
Washington, D.C.

DEAR REPRESENTATIVE COLMER: I understand that your committee will be considering on May 4th a resolution to create a special committee on Privacy, Human Value and Democratic Institutions, as proposed by Representative Cornelius Gallagher.

As a Lawyer and Political Scientist who has worked in the field of technology and civil liberties for two decades, including service as an expert witness and consultant for seven Senate and House Committees, I wish to endorse strongly the creation of such a committee.

At a time when developments in new surveillance technology as well as in the technology of data collection pose so many new opportunities and dangers simultaneously for American society and its Constitutional System, it seems to me important that a well financed and well staffed committee of Congress provide the nation with both information and leadership in dealing with these problems.

In addition I believe that Congressman Gallagher has earned a position of both Congressional and National leadership that will be of great value for this committee. His pioneer work in the National Data Center, on computers and privacy in general, on abuse by credit bureaus and preemployment investigators have served to both alert and mobilize national opinion. In addition, Congressman Gallagher's writings in this field have shown precisely the insights into the hard problems of balancing technological progress and democratic values that such a committee would require.

I hope that your committee will vote to authorize this effort.

Respectfully yours,

ALAN F. WESTIN,  
Professor of Public Law and Government.

FEDERATION OF AMERICAN SCIENTISTS

Basically, the select committee would try to bring the gifts of science to all the American people. We have all seen how some applications of science have caused grave, perhaps irreversible, damage to our physical environment. My contention is that we must also consider the pollution of human value, by technology. This point is well expressed in a letter I received from the Federation of American Scientists' chairman, Marvin L. Goldberger. This distinguished group of scientists was extremely active in the debate over the SST and the ABM, and I am pleased they see similar issues in the social sphere, which could be meaningfully addressed by the select committee.

The letter follows:

FEDERATION OF AMERICAN SCIENTISTS,  
Washington, D.C., January 24, 1972.

HON. CORNELIUS E. GALLAGHER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: As an organization of natural and social scientists concerned with problems of science and society, we deal constantly with the interactions between technology and human values. None of these interactions is more complicated, and more important, than the relationship between privacy and the American democratic institutions which we cherish. The rate and importance of technological changes in areas related to privacy and human values is very rapid. And many of these changes deeply and directly influence the ways in which our institutions can and do function. We wholeheartedly endorse the idea that this issue deserves a Select Committee on Privacy, Human Values, and Democratic Institutions. At one future juncture or another, such a committee could well be of critical importance to the survival of our Republic.

If we can be of assistance to you in securing the approval of the resolution authorizing such a committee, do not hesitate to let us know.

Respectfully,

MARVIN L. GOLDBERGER,  
Chairman.

ROBERT P. BIGELOW, ESQ.

Mr. Bigelow is the former chairman of the Association for Computing Machinery's Special Interest Group on the Computer and Society and is one of the leading practicing lawyers in the area of computer applications. I am pleased that Mr. Bigelow again emphasizes the role of the select committee in assuring the beneficial aspects of computerization and I believe that Mr. Bigelow's professionally based opinions should be influential.

A letter from Mr. Bigelow follows:

HENNESSY, McCLUSKEY, EARLE & KILBURN, ATTORNEY AT LAW,  
Boston, Mass., January 20, 1972.

HON. CORNELIUS E. GALLAGHER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: The computer has served as a catalyst in awakening the American public to the problem of personal privacy in a data bank society and has prompted a reexamination of the ground rules for information acquisition and dispersion by both government and private industry. The work that your Subcommittee of the Government Operations Committee and Senator Ervin's Subcommittee of the Senate Judiciary Committee have done in investigating problems of personal privacy in the computer age has been instrumental in alerting the citizenry to the dangers that could follow from uncontrolled growth of dossier collection and centralization.

I understand that House Resolution 164, establishing a Select Committee on Privacy, Human Values and Democratic Institutions, is scheduled for a vote before the end of the month. The establishment of the Select Committee with a broad opportunity to consider both the useful and pernicious aspects of the personal information industry from multiple viewpoints would be a distinct service to both government and to the individual citizen. May I wish you great success in the establishment of such a Committee.

Very truly yours,

ROBERT P. BIGELOW.

JAMES SPROAT GREEN—ASSISTANT PROFESSOR OF INFORMATION SCIENCE AT LEHIGH UNIVERSITY

Mr. Speaker, I insert Professor Green's letter because I worked very closely with him when he established a course at Lehigh University to consider the social impact of computerization. His letter is very thoughtful and I would urge special attention to his remark that:

The members of the House of Representatives have traditionally acted as the closest thing we have in the United States to ombudsmen. The proposed Select Committee on Privacy, Human Values and Democratic Institutions represents a very necessary and meaningful extension of this great tradition.

Professor Green is saying, in my view, that we can do our own job better and can serve our constituents and our Constitution better if we establish the select committee.

The letter follows:

LEHIGH UNIVERSITY,  
Bethlehem, Pa., June 9, 1971.

HON. CORNELIUS E. GALLAGHER,  
House of Representatives,  
Washington, D.C.

DEAR CONGRESSMAN GALLAGHER: In order to build and sustain the long term confidence of the people in the effectiveness of their government it is necessary that the government, at all levels, safeguard the sovereignty of the individual citizen. Aside from the government's self interest in maintaining the support by the people it is, in a democracy, one of the prime reasons for its existence.

It is the individual contrasts and differences in character and belief that collectively comprise the broad foundation upon which this nation stands. To narrow, erode, or to compromise this base in any way will rob the national character of its essential resiliency such that we, as individuals and as a nation, may not be equal to the unknown challenges of the future.

The members of the House of Representatives have traditionally acted as the closest thing we have in the United States to ombudsmen. The proposed Select Committee on Privacy, Human Values, and Democratic In-

stitutions represents a very necessary and meaningful extension of this great tradition. I wish to be included among those who go on record in support of this committee.

Sincerely,

JAMES SPROAT GREEN,  
Assistant Professor of  
Information Science.

DR. PETER F. BREGGIN AND PSYCHOSURGERY

Mr. Speaker, Dr. Peter F. Breggin is a psychiatrist and is on the staff of the Washington School of Psychiatry. In a letter to me endorsing the select committee, Dr. Breggin discloses that there is now a new wave of brain-mutilating operations which have replaced the older forms of lobotomies. These operations, totally irreversible in their effect on citizens, are now being employed for only minor deviations from so-called normal behavior. I would urgently call my colleagues' attention to Dr. Breggin's example of these operations being used for hyperactive children, and I would remind the readers of the RECORD of the privacy subcommittee's disclosures about the difficulty of accurately diagnosing hyperactivity during our September 1970 hearing. I would regard a prompt and extensive investigation of psychosurgery as a first order of business for the select committee, for nothing strikes more disastrously at the right of our people to develop their talents in their own way than does irreversible brain mutilation.

The letter follows:

THE WASHINGTON SCHOOL  
OF PSYCHIATRY,  
Washington, D.C., January 19, 1972.

DEAR CONGRESSMAN GALLAGHER: I am a psychiatrist in private practice here in Washington, D.C., where I also teach on the faculty of the Washington School of Psychiatry. I am writing to you to strongly endorse your concerns about mind control and deprivation of basic human liberties through psychiatric and psychological interventions, including the use of drugs, electroshock, and lobotomy, as well as the use of social engineering as urged by B. F. Skinner.

As well as my endorsement, I wish to offer you a large amount of current data concerning the use and abuse of lobotomy and psychosurgery. I have just completed the most extensive survey and analysis of the return of lobotomy and psychosurgery and I would be glad to make it available to you. In addition, I am in the midst of completing a book on the general theme of totalitarian technology in psychiatry. And finally, you may find my novel, *The Crazy from the Sane*, Lyle Stuart Publisher, 1971, of considerable interest in support of your concerns about the use of drugs, electroshock and involuntary hospitalization as a threat to basic American ideals and freedoms.

Of chief interest, psychosurgery and lobotomy is now being revived for use on relatively normal individuals with diagnoses of anxiety and neuroses, and its main targets have been women, old people and little children. While small children have been done in the thousands around the world, it is only beginning here in the United States at the University of Mississippi Medical School where "hyperactive children" as young as age five are being subjected to multiple mutilating operations on their brains. The current overall rate in America right now is 400-600 operations a year, but a second wave is just beginning. The first wave affected about 50,000 people.

Let me know if I can be of help to you and if you want the full data on the return of psychosurgery.

Sincerely,

PETER R. BREGGIN, M.D.

RICHARD BOETH, GENERAL EDITOR,  
NEWSWEEK MAGAZINE

Richard Boeth wrote a cover story for Newsweek in July 1970 and it was his words that were used in the National Health Federation's form letter I inserted earlier in these remarks. In a letter to Chairman Colmer shortly before the Rules Committee vote, Mr. Boeth makes a point beyond his emphasis on privacy and I think the Members of the House would find it particularly relevant to our own role. Mr. Boeth writes:

But the establishment of this new Select Committee would accomplish a great deal in addition to moving forward on the privacy issue. There is a tendency in many quarters to dismiss the organs of government in this country as outmoded, fossilized and incapable of the necessary evolution to meet the evolving needs of the times. The establishment of this Select Committee, with its broad mandate to preserve and protect so many matters vital to the quality of American life, would demonstrate a continuing pertinence and flexibility on the part of the Congress that would be most welcome and most effective.

If nothing else, Mr. Speaker, that statement by a perceptive and influential journalist discloses the genuine importance of the vote tomorrow. If we do not establish the select committee we would give fuel to the inflammatory statements of those who today find the House of Representatives irrelevant to the great issues of our time. We would, in a very real sense, be abdicating our ability to remain relevant in the future. We would confirm the view of those who dismiss the organs of government as fossilized and outmoded. We in the House need the Select Committee on Privacy, Human Values, and Democratic Institutions for our own survival, just as the Nation needs it for the survival of freedom.

#### RIGHT OF THE POOR TO SUE THE GOVERNMENT MUST BE PRO- TECTED

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. FAUNTROY. Mr. Speaker, the Washington Post of February 2 and the New York Times of February 3 carry stories that Vice President AGNEW is greatly concerned and angered about the suits brought on behalf of the poor by OEO Legal Services. The Vice President's contention is that it is wrong for the Federal Government's money to be used in suits against either itself or against other locally elected officials who are alleged, by Vice President AGNEW and Governor Reagan, to be fully or better representative of the people. It appears that Mr. AGNEW is attempting to intimidate the personnel of OEO Legal Services so that they will not press suits against the government(s) on behalf of the poor.

Unfortunately, Mr. AGNEW apparently does not understand the role of the public interest lawyer in a democratic system. Government in this Nation operates through its agents who often make mistakes or follow policies that are clearly contrary to the spirit or the letter

of the Constitution. When they are wrong or when people disagree with them there are two basic alternatives they may pursue—they can wait and vote them out or they can challenge the validity of the program or policy in a court of law. If they are denied the latter, the ills wrought by the policy may very well be incorrigible or only at a great cost at a later date. The idea that the sovereign, which is the state, can do no wrong is a vestige of the monarchical period and the era when the king thought his right to rule was divinely vested. We have left that age; and, one would have thought that every government official knew that.

When Government officials are wrong or when the people think they are wrong, they ought to be sued. There is no reason that poor people should be denied this right when, in fact, the rich manage to find a means to sue the Government over farm payments, zoning, welfare, and contracts. To deny to the poor and to other minorities the ability to seek a redress of a grievance in court is to deny to them the opportunity to obtain any justice within a reasonable and relevant time period. One would hope that instead of denying or discouraging people to seek a redress in the courts, this administration would encourage it.

The opposite has occurred. The fact that a highly placed administration official would suggest that poor people should not have the ability to sue the Government is really a suggestion that they are second-class citizens. It is also to suggest that the programs and policies which would be challenged quite probably fail to meet the requisite standards of conduct that we expect of Government programs and policies. If, however, the programs which are challenged meet every standard enunciated in the laws set forth by this Congress, then I do not understand why anyone would fear a suit. I know that these things are time-consuming and expensive for the Government; but, I cannot overemphasize the fact that this Nation is a nation of people striving together to find the truth and the practices which are consistent with democracy. The ability to assure that laws are followed must not become the private preserve of the rich. It is the responsibility of the Federal Government to assure that it does not become such a preserve by default or through the intimidating actions of its own agents, in this case, the Vice President.

This can be done through the creation of the Legal Service Corporation which will protect the integrity of the poor to sue the Government by removing the personnel from the intimidating reaches of politically minded officials. I hope and urge this Congress to establish the Legal Service Corporation in order that we do not continue to see episodes such as this one.

For those who perhaps did not see the article, I am attaching the Times article in order that it can be fully understood as to why I have this concern:

AGNEW QUESTIONS U.S. AID FOR POOR TO  
SUE OFFICIALS

(By Jack Rosenthal)

WASHINGTON, Feb. 2.—In moves that are likely to touch off a heated national de-

bate, Vice President Agnew has opened a challenge to the right of poor people, using federally paid lawyers, to sue elected officials.

A spokesman said today that Mr. Agnew "is undertaking a serious national study" of the Federal Legal Services program, particularly the issue of federally funded suits against government agencies.

Mr. Agnew's seriousness was evidenced by the fact that, after an inquiry by the Vice President, two White House budget officials at the national Legal Services headquarters arrived at 9 A.M. today to inquire about how Federal funds for local offices could be cut off.

Other evidence of Mr. Agnew's rising concern was contained in a transcript, obtained by The New York Times today, of his meeting yesterday concerning a poor people's suit against the city of Camden, N.J.

This meeting led to an assertion yesterday by Fred Speaker, head of the Legal Services program of the Office of Economic Opportunity, that Mr. Agnew may have exercised improper political influence over the suit.

The transcript showed a sharp exchange between Mr. Speaker and the Vice President, after which Mr. Agnew said:

"I want you to be clearly on notice that I'm not satisfied. I'm not talking only about the problem of the city of Camden; I'm not satisfied with the whole ball of wax [concerning Legal Services]."

Mr. Agnew said that he would discuss with President Nixon and members of Congress the issue of suits against elected officials. And he said that he would "pursue the administration of the O. E. O. Legal Services a lot more completely than I have."

The Vice President expressions brought to the surface once more a bitter philosophical difference that has ignited repeated controversies over the Legal Services program since it began in 1965.

#### VIEWPOINT OF REAGAN

On one side, some public officials, notably Gov. Ronald Reagan of California, have argued that it is wrong for the Federal Government to finance court efforts by political minorities that restrict the ability of elected officials to carry out their programs.

On the other side, lawyers and other officials have insisted that the poor should have the same unrestricted right to their day in court as do paying clients, even if that means suits against public officials.

Previous challenges to this position have generated protracted protest from conservative and liberal lawyers alike. Mr. Agnew's challenge is likely to provoke another storm tomorrow, when the American Bar Association convenes its annual midwinter meeting in New Orleans.

Mr. Agnew's advocacy of the first position appeared to be at odds with that of the President. Last year, in a message to Congress, Mr. Nixon proposed establishing Legal Services as an independent, public corporation.

#### BACKS LOCAL OFFICIALS

"Much of the litigation initiated by Legal Services has placed it in direct conflict with local and state governments," Mr. Nixon said. "If we are to preserve the strength of the program we must make it immune to political pressures and make it a permanent part of our system of justice."

At the meeting yesterday, however, Mr. Agnew invoked Administration support for his position, saying:

"My situation in this case is because the Nixon Administration philosophically believes in the right of state and local officials, properly representing the people in an area, to carry out what they campaigned to do and were elected to do."

If political minorities are able to prevent such officials from carrying out their programs, "we have perverted the entire con-

cept of democracy which is a majority government," Mr. Agnew said.

Victor Gold, Mr. Agnew's press secretary, said today that the Vice President had not come to a conclusion on the issue. But, reaffirming Mr. Agnew's role as the Federal liaison man with local government, he said the Vice President believed it was a problem "that needs to be looked into."

After the two officials of the Office of Management and Budget appeared at the Legal Services office today, one employee of the legal unit said, "The questions were clinically neutral, but how could we help but feel intimidated?"

In response to questions about this visit, Mr. Gold said that there had been emphatically no intention to intimidate. The interview, he said, was "probably over-diligent."

#### INQUIRY MADE BY AGNEW

He acknowledged that Mr. Agnew yesterday asked the Office of Management and Budget for general information about the Legal Services program and about the Camden office specifically. But this request, he said, did not contemplate that officials "would go park on somebody's doorstep this morning."

The two budget officials, G. Phillips Hanna and James A. Rotherhan, spent an hour questioning Legal Services attorneys about the program generally. They reportedly asked what authority might be available to end the \$550,000 annual grant to the Camden office. This grant was renewed last month.

One specific result of the meeting yesterday in Camden was the reopening of negotiations today between Legal Services attorneys and Camden city officials over the controversial law suit there.

After a two-hour meeting today, David H. Dugan 3d, director of Camden Regional Legal Services, said "It was amicable. I regard it as progress." Another meeting on the suit is expected soon.

The suit, brought by poor blacks and Puerto Ricans, seeks to force the city to provide relocation housing for people displaced by two urban renewal projects.

This action, filed in August, 1970, has blocked construction on those projects, which city officials have argued are critical to the future of the city. Its population of 100,000 is about 40 per cent black and about 10 per cent Puerto Rican.

Gov. Francis W. Sargent of Massachusetts, a Republican, came to the defense of Legal Services today in a telegram to Massachusetts Congressmen.

The telegram, which an aide acknowledged was partly a result of Mr. Agnew's new stance, said in part, "recent events emphasize the need for a separate Legal Services corporation. The program, I feel, has been very successful in Massachusetts."

### POLLUTED POLITICS CHARGED

#### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DINGELL. Mr. Speaker, I include the text of an article carried in the February 4, 1972, issue of the Christian Science Monitor at this point in the CONGRESSIONAL RECORD:

#### ATTACK ON MUSKIE?—POLLUTED POLITICS CHARGED

(By Peter C. Stuart)

WASHINGTON.—One day after Congress' best-known environmentalist, Sen. Edmund S. Muskie (D) of Maine, announced his presidential candidacy, the Department of Justice charged a Maine industry with polluting the state's St. Croix River.

"An obvious political hoax aimed at embarrassing some of the nation's leading anti-pollution campaigners," countered pulp and paper producer Georgia-Pacific Corporation, objecting to "being placed in the middle of political in-fighting."

The government denies the charge. But an investigation by this reporter suggests that during the past two years—while environmentalist Muskie rated as President Nixon's leading Democratic challenger—Maine may have encountered more than its share of federal pollution lawsuits.

Calculated or coincidental, it's the latest sign that as "the environment issue" enters its first presidential campaign, clean air and water may become increasingly clouded by the charges and countercharges of White House politics.

#### FIGURES DISCLOSED

Justice Department figures disclose that in 1970 and 1971 Maine received from three times as many to nearly 20 times as many federal pollution lawsuits as might be expected on the basis of its population and land area.

Maine accounted for approximately 10.3 percent in 1970 and 3.0 percent of 1971 of the civil and criminal lawsuits filed nationwide by the Justice Department's Land and Natural Resources division. Yet the state contains less than 0.5 percent of the nation's population and under 0.9 percent of its land area.

Maine's busy caseload contrasts sharply with two other coastal states (lacking presidential contenders), picked at random and checked by this newspaper.

Oregon—with twice Maine's population and three times its land area—experienced no federal pollution lawsuits at all in fiscal 1970 (calendar-year figures unavailable) and fewer than Maine in fiscal 1971.

#### COMPARISON STRIKING

Maryland—four times more populous than Maine, although smaller geographically—also faced fewer lawsuits during the past two-year span. (As in the case of Oregon but unlike Maine, suits increased from 1970 to 1971.)

Nationally, in eight United States attorney districts selected by the Justice Department "where activity might be expected," only one accumulated more criminal pollution lawsuits in the two-year span than Maine—New York City (with two more suits than Maine's 17). The Maine criminal caseload exceeded such prominent pollution hotspots as northern Ohio (Cleveland), western Pennsylvania (Pittsburgh), and northern Alabama (Birmingham).

In civil pollution lawsuits (under the Refuse Act of 1899), Maine's two year total is topped only by New York City, Cleveland, and Birmingham. Two-thirds of the nation's 93 U.S. attorneys filed no civil pollution suits at all during the two years.

The apparently high rate of federal intervention in Maine might be easily explained if the state were a backwater of unattended pollution problems. Far from it, Maine ranks in many ways as a model of environmental leadership—boasting such innovations as a state veto over proposed development sites and a coastal oil-spill protection fund financed by petroleum fees.

Spokesmen for the Justice Department and Environmental Protection Agency (EPA), Washington's team of antipollution law enforcers, deny that politically-sensitive cases (such as those in Senator Muskie's home state) are systematically cleared with the White House.

#### LOCAL DISCRETION CONSIDERABLE

The 93 local U.S. attorneys—some of whom may choose to stress environmental prosecution—work at loose rein, according to a Justice official. Any of them may file a civil pollution lawsuit strictly on his own, or a criminal suit after checking only with the local EPA office.

But an EPA staffer concedes that in ticklish cases "at the highest levels, word could be passed."

A Muskie aide in Portland, Maine, says only that White House influence "is within the realm of possibility." He points out that the Justice Department is headed by Attorney General John N. Mitchell, Mr. Nixon's past and, it is reported, future campaign manager.

Other actions by the Nixon administration suggest, to some observers, attempts to blur the leading Democratic contender's "Mr. Environment" image:

The government launched its billboard removal program last April—in Maine. Secretary of Transportation John A. Volpe personally directed the razing of the first sign. A departmental spokesman explains that Maine was "the first state ready" to participate in the program. But it also made good politics for a Nixon Cabinet officer to visit Senator Muskie's home base to tear down unsightly billboards.

The administration has quietly helped bottle up in Congress for nearly a year the creation of a Joint Committee on the Environment—which Senator Muskie would co-chair. Both houses have approved legislation lopsidedly and most agree the concept would bring badly-needed coordination to Capitol Hill's disjointed environmental responsibilities.

The White House pointedly failed one year ago to invite Senator Muskie to Mr. Nixon's ceremonial signing of the historic Clean-Air Act, to which the Senator had served as both father and midwife. The President never mentioned the one who wasn't there.

#### "ROCKY PRIDE" OF ROCKFORD

### HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. ANDERSON of Illinois. Mr. Speaker, I take this opportunity to insert into the CONGRESSIONAL RECORD a prime example of what has often been called "the unsinkable American spirit." My hometown of Rockford, Ill., has embarked on an innovative program to fight inflation at the grassroots level. The group, "Citizens for a New Prosperity"—CNP—have undertaken as their task the accomplishment of three very ambitious goals: First, halting inflation; second, obtaining full employment; and, third, keeping U.S. goods competitive here and abroad. The membership of the CNP cuts across political party lines, business and work affiliations, economic, personal, and professional interests; in sum, it includes everyone interested in fighting inflation. The CNP sees its task mainly as an educational one.

I am particularly enthusiastic about the CNP's approach, because all too often it is assumed that the Government can cure all our economic ailments, an attitude that has not helped in our current struggle against inflation and unemployment. As the distinguished Chairman of the Price Commission, C. Jackson Grayson, pointed out most succinctly in his speech of January 20 in New York:

While public Government can supply—and is supplying—temporary relief from the symptoms (of inflation), the cure can only be engineered, fought for, and won by private hands, and private will.

Organizations like the CNP can contribute immensely in this battle against inflation.

The CNP is also engaged in a battle against "popular economic misconceptions," which are so rampant in the body politic today. And although it hurts to admit it, I sincerely believe that some of the principal perpetrators of these economic myths and hobgoblins have been the politicians of America. I praise and fully support the citizens of Rockford, and other communities across the country that have undertaken this initiative, and I hope that their example will be emulated by other communities in the United States.

The material follows:

[From the Rockford (Ill.) Register-Star, Nov. 20, 1971]

#### SATURDAY NOTEBOOK: REACTION TO OUR TIMES

The new Rockford group known as a "Citizens for a New Prosperity" has cut out for itself a pretty ambitious assignment.

How, you must ask, do they hope to achieve the goals of 1) halting inflation; 2) obtaining full employment; and 3) keeping U.S. goods competitive here and abroad?

That's a pretty tough project, as any self-respecting President of the United States will also admit.

But, then, look again. Actually, isn't this new organization of men and women from all spectrums of the community really a reaction to our times?

Isn't it true that in times of inflation such as ours the American economic-free enterprise system actually becomes its most efficient?

It is true that economic pressures force us to look again at our own productivity, at our own job skills, and explore how we can do the job better. That's what Citizens for a New Prosperity is all about.

And, if it happens in Keokuk, Birmingham, New Rochelle, and Rockford all at the same time, maybe the job isn't as tough as it first appears.

[From the Rockford Morning Star, Nov. 17, 1971]

#### ROCKY PRIDE MAKES DEBUT IN ROCKFORD

There's a new face in Rockford—that of Rocky Pride, the symbol for Citizens for a New Prosperity (CNP).

Formation of the group was announced Tuesday at the Faust Hotel by Clifton W. Beggs, steering committee coordinator. Beggs, 2509 Driftwood Lane, is president of C. W. Beggs & Associates, management consultants.

Goals for the new organization will include stopping inflation, obtaining and keeping full employment and keeping U.S. goods competitive here and abroad.

Rocky Pride means "Pride in having a job in the Rockford area. It also stands for Prosperity-in-Rockford-Involves-Determined-Effort." Throughout CNP's campaign, he will be shown representing various styles of work and professional life.

CNP is an extension of a nationwide movement including similar groups in many cities, according to Alan T. Mann, president, Upstate Illinois Chapter, Public Relations Society of America, which is aiding CNP as a community service project. A resident of Marengo, Mann is director of public relations for Sundstrand Corp., 2531 11th St.

"To help accomplish our goals, we hope to correct much of the erroneous information about our nation's free enterprise system and what makes it work. This group will conduct a comprehensive program to educate and help inform Rockford-area citizens of these matters," Mann said.

Beggs described the new organization as

"strictly an information organ which will encourage action on an individual or group basis. We won't become engaged in lobbying activities ourselves at any time."

Membership will cut across political party lines, business and work affiliations, economic, personal and professional interests, Mann said.

He said the program will be supported by members of Rockford's medical, clergy and minority groups and political service and volunteer organizations.

"We're in support of Phase 2 of President Nixon's economic program, but we feel that there are other areas where we can help enlighten people and answer their questions about what causes inflation and how to stop it," Beggs said.

"We're not going to do anything because we back President Nixon per se. We're out to stop inflation. It will be nonpolitical and we want everyone to help us," Beggs said.

#### PRODUCTIVITY

As long as productivity gains for the country were 2 to 3% a year—and wage increases were being forced up to 3 to 4%—the difference going into inflation was more or less tolerable. But recent pay increases have been running two to four times any productivity increase, and the whole difference has had to go into higher unemployment, or higher prices, or—as we see—too much of both.

After we have hopefully arrested inflation, we will still have the job of deserving and securing the ever higher level of living that is both the desire and the wide-open opportunity of us all. This can and will come only from saving and investing more, than working harder or more intelligently as specialists producing more for each other, and being sure we eliminate all senseless waste in the process.

Contrary to what is being too fashionably taught and assumed, all real progress comes from some temporary self-denial in order to be able to invest toward the hoped-for later enjoyment of larger and more rewarding benefits. This is what we do when we go to school, protect our health, develop a reputable character, and save some money for the rainy day or brighter satisfactions.

Increased productivity per man-hour is one of our great hopes right now. As already indicated, this can come primarily from two sources: First, from increased investment in arm-lengthening ideas and equipment. Second, from making full use of skill, care and effort.

To come by the required investment, we must get to understand the private business process well enough to appreciate how we simply must see that people have a favorable economic, moral and political climate for the creation and investment of savings. To get the application of the required skill, care and effort, we must again understand private business well enough to appreciate that we are on a something-for-something basis and that, if we expect to get what we want, we simply have to offer in return an equal value judged from the other fellow's standpoint.

But increased productivity per man hour will not solve inflation and give us a higher level of living—if we let the drain from taking care of non-productive citizens increase faster than the output of the citizens still producing. Our level of living is determined by the output per year spread over each man, woman and child in our country.

#### INFLATION—A LOOK IN THE MIRROR

Most of us are now deeply concerned about who and what are causing our inflation, what will stop it, and who meanwhile should or does pay the cost of inflation. Here are some views, for what they are worth, to put alongside the many others you are getting on this controversial subject from all sides.

Inflation comes from our government be-

lieving it is politically necessary to create worthless extra money (and credit) for which there are no extra goods and services to match—and doing so for these two reasons:

1. To provide the money for the government to pay for those goods and services which the public majority wants or permits some or all of the public to receive at so-called "government expense".

The public majority loosely assumes the money is going to come from somewhere else, and would flatly refuse to pay the bill visibly or knowingly. Thus our government—believing it politically necessary to at least appear to be doing what its constituents demand or allow—is forced by the public to resort to the deceitful process of collecting the cost from that same unsophisticated public through the tax of inflation hidden in higher consumer prices.

2. To pump out added worthless cash—which increases the number and cuts the value of all our dollars—so that consumers will have enough cheapened dollars to buy at the higher consumer prices now necessitated by the total of the artificially higher pay—that is, the total of the higher wages and higher cost-of-living allowances—which higher total is imposed in the absence of higher output to match, would only kill or reduce jobs if money is left at its old value, and is in accordance with the pay practices demanded or permitted by the affected but unseeing consuming public itself. Thus what government is really doing is, first, to promote or sanction the unworkable pay increase and then promptly wipe out the expected buying power increase in an attempt to mask or to delay temporarily the job-killing power increase in an attempt without correspondingly raised output.

To stop or minimize inflation, both No. 1 and No. 2 above must be stopped or minimized. And in connection with No. 2, it is this total—of both wage increases and cost-of-living allowance increases—which has to be tapered down to at least 3% a year for the country as a whole (to match the presumed or hoped-for productivity increase) if inflation is to be arrested.

#### UNEMPLOYMENT

In our present situation, unemployment is understandably much in the news and a source of real worry to us all.

What most of us need clearly in mind is the hard fact that where a citizen wants to work on a something-for-something basis—and is not getting it—the reason is almost always that his services are just not worth what they would cost the ultimate consumer from whom the bill has to be collected in the end and who is the sole final arbiter of the worth in question.

We, who make up the public majority, need to realize what we are doing to ourselves when we force or even sanction higher pay without higher output to match. This always causes inflation, or unemployment, or both.

In this area, most of us are probably the worst fooled by minimum wage laws. They seem so fair and so innocent of any bad results of real consequence.

The first effect of such laws is to price out of the market so many present and prospective workers who are precisely those whom the laws are wrongly presumed to help—such, for instance, as the blacks, youth and other unskilled whom the rest of us, who are still employed, then have to support in idleness.

The second effect of these so-called minimum wage laws is to raise all the other rates which are above the minimum. The formerly ruling differentials between the various skills are simply reestablished from the bottom clear up to the top.

We of the majority also need to get the vivid picture of how this pricing pay out of the market forces employers to eliminate jobs through increasing investment in tech-

nology much faster than is economic for the public—and this on top of the public being also saddled with the support of the dispassionate idleness.

In short, the public majority's employment policy—as implemented by the public's representatives and negligently accepted by the majority of us—is forcing employers to keep limiting their employment to those higher and higher up the skill and productivity scale just as fast as the services of the lower producers are progressively priced beyond what consumers will refund to the employers.

#### DRINAN CRACKS MEDIA'S VENEER

### HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. O'NEILL. Mr. Speaker, I would like to submit for the RECORD an article which appeared in the Boston Globe on Tuesday, February 1, 1972, and the address of the Honorable ROBERT F. DRINAN before the New England Broadcasting Association.

Congressman DRINAN has already distinguished himself as a forthright and able legislator who is interested in both worldwide and nationwide issues. He has exhibited an expertise and a sincere concern for the problems of prison reform, the youth vote and environmental quality. I recommend to my colleagues this article about my esteemed colleague from Massachusetts, the Honorable ROBERT F. DRINAN:

[From the Boston Globe, Feb. 1, 1972]

#### DRINAN CRACKS MEDIA'S VENEER

(By David Nyhan)

We shall henceforth refer to him as "Fighting Bob" Drinan, after the way the priestly-congressman took on the local broadcasting barons.

While they were serving up the ice cream and strawberries, the liberal Democrat rose with a smile, told a couple of pretty good jokes ("We don't allow our priests to become Republicans") and then wiped the floor with the Federal Communications Commission in general, the television industry in particular—and even had a saucy word left over for local newspapers, charging them with ignoring obituaries of distinguished black citizens.

It all took place Friday afternoon at a downtown restaurant, where Fighting Bob spoiled lunch for 100 members of the New England Broadcasting Assn.

The speech lambasted the FCC for never lifting a broadcasting license—not even one of 7200—for inadequate programming; repeated what we all know about the frequently flatulent fare offered on prime time TV; castigated broadcasters for allegedly ignoring the blacks, the Spanish-speaking, the anti-war people and other protesters; and talked about greed and the sham of regulation.

The real dessert was not the ice cream and strawberries—it was the exchange between Drinan and Perry Ury, general manager of Boston radio station WRKO.

Ury, whose station has a reputation for making some public service efforts despite the relentless quality of its top-40 pop music format ("and the hits just keep on coming"), arose to defend his industry.

He began by saying Drinan should tell the young man who does the research to check his facts more carefully. Ka-boom. What followed was enough to send a newsboy rushing down Tremont street, shouting, "Extry! Ex-

try! Read all about it—congressman claims he writes his own speech!"

"I wrote that myself," exploded Drinan, who demanded—and got—a retraction from Ury on the correctness of the statistics used to figure the average profit (18 percent) or the amount of time spent on selling soap and spaghetti.

Drinan proceeded to take on the crowd, at one point almost taunting the audience into challenging him, rocking back and forth on his toes and saying, "Go ahead, it's good for the soul."

The former dean of the Boston College Law School, no mealy-mouthed cleric when confronting the broadcasters, does not draw the line at bawling out those who invite him to dinner.

Ury was unhappy, as were others (one ad salesman blessed himself as Drinan spoke), with what they claimed was Drinan's blanket indictment of the broadcasting scene.

Drinan countered he was only trying to raise some legitimate issues about how blacks and peace people get jabbed routinely in the media. It is a fact that the adversary process is the basis of American justice, American politics, and, it seems, even American marriages. But not until very recently has anything approaching the adversary process reached the media with opposition views.

If you happened to catch a WBZ-TV premier during the weekend, the black-produced "Sixteen-72" show, with Lovell Dyett as host, you saw that maiden effort conclude on a piece of television dynamite.

Dyett's crew was out Thursday, hardly 24 hours before Drinan spoke, asking blacks at Washington street and Massachusetts avenue to talk about what they liked about TV.

"I don't like anything about TV," shot back a young mother who lives nearby. They didn't use her name, but she had on a gorgeous slouch hat—and she unloaded a bombshell.

The rest of the show had been sort of predictable—how many times will Malik Hakim be aired locally?—but this girl at the end talked about what it's like to be black and watch television.

She treated the token "Julia" show the way it deserves to be treated she said she's tired of the token black in commercials. "We come in pairs," she said; she talked about coming home from work, tired, and not finding anything on TV to make her treat her child or her husband in a more loving fashion; she said TV ignores the pimps and drug pushers and knife-fighters that clog her street.

She lives under the elevated, the EI, and that one brief sketch howled out of the tube, as a beautiful black girl with dynamite in her mouth talked about how TV had gone away from her and left her. TV is the train that doesn't stop here.

If we get a few more people like Fighting Bob and this black woman in the slouch hat, we'll be getting somewhere in this media game.

#### ADDRESS OF CONGRESSMAN ROBERT F. DRINAN DOES THE FEDERAL GOVERNMENT REALLY PROTECT THE PUBLIC'S OWNERSHIP OF THE AIRWAVES?

It has always been astonishing to me that in the whole history of the Federal Communications Commission not a single one of the present 7,200 licensees of TV and Radio has ever been deprived of a license for inadequacy of broadcasting. The one example of the apparent removal of a license from a TV station in Boston was not for that reason.

I would like to talk with you about three urgent topics related to broadcasting: 1. The relatively low standards required for the retention of a license, 2. The faults of the media and especially the inability of all

groups to have access to the airwaves and, 3. The political potential and perils confronting broadcasting in the next 300 days prior to November 7, 1972.

#### 1. THE INADEQUATE REGULATION OF THE MEDIA BY THE FCC

I have never heard of a radio or television station going into bankruptcy. It was the British press baron, Lord Thomas, who said that a television license is like "being given a license to print money". In the United States the broadcasting industry averages a profit of about 18% a year. The license to a channel, is in the nature of things, a monopoly even though the channel is technically the property of the public.

In view of the profitability of broadcasting it probably is no surprise that the industry which the FCC regulates tends to dominate the very agency by which it is regulated. This happens too infrequently in Washington where farmers, railroads, businessmen and labor groups make frequently successful efforts to control the agency which regulates them. No industry, however, has been as successful as the broadcasting industry with the FCC. It truly is unbelievable that 7,200 outlets should have survived without a single mishap since the establishment of the FCC in 1935!

Can anyone even imagine 7,200 students having examinations in which no one failed? Can anyone imagine 7,200 young adults having physical examinations without a single illness or disease being discovered?

The FCC has regularly conceded that it has an insufficient number of examiners to make much of an inspection of the media barons over whom the FCC has jurisdiction. The FCC, however, does not beg the Congress for more help. The FCC abdicates its duty just as it did recently when it blithely announced that it would not investigate telephone rates because it did not have the personnel necessary to carry out the statutory obligation of the FCC.

If the Congress will not give personnel to the FCC to do something about its routine triennial relicensing of profitable monopolies over a public trust then perhaps some other system has to be devised. It might be possible to suggest that at least 1% of all broadcasters or some 72 out of 7,200 would be relicensed each year or each third year. On the other hand it might be realistic to adopt a maximum period of years in which the proprietor of the airwaves could enjoy his monopoly.

I have noticed among broadcasters lately not a little anxiety about the possibility that they or other persons holding a license to broadcast might have trouble with the FCC. In view of the traditional permanency of a license once it is granted I cannot fully understand the widespread anxiety. It may be that the anxiety is a symptom of deepening guilt concerning the exploitation of a public trust for private gain. It may be, on the other hand, that the anxiety about a possible delicensing springs from the ever mounting disaffection of millions of Americans for the "boob tube" or for the horrendous stream of annoying commercials which affront the listener for some 18 minutes of every hour of radio time.

I am not faulting the proprietors of television or radio stations for the virtually total lack of regulation or forced improvement which they receive. It is the FCC which has refused systematically over the years to develop any sort of precise standards with which to measure the programming of TV and radio stations. It is the FCC which has allowed licensees to govern their conduct almost by financial considerations alone.

If licensees through the year had been forced to keep a watchful and fearful eye upon a field of alternate candidates prepared to pounce on their licenses if they fell beneath a certain level of performance these licensees would have been impelled by

fear to have improved their quality of performance. The Communications Act exhorts the licensee to serve the "public interest, convenience and necessity". The FCC, however, has allowed all too many licensees to reap whirlwind profits and build secure empires without any threat of censure, suspension or delicensing.

The FCC has the inherent power to exercise a number of sanctions short of the act of transferring a license. The law is very clear. As was said in the Red Lion Broadcasting case "There is nothing in the First Amendment which prevents the government from requiring a licensee to share his frequency with others and to conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community and which would otherwise, by necessity, be barred from the airwaves. . .". The same decision made it clear that "It is the right of the viewers and listeners, not the right of the broadcaster which is paramount".

I am afraid that one must conclude that the "right of the viewers and listeners" cannot be said to have been made paramount either by the Congress or the FCC.

#### 2. THE FAULTS OF THE MEDIA—ESPECIALLY IN DENYING ACCESS TO EVERYONE

It is regrettably true that there is no way by which the public can secure redress for the faults of the media. The process of license renewal is theoretically designed to give the public the opportunity to be heard on the question of replacing the incumbent licensee. As two Commissioners of the FCC said in June 1968, however, the process of review "is a ritual in which no actual review takes place. . .". The licensees describe the more or less unscientific method they have employed to define the needs of their community. These needs are often not specified. When specified, they often have little relation to the programming decisions the licensee has made. This entire ritual, which is a burden on broadcasters and a boon to the Washington, D.C. communications bar, has no real point. It is a sham."

This "sham" is an affront to the participation of the public which should be essential in the renewal proceeding. The U.S. Court of Appeals in the District of Columbia affirmed the right of listeners and viewers to intervene in a renewal proceeding when the license of a TV station-owner in Mississippi who had denied the black community access to programming was in question. The Court stated that it did not believe the ancient myth that the FCC "always effectively represented the listeners interests in a renewal proceeding". Perhaps the next step will be to insist that responsible and representative groups be required to intervene in the community where a private individual or corporation seeks the triennial renewal of the monopoly of a public trust which has been granted to him. Some such action will in my judgment occur unless there is more access to the media by all of those members and groups of society who are now actually excluded from presenting their viewpoints to the public. The blacks of America took to demonstrations as a substitute for having access to radio and television. Similarly the peace movement turned to marches and parades because they were locked out of the media which featured President Johnson and President Nixon trying to justify a war 12,000 miles away from San Francisco.

The *Red Lion* decision was the Supreme Court's unanimous rejection of the broadcasting industry's argument that the "fairness doctrine" was unconstitutional. The Court, having found the fairness doctrine constitutional, went beyond it to set forth the groundwork for the newly emerging doctrine of "access".

The doctrine of access still has a long way to go. A group of anti-war businessmen (BEM) desired to buy time for anti-war "commercials" on WTOP in Washington, D.C.

WTOP refused. The FCC sustained the station but the Court of Appeals reversed. This decision may be a baby step towards "access" but it is still a long, long way from anything approaching "participatory television".

Access means that broadcasting must look to social needs rather than to private greed. If the FCC and the broadcasting industry are to give true access to all Americans they cannot continue to assume or assert that the American public prefers entertainment shows and that consequently 75% to 90% of all program time will be taken up with this form of leisure.

The FCC and the broadcasting industry must, moreover, recognize that access in any real sense means that we have to take seriously the proposal of the Federal Trade Commission to the FCC that consumers should have a right to answer the hucksters who sell their soap or spaghetti during 13 minutes of a one-half hour newscast.

True access to the media in Greater Boston would mean that the 90,000 members of the black community would be offered prime time to explain why they desire integrated schools. True access to the media in Metropolitan Boston would mean that some 50,000 Spanish-speaking people would be able to acquire the information which they need in the language which they understand. True access to the media would mean that commercial broadcasting rather than public television would develop shows for children such as *Sesame Street*.

In short, if true access to the media existed in America two-thirds of the nation who allow their minds to be manipulated during prime time almost every night would not be suffocated with noncontroversial programs about middle America and public service announcements that praise the Marine Corps and the Girl Scouts. Rather they would see the life and the problems of the blacks, the poor, the aging and the radical dissenters,—all of whom are almost systematically excluded from television in prime time if not always.

#### 3. THE POTENTIAL AND PERILS OF POLITICAL BROADCASTING IN THE NEXT 300 DAYS

The Presidential election of 1972 will more than ever before depend upon what the image-makers in the TV industry do for the candidates.

It is to be hoped that the Federal Election Campaign Act of 1971, which regulates expenses in Federal elections, will prevent the broadcasting industry from allowing its greed for profits to induce it to place on the screen the subtle and not always fair spot advertisements which led to the defeat of Senator Yarborough, Senator Gore and Senator Goodell.

It is to be hoped that the broadcasting industry will recognize its solemn obligation in view of the fact that, according to a recent Elmo Roper survey of some 2,000 persons over the age of 21, 67% indicated that TV was the prime source of their news. It seems very clear that the two-thirds of adult America for whom the tube is now the prime source of their information will almost inevitably be influenced to vote or not vote, or vote for the candidate whom they have seen in an attractive and favorable way on television. The traditional fairness doctrine may possibly be subject to some expansion during the next few months if individuals or groups such as an environmental organization demand equal time to dispute what candidates may or may not have said about anti-pollution measures. Someone indeed may say that if anti-smoking messages to balance cigarette commercials are permissible why not anti-pollution messages to balance the political rhetoric and the subliminal messages of partisan advertisements?

It seems unlikely that the broadcasting industry or the nation will receive any further guidance from the FCC concerning the application of the doctrine of fairness in a year in

which we can expect a titanic struggle on the part of challengers to an incumbent President to secure what they consider to be a fair share of television and radio time.

The FCC seems clearly determined not to make judgments in specific instances of the fairness of the applicability of the fairness doctrine. The FCC has denied a request by the Los Angeles Chapter of BEM for time for this organization to answer President Nixon's Southeast Asia speeches. The FCC has similarly denied a request for a ruling that broadcasters must sell time for comment on public issues. The FCC ruling that CBS must provide Republicans with time to answer the Democrats "loyal opposition" program does not wash out the FCC denial in August 1971 of the complaint of 14 U.S. Senators requesting that the FCC "require networks to provide time to any substantial group of Senators opposing the President's view on a controversial issue of national importance whenever the issue is one in which the Senate has a role to perform in seeking resolution of the issue, and the President has initiated debate by a nationwide television".

The evening of Tuesday, January 25, 1972, probably indicates the imbalance which will persist in the months remaining of the Presidential campaign. The President of the United States had on sudden notice access to the three major networks for 20 or 25 minutes beginning at 8:30 p.m. None of the challengers to the President appeared on television until all of them who could be located received a minute or two long after 11:30 p.m. that evening. If fairness or access can be interpreted to mean a reasonable equivalent of what the incumbent President receives it is obvious that none of the challengers received anything approximating what the incumbent President received for his address on the war.

Virtually nothing in any official doctrine of the FCC gives any clear guidelines as to what type of access the broadcasting industry should give to challengers to an incumbent President during an election year. In 1949 the FCC, in its first attempt at explaining the doctrine of fairness, stated that in the presentation of news and comment "The public interest requires that the licensee must operate on the basis of overall fairness, making his facilities available for the expression of the contrasting views of all responsible elements in the community on the various issues which arise".

In 1959 Congress acknowledged that fairness doctrine in an amendment to the Communications Act of 1934 but without any significant addition to the language already enunciated by the FCC.

In 1964 the FCC issued an updated notice on the fairness doctrine which seemed to add little except that broadcasters possess wide discretion in the matter. The FCC made it clear that in passing on any complaint in this area "The Commission's role is not to substitute its judgment for that of the licensee . . . but rather to determine whether the licensee can be said to have acted reasonably and in good faith".

I am not saying that broadcasters will not during the next several months seek to give adequate and substantial time to the challengers of the incumbent President. I am saying, however, that there are no clear guidelines as to what this type of access means in the situation that confronts the country during the next 300 days.

In the absence of any indication that the near future will bring any notable change in the FCC's administration of the fairness doctrine I have the hope that the broadcasting industry in America will recognize that it is confronted with a situation in which quite literally the industry may, consciously or otherwise, advertently or inadvertently, elect the next President of the United States.

I can hope only that the industry will re-

member as never before a statement by the FCC issued in 1949 with which I will close:

"It is this right of the public to be informed, rather than any right on the part of the government, any broadcast licensee or any individual member of the public to broadcast his own particular views on any matter, which is the foundation stone of the American system of broadcasting".

#### GREEK PRESS ENTERS 61ST YEAR OF PUBLICATION

### HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. ANNUNZIO. Mr. Speaker, the Greek Press, one of the outstanding ethnic newspapers in Chicago, has entered its 61st year of publication. Its record of service to the Greek-American community in the Chicagoland area has been outstanding.

The present editor of this weekly publication, Mr. Aris Angelopoulos, follows in the footsteps of his inspired predecessors who sacrificed and labored under great odds in order to make the Greek Press a reality.

I commend Mr. Angelopoulos for his astute leadership in guiding the destinies of the Greek Press as it enters its 61st year of serving our community, and I take this opportunity to extend my best wishes to him and to his able staff for continuing fruitful service in the years ahead to Americans of Greek descent in Chicago and Cook County who have benefited over the years by the publication of the Greek Press.

An article about this milestone in the history of the Greek Press follows:

#### STRONGER THAN EVER

The "Greek Press" entered its 61st year of publication.

This newspaper can look back over the years with pride. Its record of service to our Greek American Community is marked by excellence.

Created by inspired men like Damaskos and the Salopoulos brothers, Paul Javaras and Elias Georgopoulos, preserved by their toil and sacrifices, against huge odds, the "Greek Press" became since its birth, an institution for the enlightenment of our people, both immigrants and American-born Greeks.

Today, the "Greek Press" is a vigorously crusading weekly. When it comes to issues of national importance this newspaper never dodged its responsibility to the public it serves. It never hesitated to criticize and castigate the actions of civic and public officials, no matter how high they stand.

Especially the "Greek Press" relentlessly exposes those self-appointed "leaders" who exploit our people, taking their money under all kinds of pretenses and using it for their own selfish aggrandizement.

Swindlers who collected public funds promising to build Homes for the Aged, buy road building machinery for Greece, installing statues of Hippocrates in the Medical Center here and, instead, placing the moneys to banks and loan associations in exchange of titles and all kinds of personal profiteering found their Nemesis in the "Greek Press."

Our public recognizing the sincerity and guts of this independent publication, rallied behind it and made the "Greek Press" the leading and most influential Greek-American publication in America. And the only

metropolitan weekly serving all the people, not those who suffer from the self-delusion that they can fool the public. You can't fool the public any more than you can fool the children at home.

This issue of the "Greek Press" marks the beginning of a new era in its long and glorious history. By completing the link between Chicago and Athens the "Greek Press" is now stronger than ever. This link became imperative for an omnipotent reason, the all-important reason of the newspaper's existence: its bilingual content.

The "Greek Press" does not subscribe to the idea that it can fool the public by clipping Greek newspapers, photographing the clippings and presenting them as its own material. The "Greek Press" is the epitome of originality. It has a staff of its own reporters of the highest caliber bringing week after week to our subscribers and readers up to date news, interpretative analyses and enlightening comments on timely issues.

Everything that is of interest to the Greek American reader is in the "Greek Press." And it is published both in the English and Greek languages in order to serve all those who may have a handicap in either one—although this publication subscribes to the philosophy that all of us should know at least two languages, thus being able to read the "Greek Press" from its first to the last line.

The "Greek Press" now enjoys the services of an ultra-modern printing plant and looks forward to a continuous growth and improvement in both its contents and technical appearance.

And, of course, the "Greek Press" will ceaselessly search for and uncover graft and corruption in high places, in exposing racketeers preying on the charitable sentiments of our people, campaigning for progressive projects to the betterment of our hard working Greek American Community.

Devotion to the truth is deeply embedded in the "Greek Press." This is our genuine dedication.

The motto of the "Greek Press" is the motto of Chicago: I WILL.

#### ELDERLY CITIZEN'S DAY

### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mrs. GRASSO. Mr. Speaker, all day every day should be Elderly Citizen's Day.

More than one out of every 10 Americans has reached or passed his 65th birthday, and some 70 percent of this group have joined since 1961. Nearly 46,000 elderly persons live in Connecticut's Sixth District alone.

To their credit, our older citizens are speaking out. They tell us of their needs.

Last December, at the close of the White House Conference on Aging, the words of the elderly were inscribed in a report containing recommendations in the areas of income, health, housing, employment/retirement, nutrition, transportation, education, planning, research and demonstration, training, retirement roles and activities, facilities, programs and services, Government and non-Government organization, and spiritual well-being.

The report is truly an historical document. It is a thoughtful statement of pressing needs. The Congress must take

this report for the purpose it was meant: A blueprint for action by all who care.

Today, I am glad to say, the House passed the first significant legislation for the elderly this year—a nutrition bill authorizing grants to States to provide low cost, nutritionally sound meals to millions of Americans 60 years and older. With 20 to 30 percent of our elderly living in poverty, and many others unable to afford an adequate diet, unable to go shopping or in failing health, this program is essential to insure older Americans the strength that comes from balanced meals. People who cannot leave home will have meals delivered, while others will have the opportunity for companionship and counseling at drop-in centers and other facilities. In Connecticut, over \$1.3 million will be allocated for the nutrition program in fiscal year 1973 and over \$2 million in fiscal year 1974—for the benefit of nearly 415,000 State residents 60 years of age and older.

Last year the Congress enacted a 10-percent increase in social security benefits, an increase that was desperately needed. The House also passed a massive piece of legislation known as H.R. 1, which provides for an additional 5-percent increase in benefits, and an automatic increase for any year in which the Consumer Price Index rises 3 percent or more. This bill would also extend medicare to 1.5 billion social security and railroad retirement fund recipients who were not previously eligible. The Senate has yet to act on H.R. 1, a bill which, to be sure, is far from adequate, but offers added assistance to many in need. It is to be hoped that the 50-percent increase in benefits will be raised in order to more realistically reflect the inflation and high costs of the past years.

There are so many areas in which the elderly need help. This is why several pieces of important legislation have my cosponsorship and strong support. For example, I have cosponsored bills to increase social security benefits by 50 percent, to establish a comprehensive drug insurance program for the elderly and social security payment for eye glasses; to permit an exemption of the first \$5,000 of retirement income under a public retirement system, and to remove the outside income limitation for social security recipients.

I have also cosponsored a bill to provide a Federal income tax credit to older Americans of low income in order to ease the crushing burden of State and local property taxes, whether the individual owns his own home or pays rent. This would be a valid extension to Connecticut's present tax credit program for the elderly. Legislation to provide low-cost transportation, expanded work service opportunities, coordination of Federal aging programs, a strengthened role of HEW's Administration on Aging, pre-retirement training programs, health, education, and other services, improved delivery of services, community centers, gerontological centers to study the aging process, and expanded services under the Older Americans Act also has my strong support. So does a bill to create a Select Committee on Aging in the House.

Gov. Thomas J. Meskill proclaimed

Sunday, February 6, as Elderly Citizens Day in Connecticut. In my district, there were special events to mark this occasion in Bristol, Enfield, Southington, and Torrington. For all of us in Connecticut it was an important day.

It was a time to extend gratitude for the loving gifts of service our older citizens have rendered to their community and State.

It was a time to say thank you for the gracious hand they have long extended to all around them.

A poet once described that which should accompany our later years as honor, love, and troops of friends. I would add dignity and comfort, and the hope that a commitment on the part of each of us will soon provide a better life for all our older citizens.

For the benefit of my colleagues, I am including in the RECORD, the Governor's proclamation which designated February 6, as Elderly Citizen's Day:

#### A PROCLAMATION

Deserving of recognition are the contributions made to economic, cultural and social progress by Connecticut's older citizens.

We acknowledge our indebtedness to them for their efforts, over many years, toward enrichment of life for all people of this State.

The General Assembly has directed that a day be reserved annually to render due honor to elderly citizens. I do therefore proclaim, in accordance with the Statutes, Sunday, February 6, to be Elderly Citizen's Day.

I urge the people of Connecticut to take particular note of this occasion and to lend their support to the activities conducted in communities throughout the State in connection with the celebration of Elderly Citizen's Day.

#### CATHOLIC NUNS EXPRESS VIEWS ON INDOCHINA

### HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. DRINAN. Mr. Speaker, I attach herewith a letter sent to President Nixon by the national board of the Leadership Conference of Women Religious—a group representing and speaking on behalf of some 150,000 Catholic nuns in the United States.

This letter reflects the unanimous resolution passed by the national board of this leadership conference for the Nation's nuns in which this organization urged the President to bring about a total and immediate withdrawal of all men and war materials from Indochina.

The strong and unprecedented expression of opinion on behalf of the Catholic teaching and nursing nuns of America deserves the considered attention of every Member of Congress.

The letter follows:

LEADERSHIP CONFERENCE  
OF WOMEN RELIGIOUS,  
Washington, D.C., January 24, 1972.

RICHARD M. NIXON,  
President of the United States,  
The White House,  
Washington, D.C.

MY DEAR MR. PRESIDENT: Awakened to a greater consciousness of our responsibility

with regard to the agonizing situations of the Indochina War, the National Board of the Leadership Conference of Women Religious representing the directors of orders of Roman Catholic Sisters in this country wish to affirm their solidarity with Pope Paul and with the United States Catholic Bishops in urging: (1) the total and immediate withdrawal of all men and war materials in Indochina; (2) the pardon of those convicted under the Selective Service Act; (3) amnesty to self-exiled conscientious objectors; (4) participation in a multinational rebuilding of Southeast Asia; and (5) strengthening of United Nations as an alternative to war.

This is an urgent plea, Mr. President. It comes from women who this day pledge themselves to join our effort with other national organizations of Christian women throughout the country in prayer and responsible action on behalf of justice and peace for the whole human family. We intend this day to inaugurate a program designed to awaken the consciences of American Sisters about this war and their responsibilities in its regard.

We consider the total cessation of the destructive war in Indochina to be an imperative of the highest priority. We believe that if the United States Government does not completely withdraw from Indochina, our words, be they of peace or friendship, will lose all credibility for the men of our times. We urge you to effective action for the cause of world peace. It is within your power, Mr. President, to "take the giant step" for peace among nations. Please do it. Stop the war in Southeast Asia. Set the date now.

We can only imagine the demands and complexities of your office, the global dimension of the problems and anxieties that confront you daily. We ask God's blessing upon you, your family, and the many concerns which occupy your heart and mind.

Respectfully yours,  
Sister M. THOMAS AQUINAS CARROLL, R.S.M.,  
President.

#### MONTHLY CALENDAR OF THE SMITHSONIAN INSTITUTION

### HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. SMITH of New York. Mr. Speaker, it is my privilege to insert in the RECORD the Monthly Calendar of the Smithsonian Institution. The February Calendar of Events follows:

CALENDAR OF THE SMITHSONIAN INSTITUTION

CONTINUING EXHIBITION

Freer Gallery of Art

*Early Christian Manuscripts.* Illuminated leaves and ancient Biblical manuscripts from the Freer Gallery's outstanding collection of early Christian works.

*Museum of History and Technology*

*Music Machines—American Style.* From barrel organs and player pianos to the most up-to-date high fidelity equipment, with tapes of the sounds of the machines and musical films shown continuously as follows:

Feb. 4-10, Musicals of the Thirties (II).  
Feb. 11-17, Highlights from MGM Musicals.  
Feb. 18-24, Songs of Disney.  
Feb. 25-March 2, Musicals of the Thirties (I).

*Museum of Natural History*

*Greenland: Arctic Denmark.* A total view of Greenland—its culture, history, natural resources and contemporary life. Through March 12.

## National Collection of Fine Arts

**John Stewart Curry: Themes and Variations.** Four oils and 33 watercolors and drawings by this Midwestern regionalist. Part of the series of exhibitions on 20th century American artists. Through Feb. 29.

**The Renwick Gallery (17th and Pennsylvania Ave., N.W.)**

**Woodenworks.** Contemporary furniture. **Design Is...** An exploration of the nature of design.

**James Renwick in Washington.** A study of the architect's career.

**Selections from the Index of American Design.** Renderings of articles from Colonial times.

**The Glass of Frederick Carder.** Creations by the founder of Steuben Glass Works.

**Pueblo Pottery.** Honoring the American Indian as this land's first designers.

**The Four Continents.** 19th century European ceramics, textiles.

**American Architecture.** Photographs by the late Frank Roos.

## FOREIGN STUDY TOURS

For members of the National and Resident Associates. For further details on tours, listed below, write to Miss Schumann, Smithsonian Institution, Washington, D.C. 20560.

**Australia and New Zealand:** March 24-April 28.

**Mexico and Guatemala:** April 3-22.

**No-Tour Tour: Dulles-Paris-Dulles.** May 29-June 19.

**Eastern Turkey:** May 30 (three weeks).

**Greece and Yugoslavia:** June 12-July 10.

**No-Tour Tour: New York-Frankfurt-New York.** July 3-25.

**King Arthur's England:** July 12-Aug. 2.

**The Pilgrimage Road:** Sept. 11-Oct. 9.

**No-Tour Tour: Dulles-London-Dulles.** Sept. 11.

**Russia:** Sept. 12-Oct. 3.

**Pakistan and Afghanistan:** Oct. 9-Nov. 8.

## HOURS

Smithsonian museums: 10 a.m.-5:30 p.m., 7 days a week.

Cafeteria: 11 a.m.-5 p.m., daily, MHT.

Snack Bar: 10 a.m.-2 p.m., daily, MHT.

National Zoo buildings: 9 a.m.-4:30 p.m., 7 days a week.

Anacostia Neighborhood Museum: 10 a.m.-6 p.m., weekdays; 1-6 p.m., weekends.

## MUSEUM TOURS

Highlight Tours, conducted by Smithsonian volunteers, begin at the Info Desks by the Mall entrances, on the following schedules:

**Museum of History and Technology:** Monday through Friday, 10:30, 11:30 a.m.

Saturday and Sunday, 10:30, Noon, 1:30, 3 p.m.

**Museum of Natural History:** Saturday, 11 a.m., 1, 2, 3 p.m.

Sunday, 1:30, 3 p.m.

**Arts and Industries Building (Air and Space Museum):** Saturday, 10:30, 11, 11:30 a.m., 1, 2, 3, p.m.

Sunday, 1, 2, 3 p.m.

**National Collection of Fine Arts:** Saturday and Sunday, 2:30 p.m. (Tour begins at 9th Street entrance.)

## RADIO SMITHSONIAN

Radio Smithsonian, a program of music and conversation growing out of the Institution's many activities, is broadcast every Sunday on WGMS-AM (570) and FM (103.5) from 9-9:30 p.m. The program scheduled for February:

6th—**Rodin: True or False.** Kirk Varnedoe of the National Gallery of Art explains how you can tell a real Rodin drawing from the many fake ones. **Carbon Dating: What Is It?** Dr. Robert Stuckenrath of the Smithsonian Radiation Biology Laboratory tells how he determines the age of organic remains.

13th—**Folk Concert.** A program of old-time fiddle music.

20th—**Exploring the Meaning of Discovery,** with Dr. Melvin Jackson, Curator of Maritime Transportation, and Dr. Wilcomb Washburn, Director of the Smithsonian's Office of American Studies.

27th—**Listening to Brain Waves.** Dr. Reginald Bickford, a neurophysiologist, discusses and plays recordings of "brain music." **Gotton Comes to America.** Mrs. Grace Cooper of the Division of Textiles talks about Samuel Slater, considered the father of the American textile industry.

The Smithsonian Monthly Calendar of Events is prepared by the Office of Public Affairs. Editor: Lilas Wiltshire. **Deadline for entries in the March Calendar: February 4.**

## DEMONSTRATIONS

## Museum of History and Technology

**Musical Instruments,** from the Smithsonian's collection. Monday, Wednesday, Friday, 3 p.m. Hall of Musical Instruments, 3rd floor.

**Music Machines—American Style.** Mechanical and electronic music machines. Monday, Tuesday, Thursday and Sunday, 1:30 p.m., 2nd floor.

**Spinning and Weaving.** Tuesday, 10:30 a.m.-12:30 p.m.; Wednesday through Friday, 10:30 a.m.-12:30 p.m. and 1:30-3:30 p.m.

## DOMESTIC STUDY TOURS

The Smithsonian Associates sponsor tours dealing with natural sciences, history and notable areas of wildlife habitat in the United States. For further details, write Mrs. Kilkenney, Smithsonian Associates, Washington, D.C. 20560.

**Death Valley National Monument:** April 14-20. Study of the history, geology, and plant, animal and bird adaptation to temperature and moisture extremes experienced in a desert environment.

**Navaholand:** May 20-28. The cultural history of Southwestern Indians is explored, in cooperation with the Tribal Councils. Tour encompasses some of the country's most majestic scenery.

**Schooner Cruise:** June 25-July 1. Sailing on a converted fishing schooner among the islands of Penobscot Bay, Me., with shore excursions.

**Dial-A-Museum—737-8811** for daily announcements on new exhibits and special events.

**Dial-A-Phenomenon—737-8855** for weekly announcements on stars, planets and worldwide occurrences of short-lived natural phenomena.

## SMITHSONIAN PUPPET THEATRE

**Eureka!**—The story of a small boy, Murphy, his unusual friend Worm and their travels through time and ideas. A new fantasy performed by Allan Stevens and Company and presented by the Division of Performing Arts. Wednesday through Friday, 10:30 and 11:30 a.m.; Saturday and Sunday, 10:30 a.m., 12:30 and 2:30 p.m., in the History and Technology Building auditorium. Admission: \$1 children; \$1.25 adults; group rates available for 20 or more. Tickets are on sale at the box office, or call 381-5395.

Use of funds for printing this publication approved by the Director of the Office of Management and Budget, June 3, 1971.

## FEBRUARY AT THE SMITHSONIAN

2 Wed. Free Film Theatre: **Life in a Tropical Rain Forest**—A general introduction to the Smithsonian Tropical Research Institute in Balboa, Canal Zone; **When Oceans Meet**—A study of the possible ecological results of a sea level canal through Central America. Two-film program begins at 12:10 and 1:10 p.m., Natural History Building auditorium.

Film: **The Music Rack.** Wendell Castle, artist-craftsman, makes a music rack. Works by Mr. Castle are currently on display at the Renwick Gallery. Continuous half-hour showings beginning at 11 a.m.; last showing at 2:30. Grand Salon, The Renwick Gallery.

3 Thu. Seminar in Origin of Life, Genetic

Engineering and Evolution: **Introduction: The Origin of Corn.** Lecturer: George W. Beadle, University of Chicago. First in a series of graduate level lectures on current related research, sponsored by the Consortium of Universities of the Washington metropolitan area and the Smithsonian Institution. A question and answer period follows each program. 7:30 p.m. History and Technology Building auditorium. Additional lectures will be held Feb. 10, 17 and 24. Public is invited.

**Creative Screen: Matrioska**—Russian dolls in a delightful presentation; **Umbrella**—Mood and music tell a story without dialogue of a happy young couple whose lives are changed by a mysterious umbrella. Produced by contemporary Russian filmmaker Mikhail Kobakhidze. Continuous half hour showings from 11 a.m.; last showing at 2:30 p.m. National Collection of Fine Arts.

Free Film Theatre: **Life in a Tropical Rain Forest; When Oceans Meet.** Repeat. See Feb. 2 for details.

4 Fri. Link Lecture: **New Science in the Space Age,** by Dr. Edward Teller. Eighth Annual Edwin A. Link Lecture. 8:30 p.m., Natural History Building auditorium. Public is invited.

5 Sat. Creative Screen: **Matrioska; Umbrella.** Repeat. See Feb. 3 for details.

Chamber Concert: **Music from Marlboro.** Selections by Schubert, Ravel, Faure, and Brahms will be performed by Betty Allen, mezzo-soprano; Cristina Ortiz, piano; Hiroko Yajima, violin; Rainer Moog, viola; Madeline Foley, cello; and Paula Robison, flute. 5:30 p.m., Natural History Building auditorium. For reservations call 381-5395.

8 Tue. Illustrated Lecture: **Symbolism of Yuan Dynasty Painting,** by Dr. Chu-tsing Li, The University of Kansas. 8:30 p.m., Freer Gallery of Art.

Lecture: **George Nakashima—Woodenworks.** This noted designer-craftsman and architect explains his position in relation to the arts. Mr. Nakashima's creations are currently on display in the Renwick. Sponsored by the Resident Smithsonian Associates. 8:30 p.m., The Renwick Gallery.

9 Wed., Lunchbox Forum: **Student Rocket Safety—Science Motivation Progress.** Informal discussion by George S. James, Astronautics Department, National Air and Space Museum. 12 noon, Room 449, Smithsonian Institution "Castle" Building—Bring your lunch.

Free Film Theatre: **The Man Who Talks to Frogs.** An intensive study of the Smithsonian Tropical Research Institute produced by the BBC, showing research on such creatures as spiders, birds, frogs, and the flora of a tropical rain forest under nearly ideal conditions. 12:10 and 1:10 p.m., Natural History Building auditorium.

Film: **Design and Manufacture of Glass.** An educational film being shown in conjunction with the exhibition of glass by Frederick Carder. Continuous half-hour showings from 11 a.m.; last showing at 2:30 p.m. Renwick Gallery, Grand Salon.

10 Thu. Seminar in Origin of Life, Genetic Engineering and Evolution: **Origin of Life: Spontaneous Formation of Organic Compounds Under Primitive Earth Conditions.** Lecturer: John Oro, University of Houston. See Feb. 3 for seminar details. 7:30 p.m., History and Technology Building auditorium. Public is invited.

Exhibition: **2500 Years of Persian Art.** Decorative work from manuscripts, metalwork, ceramic objects and architectural decorations, dating from the Achaemenid period (559-331 B.C.) to the Safavid dynasty (1501-1732 A.D.), and exhibited in observance of the 2500th anniversary of the founding of the Persian empire. Freer Gallery of Art. Through December 1972.

Free Film Theatre: **The Man Who Talks to Frogs.** Repeat. See Feb. 9 for details.

11 Fri. Exhibition: **Contemporary Paintings and Sculpture.** First of a series of exhibi-

bitions of works from the permanent collections, including some never-before displayed. National Collections of Fine Arts. Through March 8.

Concert: *Bill Williams* plays and sings old time blues. The guitar style and songs of Williams, who was discovered at age 73, reflect his personal contacts with the legendary bluesman Blind Blake. For tickets call 381-5395.

12 Sat. Lecture: *Naum Gabo and the Constructive Idea*, by Professor Clifford T. Chieffo, Chairman of the Fine Arts Department, Georgetown University. A look at one of America's greatest living sculptors by one of his former studio assistants. 3 p.m., National Collection of Fine Arts.

13 Sun. Exhibition: *The Evolution of a Community*. First of a two-part exhibit depicts the history of Anacostia from 1608 through World War II, based principally on taped interviews with residents of Anacostia. Included are photographs, past and present; recreated street scenes; and two slide presentations. Anacostia Neighborhood Museum, through May.

14 Mon. Audubon Lecture: *Shenandoah's Outdoor Classroom*, by Bruce McHenry, Assistant to the Chief Naturalist of Shenandoah National Park. Mr. McHenry will describe a new environmental education program which he is pioneering for the National Park Service. Sponsored by the Audubon Naturalist Society: 5:15 and 8:30 p.m., Natural History Building auditorium.

Exhibition: *Washington in the New Era (1870-1970)*. Portraits, manuscripts and photographs depict the history of Washington's black community in the period between territorial government and the election of a non-voting delegate to Congress. Through June 2. For group tours call 381-6347.

15 Tue. Free Film Theatre: *The Redwoods*—The tragic destruction of the majestic redwood trees and the efforts for preservation of the remaining groves; *Teamwork on the Potomac*—Pollution of rivers, the improvements being made and the many problems yet to be solved. 12:10 and 1:10 p.m., Natural History Building auditorium.

16 Wed. Free Film Theatre: *The Redwoods*; *Teamwork on the Potomac*. Repeat. See February 15 for details.

Film: *The Music Rack*. Repeat. See Feb. 2 for details.

17 Thu. Seminar in Origin of Life, Genetic Engineering and Evolution: *Origin of Amino Acids and Peptides*. Lecturer: Sidney Fox, University of Miami. See Feb. 3 for seminar details. 7:30 p.m., History and Technology Building auditorium. Public is invited.

18 Fri. Lecture: Slide presentation of the Appalachian Trail. Sponsored by the National Parks and Conservation Association. 8 p.m., Natural History Building auditorium.

19 Sat. Lecture: *Richard Leakey* discusses his discoveries at East Lake Rudolph, Kenya, Africa. 8 p.m., Lisner Auditorium. Sponsored by the Friends of the National Zoo. \$5 non-members; \$3 members. For reservations call 232-4500. Mr. Leakey currently is Director of National Museums of Kenya and chairman of the Wildlife Clubs of Kenya and Kenya Exploration Society.

20 Tues. Illustrated lecture: *Stately Ghosts*, by Lord Montagu of Beaulieu. Lord Montagu, author of *More Equal than Others* and *The Gilt and the Gingerbread*, lectures on the favorite ghosts of Beaulieu, built in 1204, and of other stately homes. Sponsored by the Resident Smithsonian Associates. 8:30 p.m., Natural History Building auditorium.

23 Wed. Lunchbox Forum: *First Business Fights in History*. Informal discussion by Ernst M. Cohn, NASA. 12 Noon, Room 449, Smithsonian Institution "Castle" Building—Bring your lunch.

Free Film Theatre: *Americans on Everest*. An account of the spectacular record of the first transverse crossing of Mount Everest,

narrated by Orson Welles. 12:10 and 1:10 p.m., Natural History Building auditorium.

Film: To be announced. Showings begin at 11 a.m. Grand Salon. The Renwick Gallery.

24 Thu. Seminar in Origin of Life, Genetic Engineering and Evolution: *Prospects for Genetic Intervention in Man*. Lecturer: Bernard Davis, Harvard Medical School. See February 3 for seminar details. 7:30 p.m., History and Technology Building auditorium. Public is invited.

Creative Screen: *The Eye Hears, The Ears See*—Filmmaker Norman McLaren discusses his films and ingenious techniques. Included are excerpts from his film. 11 a.m., 12, 1 and 2 p.m., National Collection of Fine Arts.

National Capital Shell Club: *Study group* conducted by staff members of the Smithsonian's Division of Mollusks, 7:30 p.m. *Monthly meeting and slide program*, 8:15 p.m., Room 43, Natural History Building. Public is invited.

Free Film Theatre: *Americans on Everest*. Repeat. See Feb. 23 for details.

25 Fri. Exhibition: *Drawings by William Glackens (1870-1938)*. Approximately 60 works, many from the collection of Ira Glackens, son of the noted Ash Can School artist, and his wife. National Collection of Fine Arts. Through April 30.

26 Sat. Creative Screen: *The Eye Hears, The Ears See*. Repeat. See Feb. 24 for details.

Concert: *New Music Making—Steve Reich and Musicians*. Presented by the Resident Smithsonian Associates and the Division of Performing Arts. 8:30 p.m., Grand Salon, Renwick Gallery. Admission \$5; student tickets \$3 with identification. For reservations call 381-5395.

29 Tue. Exhibition: *Ballooning: Man's First Aeronautical Adventure*. The entire story of ballooning from earliest ideas to a modern science, told through a world-wide collection of prints, paintings, lampoons; furnishings with a balloon motif, including marquetry, needlepoint and china; rare medals and historic documents; and many articles resulting from the balloonomania which swept the world beginning in 1783. A fully inflated Fugo Weapon, the Japanese WWII attack balloon, will be displayed as well as a number of actual gondolas. Also included are working scale models of the first gas and hot air balloons and continuous recorded balloon music. A humorous puppet show, starring an animated balloon, will tell the story of the Blanchard and Jeffries crossing of the English Channel in 1785. A photo center will be set up for picture taking, posing in simulated flight—bring your camera! National Air and Space Museum exhibit in the Arts and Industries Building.

Changes of address and calendar requests: mail to Central Information Desk, Great Hall, Smithsonian Institution Building, Washington, D.C. 20560. When applicable, please include old calendar label.

### CONGRESSIONAL BLACK CAUCUS COMMENTS ON PROPOSED FDA REGULATIONS REGARDING LEAD- BASED PAINT POISONING PRE- VENTION

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. RANGEL. Mr. Speaker, the congressional black caucus has submitted formal comments to the Food and Drug Administration for its consideration as it makes a decision on the amount of lead to be permitted in household paint.

We know what lead-based paint poi-

soning does in young children, how it destroys their minds and bodies, often resulting in blindness or death. We know that the major victims are residents of the inner cities of America, hungry and curious children who nibble the chips of paint peeling from the walls of the run-down buildings where they live.

We also know that in New York City black children are the prime targets of lead-based paint poisoning. The Health Services Administration of New York City reported in December that three times the proportion of black children tested showed positive signs of lead poisoning:

#### HSA STUDY SHOWS BLACK CHILDREN IN NEW YORK CITY ARE MORE LIKELY TO GET LEAD POISONING

According to a recent study, black children in New York City are more likely to get lead poisoning than white or Puerto Rican children of the same age, Health Services Administrator Gordon Chase announced today. A recent study done by HSA's Bureau of Lead Poisoning Control showed that of 79,199 children tested for lead poisoning from January-September 1971, 6 percent of the black two-year olds had a lead level in their blood of at least .06 mg. At this lead level a child is considered to be a case of lead poisoning. In contrast, only 2 percent of the two-year old Puerto Rican children tested, and 2 percent of the two-year old white and other children were considered to have lead poisoning.

Of a total of 27,958 black children of all ages tested during this period, 890 cases of lead poisoning were identified. This compares to 348 cases among 29,903 Puerto Rican children tested, and 67 cases among 5,520 white and other children tested. Among 15,818 children tested where ethnic group was not specified, 134 cases were found.

Chase said the findings were important because "several hundred thousand children throughout the country get lead poisoning every year. New York City has the largest lead poisoning testing program in the country, and anything we learn here that increases our knowledge of the causes and prevention of lead poisoning will be valuable not only in New York but in other cities with the same problem."

According to Dr. Guinee, "findings we have now would lead us to investigate the possibility that pica is more prevalent among blacks."

The same survey found that very young children, those one to three years of age, face the greatest risk of lead poisoning. Of 33,723 children one to three years old who were tested, 2.8 percent or 960 were cases. Only .07 percent of seven year olds tested had lead poisoning. Altogether, of 1,439 cases found in the period January-September 1971, 960, or 67 percent, were children one to three years old.

Another survey conducted by HSA's Bureau of Lead Poisoning Control found that children with lead poisoning are much more likely to live in dilapidated housing than children with normal blood lead levels. According to Dr. Vincent Guinee, the Bureau's Director, apartments of 135 children with lead poisoning were compared to those of 233 children of the same age with normal blood lead levels. Only four of the 135 apartments, or 3 percent, were found to be in good condition, compared to 64, or 27.5 percent, of the control apartments. Leaded paint was present in 76 percent of the apartments of children with lead poisoning, compared to 38 percent of the control apartments. Even when leaded paint was found in the control apartments, it covered fewer areas than in apartments occupied by children with lead poisoning.

The Bureau of Lead Poisoning Control

was established in 1970. Bureau personnel, operating in Health Department Child Health Stations, District Health Centers, and in special mobile units, give children blood tests to check for lead poisoning. When a case of lead poisoning is identified, a public health nurse visits the child's home to ensure that the parents have arranged for proper treatment. A sanitary inspector also visits the apartment to obtain samples of paint or plaster from apartment surfaces. The samples are brought to the Health Department Bureau of Laboratories to be analyzed. If the paint has a lead content greater than 1 percent, the landlord is notified by the Health Department to cover the wall with wall-board. If he fails to comply within five days, the City's Emergency Repair Program makes the repairs and bills the landlord.

Under New York City's Health Code, the sale of lead based paint for use on interior surfaces is illegal in the city. Older apartments, however, frequently have coats of leaded paint beneath more recent coats. When the plaster peels, these older coats become exposed. Nibbling on this exposed paint is a major cause of lead poisoning in children.

In 1971, HSA stepped up its testing program significantly, taking some 110-120,000 (on a projected basis) blood tests, compared to 87,007 tests in 1970. One thousand eight hundred and thirty nine cases of lead poisoning were identified through November 1971, compared to 2,649 for the year before.

According to Dr. Guinee, the number of cases identified has dropped despite the increase in the number of blood tests taken. "One reason for this drop," Dr. Guinee said, "is that in its first year, 1970, the program reached a large number of backlog cases—children who had been developing lead poisoning over a period of time but had not previously been reached for testing."

In another important finding, HSA has discovered that a commonly used urine test for the detection of lead poisoning is inadequate as a mass screening procedure. The test, which detects delta aminolevulinic acid in the urine could not distinguish between children who had high blood lead levels and those with normal levels. It falsely suggested the possibility of lead poisoning in some children while failing to identify other children who had high levels of lead in their blood. This finding was reported in the November 1971 issue of the *Journal of Pediatrics*.

That is why the congressional black caucus finds it totally inexcusable for the Food and Drug Administration to adopt anything less than a total ban on lead in this type of paint. We know the cumulative effects of lead, and we must safeguard the children of the future from the horrors of this disease.

Mr. Speaker, I include the letter from the congressional black caucus at this point in the Record.

CONGRESSIONAL BLACK CAUCUS,  
Washington, D.C., February 7, 1972.

DIRECTOR,  
Office of Legislative Services,  
Food and Drug Administration,  
Rockville, Md.

DEAR SIR: The Congressional Black Caucus wishes to comment upon the proposed regulations regarding lead-based paint poisoning.

We urge the adoption of a regulation banning all lead from household paints. We do this based on the recommendation of the American Academy of Pediatrics that the limit for lead be revised downward to "minimum traces" or less than the .06% of the total weight of the paint in order to protect the health and safety of children who may ingest paint chips.

We know that over 400,000 children annually who have picked up and eaten sweet-tasting paint chips have become victims.

While it is true that many of these children may have ingested chips of old paint which contained a higher lead content than the paint of today, we are concerned that future generations not be endangered by the paint we put on our walls today. Under current standards, the paint can contain 1% lead. The FDA now proposes that if the paint contains more than .5% lead that it have a warning on the label. This labeling requirement as proposed is clearly inadequate. It's a touch-up job.

People don't read labels. Persons selling paint don't always ask customers where they intend to use the paint. After a person will use left-over exterior paint to paint window sills and interior surfaces accessible to toddlers. Finally, once the paint is removed from the can, there is no label, no way of knowing whether it is a health hazard. Once the paint is on the walls, the label doesn't follow it. A family of the future will have no idea what the landlord or prior occupants have used to coat the walls of their living quarters.

The countervailing considerations in a ban of all lead are minor. It is true that lead is a good color carrier for the pigment in paint and that it causes better paint flow. But the fact of the matter is that there is no technological reason why the paint industry could not comply with a ban. In fact, an estimated 85% of the industry already is or with minor adjustments in quality control could be, in compliance with such a ban on lead in household paint.

The important consideration is not the percentage of lead allowable in paint—1% or .5%—but quantity. Unless lead is completely banned, children eating the chips in quantity will still be subject to lead poisoning. With all the medical evidence favoring a complete ban, it would be an abuse of discretion for the Food and Drug Administration to settle for anything less.

Sincerely,

Charles C. Diggs, Jr., Charles B. Rangel,  
Augustus F. Hawkins, Shirley Chisholm,  
Ronald V. Dellums, John Conyers,  
Ralph H. Metcalfe, William L. Clay,  
Parren J. Mitchell, George W. Collins,  
Walter E. Fauntroy, Robert N. C. Nix,  
Louis Stokes.

#### ADL ABUSES ITS TAX-EXEMPT STATUS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. RARICK. Mr. Speaker, in remarks during the first session of this Congress—CONGRESSIONAL RECORD, volume 117, part 8, pages 10459-10466, and part 11, pages 14489-14492—I pointed out the abuses by certain foundations and other organizations of their privileged tax-exempt status granted them by the Internal Revenue Service.

It is unjust, inequitable, and immoral that small businessmen, factory workers, farmers, and other hardworking taxpayers—who produce in the free market economy to build America—must pay taxes while some tax-exempt organizations, which accumulated their wealth through the free enterprise system, should escape paying even their fair share of taxes while promoting socialism and communism—the antithesis of free enterprise.

Again, on January 24, 1972—CONGRESSIONAL RECORD, pages 964-966—I identified the B'nai B'rith organization as another example of tax-exempt abuse. A privileged tax-exempt status should not be granted to any dual-nationality organization which carries on fund raising drives in this country, aiding and abetting the activities of a foreign nation whose national goals may or may not be in the national interests of the United States, and which assumes the role of an agent of that foreign country.

Mr. Saul E. Jofes, secretary general of the international council of B'nai B'rith from 1959 to 1967, has charged that:

B'nai B'rith should not be allowed to enjoy its present tax-exempt status as a charitable, religious, and fraternal organization but should be required to register as an active agent of Israel under the Foreign Agents Registration Act.

Mr. Jofes has stated that:

Despite nobility of original intent, B'nai B'rith now engages in international politics and more often than not does the bidding of the government of Israel . . . Its leaders make frequent trips to Israel for indoctrination and instructions. I had tried to prevent this change. That is why Rabbi Kaufman tried to fire me.

I have previously pointed out that the Anti-Defamation League is the educational arm of B'nai B'rith. Illustrative of the type of educational material emanating from this tax-exempt organization is a limp-cover cartoon publication entitled *On Civil Rights*, copyright 1966, ADL of B'nai B'rith, Library of Congress Catalog Card number 66-28014. The book written by the Un-American Jules Feiffer and published by the ADL of B'nai B'rith, consists of a series of 25 vignettes in the form of comic strips.

In the foreword, written by Un-American racial agitator Bayard Rustin, violence by civil rights groups is actually condoned:

Feiffer is absolutely right to point out that the entire society is rotten-ripe with violence. If, then, I think it tragic when Negroes take up arms and strike out in riots and turmoil, I also think that it is understandable . . . To reply to these people in pious sermons—to grandly tell them, as Mr. Whitey Backlash does, that "extremist tactics are losing the Negroes their many moderate friends"—is a vicious irrelevance.

This ADL publication is a masterwork of prejudice, hate, bigotry, racism, and hypocrisy. In a deft manner replete with insinuations, inferences, and innuendos, the majority of white people of the United States are ridiculed and portrayed as weak, stupid, prejudiced, and unjust.

One sketch derides American whites for not inviting colored persons into their homes. While there may be Negroes and whites who socialize in the homes of each other, the matter is really a private concern of individual Americans—not tax exempt foundations.

It is not in the interests of America for the ADL through such inflammatory sensitivity training type propaganda to attempt to reorient the thinking of Americans in accordance with its designs, especially when such instructions may be influenced by a foreign nation.

While the apparent major theme of the cartoons is ostensibly to show the hypocrisy and bigotry of white Americans, a secondary theme impresses on the reader the need for total racial integration in order to promote ADL brotherhood and thereby stop violence.

Instead of holding persons responsible for their own actions and promoting personal individual responsibility a characteristic which made America great, the ADL-published work leaves one with the impression that when man does good, it is because he is good; but when man does evil, it is because society made him that way.

One sketch promotes student dissent and unrest instead of fostering among students obedience to parents, teachers, and other lawful authority; and another downgrades prayer in school.

Another vignette portrays the policeman as having been eliminated and replaced by a dog which looks more like a pig. This is a good example of the subtlety found in this ADL-published work.

The ADL publication stirs up animosity and hatred between whites and blacks by attributing the prejudices of a few to all. No mention is made of the right of free speech, free association, nor of the ideal of racial pride.

In view of the fact that the ADL is so adamant in bringing about a totally integrated America . . . it is strange that they have not produced an educational booklet denouncing as un-American the racist attitude of the Black Muslims who refer to whites as "white devils." Nor has the ADL in purporting to prevent the defamation of people and groups, come to the aid of our police officers and other patriotic Americans who have been defamed by the Communists, their dupes, allies, and fellow travelers.

It is ironical that an organization which is subsidized by U.S. taxpayers in that it is allowed to enjoy a tax-exempt status should publish a work written by two men who advocate the destruction of the very Government which has granted such status. Jules Feiffer took part in January 1968, in Havana, Cuba, in the International Cultural Congress, which was a gathering of Communists and other revolutionaries whose aim was to violently overthrow the non-Communist governments of the world.

Are these the kind of people we continue to grant tax-exempt status to these days?

I insert at this point in the RECORD background information on the activities of Jules Feiffer and Bayard Rustin, the two writers of the ADL-sponsored publication, On Civil Rights:

#### SUBVERSIVE BACKGROUND OF JULES FEIFFER COMMUNIST FRONTS

1967—Committee to Free Morton Sobell.  
1968—Honorary Sponsor [Letterheads, December 1967, May 3, 1968].

1963—New York Council to Abolish the House Un-American Activities Committee. Signer of statement [Press Release, NYCA-HUAC, May 6, 1963, p. 2].

1965—Scheduled to take part in meeting of the organization, New York City, April 11, 1965 [National Guardian, April 3, 1965, p. 81].

#### COMMUNIST PARTY PUBLICATION

1968—Freedomways. Sponsor of DuBois Centennial Year under the auspices of Free-

domways 1968-1969 [Programs dated February 23, 1968 and February 22, 1969].

#### NEW LEFT

1967—Spring Mobilization Committee to End the War in Vietnam. (Now known as National Mobilization Committee to End the War in Vietnam).

Sponsor [Ad, "A Call to Protest", from the Professional Committee of the Spring Mobilization, San Francisco Chronicle 4/11/67, p. 17, 1967, p. 5; New York Times 4/13/67, p. C-29; National Guardian, March 25, 1967, p. 5].

Endorser of Call to Protest the War in Vietnam [Newsletter, Women Strike for Peace, April 1967].

1971—National Peace Action Coalition [pp. 1445 and 1446 of the HCIS hearings on "National Peace Action Coalition (NPAC) and People's Coalition for Peace and Justice (PCPJ)", May 18, 1971, Part 1; "Continual friction between the Communist Party [U.S.A.] and the Socialist Workers Party within the New Mobe over tactics led to a split in mid-1970. The Socialist Workers Party and its youth affiliate, the Young Socialist Alliance, together with the Student Mobilization Committee, were instrumental in organizing the National Peace Action Coalition (NPAC) to serve as a successor to New Mobe in sponsoring massive rallies in Washington and San Francisco on April 24, 1971."]

Listed among signers of ad soliciting contributions for NPAC's Spring antiwar activities [Guardian, new name of National Guardian, February 27, 1971, p. 6 (ad)].

Listed among those who signed an ad in the New York Times supporting NPAC's actions in April and May and appealing for funds [The Militant, official publication of the Socialist Workers Party, February 26, 1971, p. 3].

Scheduled to participate in "An Evening of Peace" April 18, New York City, co-sponsored by the New York Peace Action Coalition and Publishers for Peace [The Militant, April 16, 1971, p. 13].

1971—National Coalition Against War, Racism and Repression and People's Coalition for Peace and Justice [pp. 1445 & 1446 of the HCIS hearings on "National Peace Action Coalition (NPAC) and People's Coalition for Peace and Justice (PCPJ)", May 18, 1971, Part 1; "Continual friction between the Communist Party [U.S.A.] and the Socialist Workers Party within the New Mobe over tactics led to a split in mid-1970. \* \* \* numerous groups favoring a more militant posture joined with the CPUSA faction of New Mobe to organize the National Coalition Against War, Racism and Repression (NCAWRR), the name of which was subsequently changed to the People's Coalition for Peace & Justice (PCPJ), to serve as the action group for carrying out other protest demonstrations following the April 24 NPAC action."]

Listed among those issuing invitation to "A Concert to End the War!" December 6, (1971) at the Cathedral of St. John the Divine, New York City, proceeds of which were to go to PCPJ [Guardian, November 10, 1971, p. 13 (ad)].

Listed among individuals calling for a joint program of antiwar actions October 13 and November 6, 1971 and soliciting contributions to the Joint Fall Peace Fund co-sponsored by NPAC and PCPJ [New York Times, September 28, 1971, p. C-26 (ad)].

#### EXTREMIST GROUP

1969—Black Panther Party [In testimony before a Subcommittee of the Committee on Appropriations, March 5, 1970, pp. 742 and 744, FBI Director J. Edgar Hoover stated that the organization ". . . continues to be most active and dangerous from an internal security standpoint \* \* \* BPP leaders admit that they use the Marxist-Leninist doctrines as their guide to action. They have proclaimed their revolutionary intentions and have openly called for the assassination of the

President of the United States and the violent overthrow of the Government." As reported in the Daily World, May 15, 1969, p. 9, the 19th National Convention of the Communist Party, U.S.A., met in plenary session in New York City on May 3 and passed a resolution that the Party "join forces and initiate cooperation with the Black Panther Party."]

Member of newly formed organization International Committee to Release Eldridge Cleaver [People's World, Communist Party newspaper on the west coast, June 8, 1968, p. 2].

Sponsor, International Committee to Defend Eldridge Cleaver, former Minister of Information for the BPP [The Black Panther, official organ of the BPP, May 31, 1969, p. 22].

[The Review of the News June 26, 1965]

#### CORRECTION PLEASE

Correction: We can't imagine a more innocuous description of Bayard Rustin who joined the Young Communist League at the City College of New York in 1936 and remained a member for at least five years. He claims that he "broke completely" with the YCL when it accepted racial segregation in the Armed Forces after Hitler invaded the Soviet Union in 1941. The scruples which prompted this decision apparently were lacking two years earlier when the Communists allied themselves with the Nazis in the Hitler-Stalin Pact.

But Hitler's invasion of the Soviet Union did not prompt Rustin to enlist in the fight against Hitler. Not only was Rustin a conscientious objector, but he also refused to report for "work of national importance"—a requirement for conscientious objectors. Rustin served 28 months in prison for violation of the Selective Service Law.

In the early 1940's Rustin was Field Secretary of CORE and the Race Relations Director of the pacifist and leftist Fellowship of Reconciliation.

In 1952, Rustin became Executive Secretary of the War Resisters League, which has been active in establishing the left-wing magazine, Liberation; in staging massive demonstrations against Civil Defense; and, in organizing "peace marches" from San Francisco to Moscow, calling upon "East as well as West to disarm unilaterally."

In 1953, Rustin was convicted of lewd vagrancy in Pasadena, California and sentenced to sixty days in jail.

From 1955 to 1960, Rustin served as an aide to Martin Luther King. While in that capacity, Rustin attended the 1957 convention of the Communist Party, USA as an "impartial observer." During the same period, Rustin was a member of the American Forum for Socialist Education, an organization infiltrated by Communists and the subject of an investigation by the Senate Internal Security Subcommittee.

In 1958, Rustin organized a march of young people from San Francisco to Moscow to protest against nuclear weapons. In the same year, he helped Martin Luther King organize a "March on Washington," which The Worker described as a Communist project. In 1963, under the supervision of A. Philip Randolph, the veteran Communist-Fronter, Rustin coordinated the "March on Washington for Jobs and Freedom."

Rustin's enthusiasm for Leftist and pro-Communist causes is evident by his affiliations with the Socialist League for Industrial Democracy, the pacifist Committee for Non-violent Action, the pro-Castro Emergency Committee for Disaster Relief to Cuba, and the Monroe (N.C.) Defense Committee. The latter group was established to defend Robert Williams, the Negro integration leader who fled to Cuba and to Red China, when sought by the FBI on a kidnapping charge. For several years Williams has been inciting American Negroes to open rebellion against law and order.

Along the way, Rustin's "social reforming" has led him to cultivate a friendship with Kwame Nkrumah, the Communist President of Ghana, and Rustin also earned a most unique invitation to a private cocktail party at the Soviet Union's UN mission in 1964.

[From the New York Times, Feb. 1, 1972]

RUSTIN AT LIBERTY ON SWORD CHARGE

(By George Goodman, Jr.)

Bayard Rustin, who was arrested here late Sunday night on a charge of possessing a dangerous weapon, was released on his own recognizance yesterday after waving his right to a hearing pending action of the Manhattan grand jury.

Mr. Rustin, who is executive director of the A. Philip Randolph Institute and a prominent figure in the civil rights and anti-war movements, was accused of having in his possession a cane with a sword concealed in it. He was arraigned yesterday before Judge Hyman Solniker in Criminal Court at 100 Centre Street.

The charge in Mr. Rustin's case, a Class D felony, is a recent alteration of language in the State Penal Code. It is a misdemeanor except when the person arrested "has been previously convicted of any crime," according to the statute.

REFUSED ARMY SERVICE

"Of course I've been convicted before," said Mr. Rustin in an interview at his home following his court room appearance. "I served three years in Federal Prison in 1943 because, as a Quaker, I refused to serve in the Army."

Mr. Rustin said he had been arrested on other occasions for civil rights activities along with the Rev. Dr. Martin Luther King, with whom he had long been associated prior to the murder of the civil rights leader in 1968.

"I find it quite ironic," said Mr. Rustin, "that a man who has preached nonviolence all his life should be charged for such a thing and for God's sake didn't know the cane had a knife concealed within it."

According to the police, Mr. Rustin was arrested about 11:15 Sunday night while walking east on 42d Street.

"I was with a married couple, friends of mine," he said. "We had dined earlier and were off to see 'The French Connection.'"

"Arriving at the theater, we discovered we were too late for the movie and we decided to call it an evening."

Mr. Rustin said that moments later, policemen stopped all three as they walked toward the IND Avenue subway on Eighth Avenue.

Mr. Rustin said that after the policeman "politely asked to inspect" the cane, he twisted the crown and found the sword, then told Mr. Rustin he would "have to be booked at the station house."

"I told my friends to go on home," he recalled "and I went along with the officers in the patrol car."

Patrolman Philip Fehr of the Tactical Patrol Force could not be reached for comment, but a sergeant at the 14th Precinct station said the arrest record did not show Mr. Rustin was in the company of friends. "But it wouldn't anyway, unless his friends had been arrested, too," he said.

Mr. Rustin, recently returned from a vacation in the Virgin Islands, said he was hospitalized for three weeks last October after a serious heart attack.

Giving a broad sweep of his hand, Mr. Rustin said: "You can see I have a virtual museum with statuary and carvings from practically every continent in the world." The collection includes more than 100 walking sticks.

"I want to emphasize," he concluded, "the police were most gentlemanly in their handling of the whole thing."

CXVIII—191—Part 3

RALPH NADER AND THE CONCEPT OF THE PUBLIC CITIZEN

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. RYAN. Mr. Speaker, since Ralph Nader appeared on the public scene in 1965 with a critique of automobile safety, he has broadened the scope of his activities to include a whole range of consumer and environmental issues, including coal mine and pipeline safety, air and water pollution, meat inspection, enforcement and administration of the antitrust laws, the workings of the Interstate Commerce Commission, the Federal Trade Commission, and the Food and Drug Administration, to name only some of them.

Perhaps even more significant than the work that Ralph Nader and his Raiders has produced is the concept which Nader espouses: the concept of public citizenship. This is the idea that citizens, working directly in their communities, can control and affect governmental decisions. To this end Ralph Nader is now engaged in setting up local citizen groups concerned with local problems, to work along with the several Washington-based groups he has organized.

Recently several newspaper feature articles have appeared giving a good, balanced description of Ralph Nader and the organizations with which he is working. Two of the articles appeared in the Washington Post of December 5 and 6, 1971, written by William Greider. The third appeared in the December 25, 1971, National Observer, written by Michael T. Malloy. I commend these articles to the attention of my colleagues.

[From the Washington Post, Dec. 5, 1971]

INSTITUTIONAL "LONE RANGER"—RALPH NADER STRIVES TO INSPIRE "PUBLIC CITIZENS"

(By William Greider)

In the late evening of another long day, Ralph Nader indulged himself for a moment, thinking about the good old days when he played Lone Ranger for the American consumer.

"There are lots of things that I no longer do which I would like very much to do," Nader confessed. "I had a book a year planned."

Even relaxed, his long frame scrunched down in a chair, Nader seems lean and intense, like an underfed seminarian who studies too hard. Under the broad brow, his eyes are dark and unsmiling, though his voice is soft and less aggressive than his public image.

"And I could produce a book a year, at least," he said. "All kinds of material." Nader's last book, the only one done alone, was "Unsafe at Any Speed," published in 1965, which savaged the auto industry and helped to inspire the Highway Safety Act of 1966. Lately, he has written the introductions for a line of books in the same genre, but done by others under his supervision. He has signed a lot of letters drafted by subordinates.

"Project the scene," Nader said, reflecting on the road not taken. "Start with 'Unsafe at Any Speed' and then you put out a book a year on each industry. See? You get a law

through and you just repeat the same cycle . . . Very nice, very comfortable. You know, the Lone Ranger. The establishment loves Lone Rangers. Because they can always point to them and say, SEE, this country can do it. They love the prop."

The Lone Ranger was laughing at himself, making light of his own myth. Somehow, that quality of humor is seldom revealed in the public figure called Nader, the caustic young man who is constantly wagging his finger at government and industry. The omission puzzles his friends, some of whom blame it on the media.

Instead of the romantic role of free-lance crusader, Ralph Nader has deliberately institutionalized himself. "I decided three years ago," he explained, "that it was much more important to train people and get a lot of people to do this thing and to develop the concept of public interest firms."

So now, while he still stubbornly guards the personal privacy which lends mystery to his public image, Nader is surrounded by people and paperwork and a bewildering network of organizations, all devoted to a staggering array of public issues. From the Fishermen's Clean Water Action Project to the Center for Concerned Engineering, Nader supervises more than 50 people, not counting the scores of summer recruits. Most of them are young professionals probing and assaulting a Naderesque panorama of corporate sin and governmental sloth—from commercial blood banks to international price-fixing by the airlines to "brown lung" disease among textile workers.

The marketplace has been swamped by their prolific production of hard-hitting "public interest" critiques. In the past six months alone, 10 massive volumes of Nader "task force" reports have been issued. Some attempted broad and profound analysis of such fields as antitrust enforcement ("The Closed Enterprise System," in two volumes) or the politics of land use ("Power and Land in California," two volumes). Others zeroed in on public and private institutions like the First National City Bank of New York ("Citibank," 547 pages) or the U.S. Department of Agriculture ("Sowing the Wind," 482 pages). Still more are on the way (mental health, the American Automobile Association, food marketing to children).

Quite contrary to his original intentions, "Ralph Nader" has become a brand name, the label of credibility which sells a report or a news item to the media and to the general public. Newspaper reporters who follow consumer issues find themselves glutted with more than they can cover (or more than their editors will print). It is not at all rare these days for Nader news to compete for attention with other Nader news—Nader himself testifies before Congress, a Nader task force blasts a federal agency, a Nader lawyer files a "public interest" lawsuit.

Inevitably, both supporters and critics, especially the critics, begin to describe Nader in the same language of commerce and bureaucracy which he has employed so skillfully in his attacks. Like GM or Esso or ITT, Nader is being badgered increasingly about his own quality control and corporate responsibility.

Caspar Weinberger, the White House budget director, former chairman of the Federal Trade Commission: "I get the impression of a person who's franchising himself, who doesn't have control over the quality. It's like anything else—the franchise in Chicago may not be the same as the Old Master."

A friendly journalist: "Three or four years ago, he was a one-man band. Now he's a conglomerate."

A lawyer-lobbyist whose industry clients are frequent targets for Nader attacks: "He is suffering from some of the problems of bigness and organization that he's been criticizing. He's aware of that. It's the kind of

trade-off that business makes every day. In order to proliferate what he could do and take advantage of the young people interested in what he's doing, he has to rely on others—and some of them are simply not as good as he is."

Nothing conveys the irony of Nader's new status better than the friendly complaint from Douglas W. Toms, chief of the National Highway Safety Administration, a federal official who admires Nader as an "enormously able" watchdog for the public. The trouble is, said Toms, "I can't always reach Ralph when I want to." It used to be the other way around.

As the volume of Nader activity increases, so does the frequency of the rebuttal attacks, from complaints of inaccuracy and distortion to hints that Nader harbors a dark lust for power.

When Nader charged that General Motors had advance knowledge of the Nixon administration's wage-price freeze, Cabinet-level officers challenged him to prove it. Nader backed off, insisting that the circumstantial evidence put the burden of proof on the government, not him. When he complained about the staining effects of stannous fluoride toothpaste, two Public Health Service dentists rebutted his claim—the same dentists whose research he was citing.

The Nader task force report on California land and water development drew a universal chorus of boos from politicians as well as newspapers in that state. His task force report on antitrust enforcement was reviewed caustically in the New Republic, the magazine that gave Nader one of his first platforms.

As his focus shifts from single-product consumer issues to more fundamental critiques of wealth and power, Nader is increasingly characterized with unflattering labels. According to various publications, Nader is a neofascist, a soviet collectivist, an authoritarian zealot. Car and Driver Magazine called him: "A pain in the ass."

Nader himself measures these comments with a mixture of pique and whimsy. His entire apparatus, he likes to note, is about the size of a Chevy dealership. The news coverage has never been better; the quality of the product will be judged by the ultimate consumers—the public. Besides, he remarks with some feeling, it is ludicrous for businessmen and bureaucrats to raise alarms over the "public interest" handiwork of a handful of young lawyers and students—when there ought to be 10,000 doing the same work, not just in Washington, but in every community, every state.

#### ANSWERING THE CRITICS

"We neither have government authority nor do we have corporate wealth and power," Nader said, "so the extent of our acceptance is pretty much in proportion to the acceptance of values and facts by the community. Where else does our power come from?"

"We can't prosecute anybody, tax anybody, regulate anybody, can't bribe anybody, can't get campaign funds, we can't generate three million votes or anything. It's the classic model of accountability. Every day some columnist says, 'Ah, they've gone too far' and this and that. We can't make many mistakes."

Nader himself is privately fearful about the problem of creeping bureaucracy and he is almost obsessive in his efforts to combat it. Still, in a way, he is right when he complains that the critics miss the point. A more fundamental question about Nader is, not whether he is spreading himself too thin, but rather, as one tongue-tied interviewer asked, is he spreading himself too thick.

In other words, if the explosion of Nader-style citizen action never generates beyond the brand-name shelf, then he will have failed in his principal objective. For Nader preaches an inspired vision of reform: the flourishing of "public citizens," a broad

phalanx of activities which would create a new center of influence in American life, a "public interest" presence which alters the way government and business govern. The vision hinges on a Jeffersonian assumption that other people, normal everyday people, can do what he has done. For "models" Nader offers his own work and the growing stack of task force reports as evidence of what "public citizens" can accomplish.

This is a basic article of faith with Nader and his associates. "There are extraordinary manifestations in Ralph that are the potential in all of us," Richard Grossman, his publisher, philosophized. "It's not that special."

Reuben Robertson, a 31-year-old lawyer who left Covington & Burling three years ago to become a charter member of Nader's Center for the Study of Responsive Law, put it this way:

"What happens to the idea of citizen participation if someone throws up his hands over a problem and says, 'This is a job only Nader can handle'? What is he? some kind of Capt. Marvel? He's a uniquely qualified guy, but what does that attitude say about other citizens?"

Nader's idea of citizenship contradicts, of course, the conventional cynicism of Washington. But it also collides with the mystique of Nader himself. For example, Nader and his associates resent the "Nader's Raiders" label which the press uses so freely because, as Robertson said, "It conveys a specialness to what we're doing that is very unfortunate." Yet they also recognize—and exploit—the public-relations impact of Nader's name. Even when they do not employ their brand name to sell a story or spark congressional interest or raise money, the press invariably fills it in for them, a convenient shorthand for the readers.

The trouble is, the Nader name conveys a romantic notion of commando-style assaults on established institutions, whereas he and his people are trying to sell something different and far more challenging: a new way of regarding a citizen's continuing responsibility.

"The image is so far off," complained Robert Fellmeth, a 26-year-old Stanford graduate who is one of Nader's most prolific writers. "It's not the dashing young Cossack charging in and laying waste to the establishment. It's working long hard hours, reading day after day what is boring trivia, hearings, memos, letters, scholarly treatises. It's just hard tedious work."

So perhaps Nader would be judged more fairly, not simply on ordinary standards of reliability, but in terms of his own objectives. It is much too early to attempt a verdict; his results so far are promising, but mixed. The final test will be how many ordinary citizens pick up his models and do his thing, all over America, without the need to invoke his name, without being regarded as peculiar.

Though his friends may protest, Ralph Nader really is different. He doesn't own a car. He doesn't smoke. He doesn't eat Wonder Bread or hot dogs or other processed meats ("because I know what goes into processed meats"). He doesn't drink soda pop or frozen orange juice (though he does like wine). He brushes his teeth with baking soda ("super infinitely better"). Not exactly your garden-variety consumer.

Ralph Nader's personal income last year was somewhere in six figures (book royalties, magazine articles and lecture fees usually booked at \$2,500 to \$3,000 per). That's not counting the \$270,000 invasion-of-privacy settlement which he won from General Motors for shadowing him five years ago with private detectives, the incident which launched his public presence. Nevertheless, by his own account, Nader spent only about \$5,000 on his own livelihood.

He likes to follow sports in the newspapers,

but he never gets to a game. The center's offices on 19th Street are within walking distance of his \$80-a-month apartment (Nader's landlady told him "she doesn't want to raise the rent, she's seen it so much in print"). According to associates, he has two or three dark suits, three or four quiet neckties.

Ralph Nader's idea of a big splurge is to stop at a newsstand and buy half a dozen copies of The Washington Post, the same for The Evening Star, The New York Times, the Wall Street Journal. Then he tears them apart and sends dozens of news clippings to various people. The man is addicted to information.

And to work. His recent critics notwithstanding, Nader is conversant with a staggering array of public issues, from the advertising claims of fluoride toothpaste to the hidden corporate subsidies in local property taxes. He juggles many more items than, say, the average U.S. senator. He probably works harder than most of them—18 to 20 hours a day, holidays and weekends, dodging the social entanglements which sap so much public energy in Washington.

No one has even been able to discover any contrivance in this. Nader is just like that, without apologies, without striking people as either a grind or a saint. In this era of flower-child exhortations, do it if you feel like doing it, Nader offers his young legions the opposite creed, an old-fashioned Yankee ethic:

"In this kind of work, you have to have the following attitude: if you think it should be done, then you enjoy doing it—not the reverse."

This moralism, coupled with the mystique of his personal example, draws thousands of applicants to his door. Most of them are young college students or recent graduates, many with law degrees, though some are older professionals, including a few engineers and doctors. The Nader organization is sensitive to the suggestion of an "elitist" cadre—the predominance of bright, white, middle-class strivers. So many were trained in Cambridge, Mass., that they joke about the "Harvard Mafia." Special efforts to recruit black lawyers have not been successful. Projects with "blue collar" roots—like the conference for truck drivers—are encouraged.

#### SELECTING THE "RAIDERS"

From all of the applicants, Nader selects a few by employing his own form of "motivational screening"—low pay. The lawyers start at \$4,500 which is less than the secretaries earn (second-year legal salaries are set according to personal need, up to \$9,000, a heretical concept for any profession).

Nader apparatchiks are deployed all over town in sparsely furnished offices, a couple are even working for congressmen. The center on 19th Street, the spiritual nucleus, is Nader's tax-exempt "think tank," upstairs from a visual-equipment store. The center's seven or eight senior associates have produced, with the manpower of summer students, most of the major Nader studies—"Vanishing Air" by John Esposito, "Chemical Feast" by James S. Turner, "The Interstate Commerce Omission" by Robert Fellmeth.

The Public Interest Research Group—PIRG—is Nader's law firm and action arm, autonomous except for its link to the man himself. The "Pirgatorio" office at 15th and L has the ad lib look of youth, ecology posters and tie-dyed shirts. Its dozen lawyers, however, are busy advocates—litigating against five federal departments (from HEW's regulation of birth-control pills to Treasury's proposed depreciation tax break for business), petitioning agencies to get moving on problems (the Federal Trade Commission on phosphate detergents), filing comments on agency rule-making (implementation of the Poison Prevention Packaging Act). They also channel testimony to a flock of congressional committees.

A variety of other "public interest" action

groups are in different stages of spin-off. The 15-member Center for Auto Safety has four full-time people monitoring and prodding the Department of Transportation, while the Center for Concerned Engineering is, at present, one engineer testing products (firemen were called to that center's office in the National Press Building the other day when an electric blanket caught fire).

Until recently, the money came from Nader, who personally put up the \$175,000 last year for PIRG, and from foundations, which underwrote most of the tax-exempt, non-lobbying activity. Now, however, Nader is going public in a big way, hoping to raise between \$500,000 and \$1 million the first year through direct-mail solicitation and a series of newspaper ads. He regards it as a more stable source of future income, one that would allow expansion and ease the personal burden of a heavy lecture schedule and would stimulate a public following. "Public Citizen, Inc.," will be the financing conduit for all of the other Nader nameplates.

So far, the first ad in The New York Times yielded about \$55,000 against a \$10,000 investment, according to Ted Jacobs, Nader's chief of staff, an old friend from his days at Princeton and Harvard Law School. Jacobs said the first test mailing of 180,000, aimed at magazine subscription lists, produced a return of 3 per cent to 4 per cent (at \$10 each), which they consider good. Another mailing of 750,000 is planned.

"We did very well with the good solid liberal lists, the New Republic, Progressive, Nation, the Bulletin of Atomic Scientist," he said. "But some went nowhere—TransAction, Avant Garde."

The Nader books, 15 titles so far, have been another source of income, but somewhat disappointing so far. The best seller is "The Chemical Feast," more than 150,000 copies, but that is far short of the mass market potential which Nader and his associates envisioned. Last month they switched from Ace to Bantam paperbacks in the hope of improving.

Working for Nader apparently is rewarding, despite the pay, based on the past and present associates who speak fondly of the experience. His style is anti-bureaucratic—no staff meetings, no inter-office memoranda, no regular hours, supervised only by Nader's hit-and-run advice and his close scrutiny of their finished work. But he is something of a penny pincher about office supplies.

"When you're working on policy questions, Ralph is open and reflective and encourages full participation," said Jim Turner, a charter member who has since departed. "But, boy, if you use too much Xerox paper, watch out."

#### A TOUGH TASK MASTER

Nader enforces the work ethic in various ways. "Somehow," said Fellmeth, "when he's around, you don't bring up things like the fact that you have a backache. It doesn't seem proper."

Once, when Reuben Robertson was in the midst of battling a proposed merger involving ITT, he packed up his work and took the family to the seashore for the weekend. When he returned, there was a note in his desk: "Bad day for the beach—was Geneen (the president of ITT) at the beach?"

"I'm not a very tough task master," Nader said. "Whoever works hard with us works hard because he wants to, or she wants to. Whoever doesn't get pushed very much, he just doesn't get renewed and that has happened very infrequently." About a half dozen times, he said.

The Nader apparatus did run afoul of the problems of bigness, however, and scaled down its ambitions somewhat. The summer recruits—known internally as the "Raiders"—grew from the original seven in 1968, who studied the Federal Trade Commission, to 100 in 1969 to 200 in 1970. But this past

summer it was cut back to 50, partly because Nader faced a small-scale rebellion from within the 1970 group. A group of dissatisfied "Raiders" held a series of rump sessions, complaining about dictatorial treatment, poor supervision, lack of meaningful assignment and other grievances.

Nader's staff people denied any trouble at the time, but they acknowledged now that they bit off too much. "We assumed, wrongly as it turned out, that every student who indicated a willingness to work would be a self-starter, a mini-Nader," said Jacobs. "Some students could just revel in the freedom, others just thought it was anarchy."

Nader is less charitable toward the 25 or so who complained. "There's a lot of freedom here, some students can't deal with it," he said. "So some of them wanted, you know, soft-ball teams. They wanted to develop a sub-society, they wanted people to sit with them in the morning and say, 'How are you doing?' Hand-holding."

#### THE NADER DISCIPLINE

Despite the evident freedom, there is a subtle discipline within the Nader organization—the discipline of style. Nader, after all, became famous, not just for his hard digging for obscure data and shrewd analysis, but the way he packages the information. When he is on the attack, Nader's prose has all the subtlety of a Panzer division. He wants it that way and his associates emulate it.

Nader says things like: "The level of incompetence in the agency is only exceeded by its penchant for secrecy." And: "The auto industry's claim . . . is as phony as the simulated air scoops on many American automobiles." Businessmen, says Nader, are guilty of "crime in the suites."

So, for example, when Harrison Wellford describes the Department of Agriculture's enforcement of the meat-inspection law, he does not simply write that it is inadequate. He writes: "By 1971, it has been transformed from a triumphant steed carrying meat inspection to the goal of uniform federal standards into a Trojan Horse delivering pretexts for dismantling the federal inspection system . . ."

Countless similar examples are available. The hyped-up prose, of course, has its purpose—it sharpens the conflict and aggravates the target, often provoking charges of distortion and gross exaggeration. But, more to the point, the Nader language, what Fortune magazine called "coating his facts with invective," makes the information more marketable in the news media.

One Nader task force report, a study of the medical profession's self-regulation by Dr. Robert S. McCleery, a former FDA official, was not written in that hard-hitting style. Its tone was low-key. And it was not published by Grossman of New York, the house which has issued most of the others. "It's just not like a study group report," Grossman said. "It's much more of a philosophical thing." McCleery's report was published by a small Washington firm, with disappointing sales, according to Nader. It might be regarded as an object lesson for other authors in his stable.

In any case, though the suggestion rankles Nader, his influence is directly linked with his skillfulness at gaining access to newspaper space and TV time. Mike Pertchuk, general counsel for the Senate Commerce Committee, a congressional aide who has worked closely with Nader on many issues, remarked:

"People get tired of hearing from Nader, but his influence will remain strong as long as his access to the media remains strong. If Nader can go to the newspapers and denounce a senator as a sell-out to special interests then he will remain strong, whether they like him or not."

As Nader points out, there is nothing mysterious about that. Presidents and corporation executives, likewise, depend upon

access to communication to influence events. What is unique is that Nader is merely a citizen. What remains to be answered is whether this vital access is linked to the magic of his name and his special skills of media combat—or whether it can be passed on to "public citizens" everywhere, whether the media will begin to recognize the non-official sources of information as equals in public debate with the constituted authorities—without the reflex of invoking the "raider" mystique.

That is another way of asking: Is Nader a freak? Or can any public-spirited American do it? Nader believes the latter and he currently is devoting great energy and prestige to prove it. The gamble is probably his most important enterprise; the results so far are mixed. Nader organizers are attempting to establish "public interest" groups across the nation, tied to universities and states even based on special-interest groups such as truck drivers (safety) and fishermen (water pollution).

#### STUDENT EFFORTS ON CAMPUS

In two states so far, Oregon and Minnesota, a majority of university students have petitioned successfully to raise their student fees by \$1 per quarter to finance their own SPIRGs—student public interest research groups (students who object can get their \$1 refunded). Similar petition drives are under way among students in 18 other states. Donald Ross, a 28-year old lawyer in charge of organizing, hopes that at least six will succeed. The latest Nader book, "Action for Change," is a manual on how to do it.

Armed with steady income from the fees, the student PIRG would hire its own lawyers and researchers, independent of Nader and supervised by a student-elected board. Using Nader reports as "models" and source material, the local groups could then turn to whatever local public issues seemed worth attacking.

"This project," said Ross, "has the potential for creating a legal revolution, in the best sense of the word."

Likewise, when it seemed that the Oregon and Minnesota drives might stall out, Nader staged fund-raising campaigns in Connecticut and Ohio to launch off-campus "public interest" groups supported by the citizens of those states. These will remain under his control for the first year, then spin off under some form of citizen board of directors.

The concept is a long way from proving itself, either as an organizing technique or as a practical way to spread "citizen action." Student petition drives failed in Illinois and Utah. While Minnesota's student PIRG has hired a staff and is off pursuing public issues, mainly centered on pollution enforcement, the Oregon project is still bogged down by staff problems and opposition, including the threat of a lawsuit.

In Connecticut, the fund drive raised \$50,000 and the PIRG has already zeroed in on Colt Industries, alleging intentional shoddiness in the manufacture of M-16 rifles. In Ohio, the fund drive produced \$100,000, according to Ross, but it relied on a public relations blitz which promised a great deal more than was delivered. Now the Nader people can't find a "public interest" staff.

"The trouble is," said Ross, "we can't find anyone who wants to live in Ohio." That brand of arrogance was expressed by Nader himself, suggesting complicated sociological reasons why Ohioans do not share the Nader vision of idealism and citizenship.

#### HEAVY ON PUBLIC RELATIONS

The campaigns also have been heavy on public-relations work. An advisory bulletin to the student PIRG organizers suggests the kind of double standard which Nader so abhors in business: "Strong-armed advertising techniques have been perfected often to the detriment of society . . . These same tech-

niques can be used effectively by you in the public interest."

Jim Turner, author of "The Chemical Feast," parted company with Nader over that very problem, the question of how consumer-action groups are to be organized—from the top with Ralph Nader providing the P.R. razzle-dazzle, or from the grassroots. Turner is on his own now, trying to put together much smaller citizen groups to work on food issues, generated by their own concern and talent, not the magic of a national leader. Their disagreement was amicable, but fundamental to the question of how one goes about raising the quality of "public citizenship."

"I talked it over with Ralph—there were definitely some differences about how to go about it," Turner said. "We sort of agreed, 'You try your way, I'll try mine and we'll see which one works.'"

Likewise, there was some sentiment among Nader's associates for making the fund-raising apparatus of "Public Citizen, Inc.," into a national membership organization which really functions, which might, for instance, consult its members on policy questions. Instead, as one Nader man put it, Public Citizen, Inc., "is a post office box that you can send money to, with even the promise that you will not get a thank-you note in reply."

Nader's vision for the future, however, is not of a mass movement so much as mass awareness which backs up the full-time "public citizens," the young people and professionals who are willing to work at it full-time and the "whistle-blowers" inside government and business who feel compelled to speak out.

"What we're trying to do is say, okay, 98 per cent of the people who know of a certain abuse aren't going to say anything," Nader said. "We want a kind of society that will permit that 2 per cent or that 1 per cent—that will encourage that 2 per cent or that 1 per cent to speak out, to do things, to change systems, and they'll be supported and defended if they do so."

If "public citizens" proliferate in coming years, that wind of leverage should develop. When newspapers no longer feel compelled to describe such activity as "Nader-style," when government and business accept it as a permanent part of the process, then Nader's idea can be certified as consumer-tested.

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

A "RAIDER" RATING OF NADER: INEFFECTIVE

(By William Greider)

Let's suppose, just to be mischievous, that some public-spirited citizen appointed a "task force" to investigate Ralph Nader.

Following Nader's example, he probably would recruit a dozen or so college students, very bright and self-confident, to spend their summer poring over what Nader has done for the American consumer. After months of legwork, they call a press conference and issue their massive report, couched in language which is appropriately inflammatory:

"The purity of Ralph Nader's outrage is exceeded only by the ineffectiveness of his solutions—most of which are proving about as reliable as Corvair. Like the auto makers who design cosmetic tailfins, Nader has added more remnant parts for the already-cluttered governmental machinery. Thanks to Nader, consumers pay higher prices; their tax dollars support more bureaucrats. The results are mixed at best and, in some cases, have actually resulted in extra protection for the producers, not the consumers whom Nader supposedly represents."

Nader's many admirers, including some congressmen who steered Nader legislation to passage, would be outraged no doubt. They might denounce the "task force" report as grossly unfair, a distortion of facts loaded with invective (which is what government

officials and businessmen often say about Nader's own reports).

Nader himself, however, might react with less rancor. After all, he has been telling people for years that his triumphs were really failures, but people didn't listen. Now he might say, if people finally grasp the limitations of regulatory legislation, they have begun the search for genuine solutions.

There is more truth than fancy in this make believe scenario. It expresses both the dilemma that confronts Ralph Nader the reformer and his potential, as yet unmeasured, for resolving it. Nader's concrete contributions in the five years since he became a public figure usually are summarized in the list of legislation which he either inspired or promoted to passage. It does not take hard digging by energetic young "raiders" to determine that, so far, the overall results fall far short of what Nader might call a victory.

The one dramatic exception is the auto safety measure, Nader's first interest and the one which still gets more attention from his organization than any other issue. Last year, for the first time in five years, the number of highway fatalities went down instead of up, from 56,000 in 1969 to 54,800 in 1970. That saving of 1,200 lives is attributed to lots of facts but even Nader's enemies concede that the new-car safety features required by law, particularly the collapsible steering columns and the flexible windshields, were important contributors.

In other areas, however, the statistics suggest that safety regulation is much more difficult when it is aimed at how an industry performs rather than setting measurable standards for a finished product like cars.

Since the coal mine safety law was enacted in 1969, deaths in the mines have climbed, so have injuries. The "Get tough" enforcement provisions have bogged down in legal controversy, 260 miners were killed in 1970 (compared with 203 in 1969) and 158 died in the first nine months of this year, almost identical to last year's rate, before the coal strike interrupted production. Even with the increased coal production, the new regulatory powers have not made much impression.

The same could be said for the federal regulation of gas pipeline safety, a Nader cause in 1968. Since the regulating was born, deaths from gas pipeline explosions have gone up substantially, which may or may not indicate that the potential hazard from unreported leaks is also increasing. Several states like New York are complaining that the new federal standards have actually lowered their level of safety enforcement.

Measuring the quality of other Nader-inspired legislative proposals is more difficult but the performance which followed congressional action has been widely criticized—most persuasively by Nader himself and by his many associates who are monitoring federal agencies.

The meat inspection law, for example, was supposed to extend federal standards of purity to the intrastate packing houses, whose filthy conditions were so vividly described by Nader. So far, several hundred packing houses have been cited as substandard, but Nader's "task force" on the Department of Agriculture described the law's implementation as slow and spotty, compliance as a "fiction."

The legislation, the Nader report warned is in danger of being "turned on its head" because intrastate meat packers, claiming that they now comply with the higher federal standards, are demanding the right to ship interstate.

Furthermore, according to the Nader study, the Department of Agriculture is toying with the idea of turning over its enforcement machinery to the state government, now that they ostensibly comply with the federal standards. Thus the net result would be to dismantle the regulatory system created by an earlier era of consumer reform, the Pro-

gressives like Upton Sinclair whose exposes outraged the American public 70 years ago.

The Nader task force offered this melancholy observation: "Emasculation of a consumer law is, unfortunately a very boring affair. When bureaucrats blink at the law in this manner, their evasions and delays are gradual and technical; they rarely make news."

Nader himself frequently expresses the same frustration. Before the Senate Commerce Committee, for instance, he scolded the senators for proposing still another "fraud" on consumers, an auto-repair measure which Nader considers too feeble to fulfill its promises:

"The Committee should know by now that no more than 10 per cent of what any consumer law tells the Executive Branch to do ever gets done. In some cases, the percentage is much less."

Congress itself, Nader said, is an accomplice in the "deceptive packaging" because it enacts laws to protect the consumer, then fails to provide adequate appropriations or the close oversight required to fulfill the law's intentions. Inevitably, he argues, the industry lobbyists stick around, long after the public's interest has faded, to see that their special interests are served. A new Nader task force is forming to scrutinize Congress and how it functions in these matters.

Nader's lament is familiar to congressmen who have dealt with him. He always seems to want more, always belittles the accomplishments by complaining about the compromises. For Nader, this is not just a matter of tactics (though obviously that is part of it).

Nader sees it as honestly confronting the lessons which his historical precedents have taught him: namely, that old-line regulatory laws do not work by themselves. Sooner or later, most of them have fallen into misuse or decay, either neglecting their original purpose or serving the special interest of the industry they were meant to regulate.

"That's why we feel an obligation, whenever a law is passed, to follow through," Nader said. "It would be really irresponsible to get a law passed and then go back to the cottage on the lake, so to speak."

The central dilemma confronting Nader and the contemporary version of the "consumer movement" is this: Nader and his associates have provided brilliant critiques of regulatory government. Yet, again and again, when Nader and his colleagues expose a social problem, their recommended remedy is usually, yes, more regulatory government.

James Q. Wilson, the Harvard political scientist, expressed the irony neatly: "Consumer advocates, including as they do many of those most skeptical on other grounds of the manageability of large government organizations, should be the last to suppose that bigger consumer protection agencies will work as intended; but of course, they are among the first to suppose it."

As Wilson points out, both Left and Right share a low opinion of the liberal middle trying to attach more regulatory powers to the federal government. Classical conservatives regard it as still further intervention in the dynamics of the marketplace, producing unintended side effects, often to the detriment of consumers. The Marxist Left considers most regulatory proposals reformer sham, a device to divert public grievances from the deeper questions of power and ownership, while the government agencies make secure the position of established wealth.

Nader's reply is confident, though somewhat ambivalent. Skepticism about the old-line regulation, he argues is merely the beginning of wisdom. Beyond that, he sees the possibilities of new, more sophisticated regulatory laws which would protect citizen-consumer rights, rather than simply regulate product design or manufacturing pro-

esses or price-setting. At the same time, he insists that the existing regulatory machinery can be made to function—according to his ideal—if the leverage of citizens action is applied.

"The idea that you can have any public interest mechanism operate in government without a renewed or different brand of citizenship is absurd," Nader declares with feeling. "Why was the thinking any different? That is the myth itself that has to be coped with. Why anybody should have thought in 1910 that a regulatory agency can do anything when it's completely surrounded—Congress, the media, the bureaucracy, the special interest groups, the campaign funds..."

The most persuasive example of what Nader has in mind is the constant monitoring and pressuring which he and his associates at the Center for Auto Safety have applied to the federal regulatory agency the Highway Safety Bureau. Their regular "public interest" comments have become an accepted part of the process there and, while Nader's people have won some and lost some on particular decisions, their constant presence has provided backbone for the regulatory agency in stalling down the delays urged by the auto industry. Even Nader describes the results as a "limited success." His idea is that more manpower in public interest activity—a new law firm for every new law—would show similar results.

"That's one of the weaknesses of reformers," he said, "that they despair easily because they tend to be so sincere in what they're trying to do... They don't have the concept of incremental growth. If somebody says, 'We tried and we failed,' that's ridiculous. If somebody says, 'You haven't straightened out that meat inspection,' my answer to that is, 'well, I'll start getting slightly dismayed if, after we have ten people working full-time on the meat and poultry inspection area, we haven't had major breakthroughs.'"

Nader's preoccupation with citizenship is reminiscent of that earlier reform period when the Progressives rallied around the high-minded notion that ordinary people devoted to the public interest could counteract the excess of the special interests. Many of the issues were the same then—product quality, safety, honesty in the marketplace, anti-trust enforcement and an enduring fear of concentrated corporate power. The Progressives also drew their strength from the middleclass, professional ranks. But, by comparison, they mustered far more intensity and clout than the contemporary "movement" has so far. Certainly, Nader and his allies have not yet found a political champion with the stature and power of a Theodore Roosevelt or a Woodrow Wilson.

The most striking similarity, of course, is between Nader's style of expose and attack and the "muckraker" journalist of that period (a comparison which Nader welcomes). The historian, Richard Hofstadter, might have been describing the present ethos of Nader's "raiders" when he wrote about the "muckrakers":

"Their criticisms of American society were, in their utmost reaches, very searching and radical, but they were themselves moderate men who intended to propose no radical remedies. From the beginning, then, they were limited by the disparity between the boldness of their means and the tameness of their ends. They were working at a time of widespread prosperity and their chief appeal was not to desperate social needs but to mass sentiments of responsibility, indignation and guilt."

The historical symmetry is complete when one recognizes that a vast portion of the Nader energy and intelligence has been devoted to criticizing the regulatory legacies from the earlier era, describing all the bad things which have come to pass with the

agencies launched by Progressive and New Deal reformers.

But is there any reason to believe that Nader's "reforms" will be any different, any more immune to the processes of decline and capture? His prescriptions for "citizen action," after all, depend upon a continuing social idealism, a force which has moved American history at many turns, from the Abolitionists to the Prohibitionists. Yet idealistic ferment has a way of dissipating itself or seeking out other causes before its goals are reached.

The answer, of course, is entirely speculative. It depends in part on what one thinks of Nader's new concepts of regulation. It also depends on whether he reflects merely a passing ripple of middle-class irritation or whether Nader is the vanguard for a deeper social discontent, not simply with watered hot dogs and cars that are lemons, but with the broader questions that he raises about "private" government by giant conglomerates—the corporate power to set prices, to dictate environmental quality, to foster a "junk economy" which ignores more pressing problems of poverty and concentrated wealth.

In this regard, there is one striking difference between Nader and his Progressive predecessors. While many of them started from broad structural critiques of American society (some were Socialists) and settled in the end for particular and narrow reforms, Nader seems to be moving hesitantly in the other direction. He is progressing from the single-issue attacks, which made him famous, toward a broader conception of what's wrong. A friend mused: "He might just leave behind the Dayton housewife who loves him because he told her why the pop-up toaster doesn't work."

In any case, Nader and the movement enjoy a unique status at this juncture buoyed by public credibility which is the envy of politicians. Three authors are racing to press with books about him. A Louis Harris poll found 69 per cent of the people favorably disposed to "Nader style" activity, a better job rating than any recent President could claim. At the same time, market research specialist Daniel Yankelovich reported a "nose dive" in public confidence in business. Yankelovich recently warned the Sales Executive Club of New York:

"Only a minority of the public (29 per cent) believes that business achieves the proper balance between profits and service to the public. The majority has lost a great deal of its confidence in business. Such a wide swing of the public mood is full of danger. Here is another sign of trouble: Over the past year the desire for more government regulation of business has increased from 50 per cent to 69 per cent."

To date, Nader has not found a way to harness the potential influence which those statistics suggest and translate it into political power—making the national candidates talk about his issues, such as antitrust enforcement or challenging corporate secrecy. However, as he expands his organizational apparatus across the country and gets into mass fund-raising the politicians are increasingly suspicious that, perhaps, Nader himself will become one of them, seeking elective office.

"I think he's heading now in that direction," said Caspar Weinberger, the White House budget director. "I think it would be fairer if he made that clear to the public. One of his enormous strengths is the importance the media attaches to everything he says and the feeling that he is some how above all this unseemingly scrambling for office."

Nader's quick, tart answer is no, he's not interested "because then the best you could be is a good politician. A good politician is not considered even as good as a good citizen."

Behind that lofty talk, however, Nader essentially agrees with Weinberger's analysis—that his credibility with the public rests squarely on the absence of any personal payoff in his work. The hint of political ambitions would wipe that out: The press would treat his utterances quite differently. "An old politician like Weinberger knows that you can try to discredit somebody doing this kind of work by saying, 'Well, he just has political ambitions,'" Nader observed.

In addition, Nader has thought about it and concluded that, for the present he can exercise more influence over events from the outside, by leading citizen pressure, than from inside Congress or a federal agency. Last year, when his home state of Connecticut was faced with a three-way race for a U.S. Senate seat, Nader was urged to jump in (he votes there regularly, registered as an independent). "If anybody had wanted to leap into politics, that was the opportunity," he said.

"You could do a lot of good as a U.S. senator," Nader mused, "but... Congress itself is not going to be effective unless it's got this kind of professional citizenship behind it. And that's what I think is the most important thing. The great delusion of people who want to change things through political systems is that it has to be done through political systems. And I'm realistic enough to know that the head of any bureaucracy is going to be completely swallowed up by it unless he's got someone to support him from the outside."

Analytical talk such as that, and Nader's insistence on "pragmatic" solutions to single issues, has protected him from simple political labels which would put him into a convenient ideological pigeonhole. Indeed, there's occasional confusion about whose side he is on (especially when he attacks one of his congressional allies). Nader draws on the traditional conservative values suspicion of concentrated power, a reverence for individualism and the pre-industrial sense of free enterprise; yet he invokes liberal solutions which convince his business adversaries that he is secretly leading the nation toward collectivism.

New Left groups, which used to scorn Nader as a reformer, have been regrouping lately around the idea that "Nader style" activities would be a good tool for organizing people toward their own Socialist goals.

Political diversity is also reflected in the idealistic young men and women around Nader. Robert Fellmeth, who directed the controversial California land and water study, was a Goldwater campaign organizer on the Stanford campus in 1964. James Turner, author of "The Chemical Feast," campaigned for Eugene McCarthy in Ohio in 1968. Others worked for Rockefeller, Nixon, Kennedy and Humphrey.

Nader's thinking is hard to categorize because it is directed to process more than to structure to questions of situational ethics more than ideology. He is for example, quite skeptical of many of the New Deal and Great Society social welfare programs on the grounds that they are "short-term crisis" solutions which "become tremendously abused and manipulated when they're for the long term."

The core of what Nader preaches is a new ethical standard for individuals who find themselves surrounded by mammoth institutions in a highly complex technological society. As he defines it, they must learn how to exercise a higher responsibility to the broad public interest obligations which rank above loyalty to a single institution.

As individuals accept that responsibility, society must learn to honor them, or at least to protect and make a place for them. The cynic may suggest that Nader is simply announcing that, gee whiz, if everyone were nicer, the world would be a nicer place to live. Nader replies: "There will be more good peo-

ple if you give them a career role that brings out the goodness in them."

Nader's point is that new reform efforts should be directed at strengthening, encouraging and protecting the new "public citizen," whether he is a full-time lawyer working in a public-interest law firm or one of Nader's "whistle blowers" like the Chevrolet inspector in St. Louis who told the public what he knew—and 2½ million Chevs were recalled.

Nader can envision laws to crack open corporate data on product quality (thus aiding the public-interest monitors), or to alter philanthropy (so more doctors, engineers and lawyers can afford to work in the public interest) and to "regulate" citizen rights (laws to protect the "whistle-blowers from retaliation, regulatory agencies to guarantee citizen access to government decision-making and even provide free representation).

Future "regulation" to Nader could mean government agencies which explore and promote new technology, as the auto safety industry has, even though it might displace the investments of private industry. "Creative regulation," in Nader's phrase, might provide citizens with the expertise to bring their own lawsuits or the volumes of data on quality and safety to make wise choices in the marketplace.

These concepts are not as visionary as they may sound. The bill for a consumer protection agency, pending in Congress, would be a first step, giving consumers an advocate who could speak for them before all the other regulatory agencies. "That bill is modeled after Ralph Nader's work," said one congressional aide.

Even so, there are bitter controversies over how much power of advocacy that agency should be given. Some of Nader's closest allies, notably Rep. Benjamin S. Rosenthal (D-N.Y.) and Sen. Phillip A. Hart (D-Mich.), have raised alarms that a watered-down version creating a consumer agency which is not truly independent may be worse than none at all. Nader himself shares their concern but believes, "Nothing could be as bad as it is now."

Nader's concept of "whistle blowing" is progressing, too, despite accusations that he is promoting "Gestapo tactics" of disloyalty. The Senate Public Works Committee has been writing "whistle blower" provisions into air and water pollution bills to protect company employees who report violations by their corporations. If the workers are fired or suffer discrimination, they may complain to the Secretary of Labor for relief.

The "whistle blower" protection got knocked out of the air pollution bill, but it is still part of the Senate-passed water bill, along with another provision which allows citizen lawsuits to compel government agencies to enforce pollution standards against violators.

In the past, a citizen would have to compile evidence of personal damage from the pollution before he could begin such a suit. If these items become law, they could encourage the citizen action Nader talks of—and the example could be extended to other areas of government regulations, from prescription drugs to pipelines.

Nader's business adversaries have listened to this talk and it alarms them. It does not take much imagination, after all, to envision an ultimate world where the government determines product lines and sets the quality, guided or controlled by what Fortune Magazine called "Consumer Soviets," who make decisions in their own elite fashion. Who elected Ralph Nader?

Nader regards the "consumer czar" talk as amusing because, from his viewpoint, that is comparable to what America has now, a government of corporate power which makes private decisions ruling everyone's life without any mechanism for review or veto by the people.

The checks and balances on "public citizens" are infinitely greater, Nader argues, and much closer to democratic principles.

From Nader's perspective, the growth of "citizen power" would simply restore balance. Just as the Progressives legitimized the concentration of power in the federal government, as a way to counter corporate power, Nader nourishes the grand dream of re-vitalizing the third leg for that stool, the public.

Nader's vision of the model society does not yet speak in terms of private versus public ownership or other structural questions which have traditionally dominated political dialogue. Instead, he offers a couple of operating principles which convey his preoccupation with continuing renewal and his conviction that victories are never final and complete, that the old business about "eternal vigilance" is still relevant:

"The model society is, first of all, where any institution which has power over people has a built-in insecurity of power. That is, any institution, in order to behave responsibly, has got to feel that it can lose its power. Responsible power is insecure power. That's the theme whether it's for GM or the Pentagon . . .

"The second is a system that accretes power to victims, whoever the victims may be. We know the traditional definition of victims—poor, minority groups and so on—but victims in whatever context. Say a guy is a millionaire and he lives in a home and is being terribly polluted by a foundry. He's a victim of that pollution . . . In a system where power accretes to the victims, you would not just have rights, which we have plenty of, you would have remedies, which we have fewer of. And you would have representation, which we have even less of . . .

"The third one is that we've got to have systems in our society that will plan alternative futures . . . and allow the displacement of existing technologies by superior ones. That is absolutely critical because, if that isn't done, we can destroy the world."

Nobody has yet figured out a convenient label to describe that, but obviously Nader is a long way beyond the "consumerism" of hot dogs and automobiles.

"If you can't get people concerned about the hot dogs and the autos that involve their daily lives," Nader said, "you damn well sure are not going to get them concerned about much else."

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

#### REGULATION NEEDS AUTHORITY, CITIZEN ADVOCATES, NADER SAYS

(Excerpts from a tape-recorded interview with Ralph Nader.)

*Question: Did you read the piece James Q. Wilson had in "The Public Interest?" . . . His thesis was essentially that the net result of the consumer movement, for all of its good intentions, may be that you have extended the myth of regulatory government beyond its natural death, and that everybody was just beginning to understand that somehow the government ought to break out of that format, when you came along with all of the gas pipelines and the rotten meat and so forth, and now as a result we have enlightened the myth. How do you respond to that?*

Answer: Well, one is, what is the alternative? That is—when you've got conflicts in the private sector between various groups—producers, sellers, buyers and the like—and these conflicts or competing needs have to be resolved, there seems to be no other role that resolves these conflicts except the governmental role. And that governmental role is a regulatory role, but it doesn't have to be like the old-time regulatory role—for example, in our ICC report we recommend certain deregulation to make other regulatory policies more effective. For example, deregulating in the rate-approving.

And secondly, the real good regulation gives

private citizens more rights. For instance, if you require advertisers to substantiate their claims with the FTC and this information is published, it will give consumers a greater awareness of what's going on.

Furthermore, if you have a consumer protection agency that gets better procedures before other regulatory agencies, then private citizens or citizen groups can participate more easily without paying through the nose or having to wait five years.

Another thing is antitrust, which is considered regulation. What it does also is, at the end point, it decentralizes the private economy so that competition can work.

Another thing is, for example, by generating a lot of research and development in the auto area through the regulatory agency, it can help advance the state of the art in the industry because the advanced state of the art can no longer be covered up or monopolized by the industry. So these are examples.

The other dimension of regulatory action which the traditionalists' rejection—like Wilson's—overlooks is that there are very good reasons why it hasn't worked doesn't lead to the rejection of the principle of regulation seen in these various dimensions itself. And it's obvious it hasn't worked because there's only one vector of advocacy working on these agencies, and that's special-interest pleading, which uses the economic, political and congressional and all possible systems to bear down on the regulators.

*Question: Let me use some of the examples of the bill that you were associated with on the context of what he is arguing . . . gas pipelines, meat inspection, where your own task force makes the argument that they're now using the legislation as a vehicle perhaps to dismantle the fairly good inspection. We could add coal . . . You've already gotten the kind of captive regulatory mechanism that you complained about, haven't you?*

Answer: Well, regulation needs two things . . . to work—it needs authority, it needs citizenship. And all of these bills just gave the agencies authority, which is the first step. Now what we need is to fill out the second stage, which is this concept of building professional citizen advocates with broad citizen constituencies around the country.

Now take the ones that you've talked about. The natural gas one has done very little. It has never had more than a \$400,000-a-year budget. The meat one has had some good advances.

*Question: I don't remember you ever really addressing the distribution of wealth directly. Obviously, some of the things you've talked about affect it indirectly.*

Answer: Yeah, a lot of it does. And the whole consumer thing is that. That's operational redistributing wealth. You have more for the dollar. And the antitrust breakup is part of that too—breaking it down into less conglomerated forms of capital.

*Question: Am I right in that you would bring the same suspicion to a kind of socialist program that you would to the other?*

Answer: Yeah, in terms of ownership of the means of production. Once again that is the ultimate in secure power. Everything that GM does for consumers proceeds from the fear of losing something, and a government agency just doesn't fear losing something . . .

*Question: You've never been in a position where you directly advocated the kind of service state, social welfare programs. Are you . . . leery of those proposals and how they really function?*

Answer: Well, let's put it this way, for the short run I don't believe anybody should be in any social straits, hungry or anything. What I'm saying is that we should never misconstrue short-run services with long-run solutions. Because if we do, one of three things happens: The short run begins to have

its own vested interest finally and fights against more basic change. You know, if you've got soup kitchens, why worry about anything more basic.

Or second, the short run becomes so profitable to certain business interests that you can't shake it. And it becomes manipulated completely opposite its goal to help the poor or the unfortunate. Like urban renewal.

And the third, and the worst, in many ways the worst of all, when the shortrun solution corrupts the victims. Because you can have hope in any society up to the point of the corruption of the victims.

*Question. Take a favorite of recent years in Washington as a liberal idea, food stamps, does that bother you for those three reasons?*

Answer. It doesn't bother me as a short range, what bothers me is if it substitutes for a more basic revision of the whole distribution system and income system . . .

Well, first there's the distribution of wealth, which is even more basic than a distribution of income and that's a hell of a complex issue. You want to start with land. You'd deal with such things as the reconcentration of land ownership by corporations . . . I mean like you try to take the consumer into the area of corporate reform, oh, it's a big step. I mean take the consumer movement into government reform, procedures, securities, a big step.

However, the great virtue of it is, is that when you do move into those areas, you move with a lot of understanding on the part of the public, because if the public becomes concerned, first about hot dogs and autos, then they can become more concerned about the companies that produce the hot dogs, etc. . . .

[From the National Observer, Dec. 25, 1971]

**RALPH'S PROGENY: NADER WANTS TO ENLIST YOU IN A CRUSADE TO BRING BACK INDIVIDUAL RESPONSIBILITY**

(By Michael T. Malloy)

"Who are you, Ralph Nader, and what do you want?" Amazing. Here is a man who has been in the public eye since 1965. A man who the polls say is better known and more popular than some Presidential candidates. A man whose name may appear a half-dozen times in a single issue of your daily newspaper. No other man in this country is so feared, loved, hated, and yet so mysterious that people still feel a need to ask that question.

Here is an answer: Ralph Nader is a prophet of a secular religion. What he wants is to change the way you think.

His gospel is individual responsibility. He calls it citizenship; others might call it ethics. Whatever you call it, the same theme runs through his shotgun blasts at government and industry and his innumerable speeches to advertising men, lawyers, engineers, and students, students, and more students.

"The first question they ask is, 'Why are you doing all this?'" Nader says. "My answer is, 'Why aren't you doing it?'"

Crouched over an endless series of lecterns like a charcoal-gray crow in his ill-fitting 1950s suits, Nader relentlessly preaches the doctrine that citizens are responsible for the actions of their governors, that businessmen are responsible for the quality of their products, that an individual can't check his conscience at the door when he enters the institution where he works.

"He does think the only solution for the problems we have is a different concept of the citizen's role," says Theodore Jacobs, the former New York lawyer who is Nader's chief of staff. "Our institutions are so massive that unless individuals take greater responsibility for what goes on in these organizations, we're never going to have a responsive

and responsible democracy. A lot of what he does falls into place then."

Nader is best known for the book-length exposes that his "raiders" churn out every few months on everything from the workings of Federal bureaucracy to the faults of automobiles. The chief raider certainly wants to right all these wrongs that he thinks he sees. But the studies are also parables on his doctrine that individual citizens should expose and combat the evils around them without waiting for government, newspapers, or Ralph Nader to do the job.

"I just think the most important thing to be done in this country . . . is to get citizens to realize they have got to be citizens," Nader says. He is responsible for at least half a dozen pieces of consumer legislation, but his main target is the concentration of power in corporations, unions, and Government bureaucracies. So he heads his own list of accomplishments with "the minor attempt to show that individuals can have impact on large organizations.

"They all try to prove the same thing," he says of the raiders' studies. "That it can be done, and that it should be a continuing thing, not just a Lone Ranger study."

When the ripples of publicity subside from the impact of a Nader report, the less-publicized work goes on. A Nader report on water pollution, *Water Wasteland*, is now a permanent project intended to enroll sport and commercial fishermen, who have personal interests at stake, in antipollution pressure groups. Nader's original interest in automobile design is now institutionalized in the permanent Center for Auto Safety, which has its own sources of money and no official connection with the man who inspired it. Nader has spun off at least half a dozen other independent crusading groups, and a dozen more are planned.

"What you see here is the beginning of putting into practice what Ralph's theory is: That there has to be a duplication of what we are all about," says chief of staff Jacobs. "It's not enough for Ralph to have 20 or 30 or 40 people working in Washington. It has to be expanded in diverse ways and not associated with only one man. Ralph has tried his damndest to de-emphasize his role in local groups and have them focus on local problems, local people.

But Nader can't reduce the length of his shadow when his reputation is still the main attraction for funds and converts. His campus appearances are needed spark plugs for the independent Student Public Interest Research Groups—local miniatures of his Washington, D.C., organization—that he is trying to inspire in more than a dozen states. His speaking fees of up to \$3,000 are a major source of money for his movement.

So Nader spends a lot of time on airplanes, sustaining himself on peanuts and penny candy. One recent segment of his schedule called for stops in Cleveland, North Carolina, Montreal, Vermont, and California within 48 hours. Wherever he goes he is recognized. "Great job, Ralph!" they tell him on airplanes.

#### NO AUTOGRAPHS—ACTION

Nader ducks his head with an embarrassed smile, but he doesn't like it. "I don't give autographs," he says, shrugging his shoulders in distaste. "It's not as slavish as asking for a lock of hair, but I don't want them to think they can vicariously participate by saying, 'Great job,' and going home with my signature. I want them to say, 'What can I do, Ralph?'"

Nader's brand of secular Protestantism demands of his hearers: Make your own moral decisions about the problems around you; don't let employers and government decide for you. "Sit down and make a list of things you'd like to do or say for which you would get fired," he advises a group of engineers. "Then you've got the issues on the table."

The message hits a nerve. Some denounce it as a call for disloyal employees to use "Gestapo" spy tactics against their employers. Others cluster around Nader after he speaks, pressing their business cards into his hands and pleading for an address to which they can communicate the institutional sins that burden their consciences.

"He's training people to take a new view of their lives and of the issues they confront, to react to them in an active manner and not just throw up their hands and say, 'Who can fight City Hall or General Motors?'" says Alan Rauzin, a 25-year-old law student who spent last summer organizing truck drivers under Nader's guidance, and against what he says was the hostility of the Teamsters Union, into a permanent lobby of truck drivers for highway safety.

So a Nader speech or magazine article is usually tougher and more personal than the "what's wrong with society" litany his audiences often expect.

A Nader speech to college students derides "this student age of free think and free do." He demands that they ask themselves, "What kind of citizen am I?"

A Nader article on "Making Congress Work" ignores the usual complaints about the seniority system and committee assignments, instead offering eight ways that individual congressmen can get things done without hiding behind these excuses.

#### FUNDAMENTALIST VALUES

And a Nader-written introduction to a handbook for student activism doesn't prescribe any specific political goals. It only tells them how to get there: "Character, stamina, self-discipline, and consistency of behavior . . . conviction, work, intellect, values, and a willingness to sacrifice normal indulgences."

He sounds like a fundamentalist preacher, and that's the point. American reformers traditionally talk about revenue-sharing, socialism, or some other institutional change that requires nothing from the citizen but his vote. But Nader argues that, "Political change without a change in the citizenry is not going to be real change." He talks ethics and personal responsibility, and that's something we only expect to hear in church on Sunday morning.

This is why Nader can speak from one end of the country to the other without projecting any recognizable political program. "I don't have any specific thing," he explains. "It renders you very inflexible."

This is why Nader's opponents have so much difficulty tagging him with any leftist "ism." "We've got to avoid the fallacy that if we take power from one basket and put it into another, we'll get change," he tells the would-be young Socialists in his college audiences. "The French government produces the Renault, and municipal power plants pollute like hell."

This is why Nader's accusations ring with personal hostility and words such as "fraud," "crime," and "dishonesty." The standard American reformer is supposed to address the "issues" and omit personalities. But Ralph Nader sees more than abstract issues when he looks at unsafe cars or children's flammable nightgowns. He sees *sins*.

Nader lives, as well as preaches, this harsh devotion to principle. He has trained himself to get by on four hours of sleep per night, and some nights he doesn't sleep at all. He believes that he must drive himself harder than his associates to justify the 1 a.m. telephone calls and staggering work loads he imposes on them. At 37, he has ruled out marriage because he cannot have a family and a crusade without neglecting one or the other.

Principle governs even minor details of his life. "I don't believe in credit cards," he says, "because somebody's got to pay that 7 per cent, and it's the consumer." So Nader in-

sists on traveling all over the country without using airline and telephone credit cards. He squints at airline schedules (very near-sighted, Nader rarely wears his glasses) and pops in and out of phone booths, his pockets sagging with change ("I can feed quarters into a telephone faster than anyone in the world").

"Get a four-door," Nader mutters to a traveling companion at a car-rental counter. "They're safer." It's really true that he won't ride in a Volkswagen, that he doesn't own a car, that he buckles up all the available seat belts in any car he does ride in. And he really does live in an \$80-per-month room, although it's nicer than it sounds because his landlady, who likes him, hasn't raised his rent in at least six years.

Nader can be likeable. In a crowd of admirers he is more given to diffidence than to bombast. In private he is an engaging companion, ready to laugh at the ironies of his position. But his most striking quality is his lack of big-shot pretentiousness, a complete absence of social and emotional distance between himself and whomever he is talking with. This rapport leads even bashful undergraduates to call him "Ralph" after two minutes of conversation.

A recent magazine article about his missionary efforts was entitled "St. Nader and His Evangelists," but Nader hasn't attended a religious service in years. "My work is my church," he says. But he did attend Methodist church and Sunday school during his boyhood in Winsted, Conn. "It rubbed off on me in an ethical sense," he concedes, "but nothing like the parents."

His parents were socially conscious Lebanese immigrants who ran a restaurant in Winsted. "Seven days a week, it never closed," their son recalls, explaining his own 18-hour work day.

"And we didn't just talk about the weather all the time." The elder Naders steered meal-time conversation toward social injustice and the individual's duty to society.

All three Nader children were pointed early toward professional careers. One of Nader's sisters is a political scientist; the other is an anthropologist. "My father wanted me to be a lawyer; to be a lawyer was to fight injustice," Nader recalls. "I wanted to be a lawyer when I was 4. I used to hang around the courtroom. It was right downtown, near the restaurant."

#### THE HOLE IN THE DOUGHNUT

Nader's automobile crusade started at Harvard Law School, in a medical-legal course. "I did a paper on car design, arguing that liability extended to design," he says. "I began thinking about cars protecting people in crashes, like the old 'dodge-em' cars." But other issues continued to bubble in Nader's mind (he was writing about the plight of the American Indian before he was out of college), and they still do.

He has an unerring eye for the hole in the doughnut. "They don't seem to have any oxygen on this plane," he says as he folds his six-foot-four frame into a tourist-class airline seat. "I'll have to look into that." As the plane lands bumpily, Nader remarks: "They took some kind of stabilizer off these planes for economy reasons. The pilots were complaining about it."

Nader first tasted fame after publication of his attack on auto design, *Unsafe at Any Speed*, which criticized General Motors' Corvair. But he really attracted national attention, and bankrolled his crusade, when GM hired a private detective to spy on him. That led to televised congressional hearings and a \$425,000 settlement of Nader's invasion-of-privacy suit against GM.

That money is running out. Nader earned \$100,000 last year from speeches and royalties, but plowed \$175,000 into a staff of 35 paid employes and a horde of volunteers that approaches 200 in the summertime. He re-

cently incorporated a fund-raising arm, Public Citizen, Inc., that he hopes will collect \$1,000,000 per year through newspaper and direct-mail solicitation.

A few of Nader's key aides earn up to \$15,000 per year, though most of them start at \$4,500. Each gets the kind of personal responsibility that Nader preaches. They can work from 9 to 5 or from noon to midnight, as long as they produce. His action arm—the Public Interest Research Group—has no overall director for its projects to organize students, retired people, truck drivers, and others into independent, Naderlike groups. When Nader and one of his volunteers submitted similar articles to the *New Republic* magazine, says Managing Editor David Sanford, "Nader deferred to the kid."

Even the full-blown reports that issue from Nader's research arm—the Center for Study of Responsive Law—are prepared with little day-to-day guidance from the master. "I don't always agree with their recommendations," he says. "I don't change them: It's their recommendations. My main thing is to make sure the argument and the facts are well done."

Nader can repose this degree of trust in his staff because they aren't the wet-behind-the-ears college kids that the raiders' image suggests. His banking expert is a 62-year-old Philadelphia lawyer and registered Republican on a one-year leave of absence. Nader's controversial report on California land use was prepared by a staff that holds more than 30 university degrees; it included two economists, a city planner, a biologist, and a clutch of lawyers. Even the students who do so much of Nader's legwork are mostly law students, and therefore college graduates who frequently have served in the armed forces or held civilian jobs.

#### CRITICISM, BUT NO LAWSUITS

Nader is editor-in-chief to these investigating crews, sending their manuscripts back again and again with, "Where's your source?" or "Document this" scrawled in the margins. A recent blast at the Volkswagen went through five drafts before he accepted it. A study of a state consumer-protection agency was killed outright this summer because its documentation didn't meet Nader's standards.

The raiders' reports are almost always condemned as sloppy and inaccurate by the institutions they criticize and by some outside observers too. But nobody has ever sued for libel. Jacobs says nobody has even threatened to sue.

Nader, characteristically, says the law should make it easier for an aggrieved party to bring a libel suit. That's in keeping with his philosophy that individuals should have more tools, judicial or otherwise, to challenge the bureaucracies that he believes have too much power and too little public accountability for the way they use it.

Almost all Nader proposals contain that component. He wants private corporations to open their boards of directors to "public interest" members whose loyalty would be with the consumers rather than the company. He wants government agencies and private companies to open their inner workings to public view, so that a pesticide regulation or a new car design can be debated and influenced before being set in concrete. He wants laws to protect the jobs of employes who expose errors of their employers. "A corporation cannot afford to be a villain," Nader says, and in a Nader-designed world the first hint of villainy would be publicly known, and a host of Naderlike organizations would be ready to pounce on it.

Such proposals offer no pat solutions to problems; at best they can only make it easier for citizens to cope with new problems that arise. And that's what Ralph Nader is all about: He believes it is more important to alert and arm citizens against their in-

stitutions than just to shuffle the institutions around.

"Some young people think you can pick this system up and replace it," Nader says. "But institutions are things in flux; they can be abusive at times, they can be pretty good at times, depending on who inputs. And then you're back to politics, power, voting power. The question is whether there is going to be sufficient pressure and organization from the people."

[From the *National Observer*, Dec. 25, 1971]

#### MR. NADER'S CONSUMER EMPIRE

Ralph Nader's consumerist empire is built on four organizations that he directly and officially controls: the Center for Study of Responsive Law, the Public Interest Research Group, the Corporate Accountability Research Group, and Public Citizen Inc.

They have spun off other organizations that he hopes will eventually become independent: The Fishermen's Clean Water Action Project, the Retired Professionals Action Group, the Health Research Group, the Ohio Public Interest Group, and the Connecticut Public Interest Group.

Some spin-offs have become officially independent but still look to Nader for guidance: the Center for Auto Safety, the Aviation Consumer Action Project, the Center for Concerned Engineering, Professionals for Auto Safety, and the Professional Drivers Advisory Council.

Other spin-offs are independent in fact as well as name: the Center for Science in the Public Interest, Consumer Action for Improved Food and Drugs, the Oregon Student Public Interest Research Group, and the Minnesota Student Public Interest Research Group.

Also planned are a group to work with the problems of blue-collar workers and Student Public Interest Research Groups, in California, Indiana, Iowa, Massachusetts, Rhode Island, Vermont, Washington, Wisconsin, West Virginia, New Jersey, South Carolina, Nebraska, North Carolina, Hawaii, New York, Michigan, Pennsylvania, and the District of Columbia.

#### SHAME IN GREECE

### HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 7, 1972

Mr. EDWARDS of California. Mr. Speaker, the military government in Greece continues, encouraged by the Nixon administration's open approval and support. Freedom loving Americans are ashamed with our tawdry relationship with this totalitarian regime.

The following article from the February 6, 1972, *New York Times* describes accurately how U.S. support bolsters the Greek junta:

MANY GREEKS VIEW UNITED STATES AS BARRIER TO DEMOCRACY

(By Henry Kamm)

ATHENS.—After nearly five years of authoritarian rule by the junta, many Greeks rank the United States, alongside Premier George Papadopoulos as a principal barrier to the restoration of democracy.

This view emerged as a consensus of scores of interviews in the course of an 18-day visit, including trips to two provincial centers.

While persons formerly active in public expressed their disillusion with America most explicitly, conversations with people in all walks of life disclosed a high degree of identity of views between the former leaders of Greek political life and ordinary citizens.

Politicians were less fearful, however, about allowing their opinions to be quoted.

The conversations covered the spectrum of political leaders, from Panayotis Canelopoulos, the conservative Premier whom Mr. Papadopoulos overthrew, to Ilias Iliou, leader of the legal substitute of the Communist party, outlawed since the Greek civil war. (All party activities are outlawed now.) Among those interviewed were left-wing activists, right-wing generals cashiered by the junta, intellectuals of many political persuasions, former and present officials and urban workers.

While conversations did not include peasants because most do not feel free to talk politics with strangers, people in regular touch with rural areas asserted that the same views on the Government and the United States prevailed there.

In the most extreme—and most commonly held—form, the view is that the United States sponsored the military coup d'etat of April 21, 1967, or had advance knowledge, but failed to warn the Canelopoulos Government.

"I don't believe the United States was responsible for the coup," said Mr. Canelopoulos, "but 99 per cent of Greeks do."

However, the former Premier, who represents the most moderate attitude toward the United States, shares the view that American policy is determined primarily by military considerations and that the Americans will therefore give their friendship to any government in Greece that lives up to arrangements allowing them ample military facilities.

The current negotiations for the granting of "home port" facilities to the Sixth Fleet, which would allow thousands of dependents of sailors to take up residence in Greece, worries and angers many Greeks. They see such a move as another sign of friendly recognition conferred upon the junta to satisfy American military desires at the expense of the political wishes of most Greeks.

#### STRATEGIC VALUE SEEN

The talks are adding fuel to the widely voiced complaint that the United States considers Greece essentially as a piece of real estate of strategic value in the event of a renewed outbreak of fighting in the Middle East.

John Zigidis, a political moderate and highly respected former Cabinet minister, was interviewed in a hospital the day after his temporary release because of illness from the four-and-a-half-year prison term he is serving for having expressed opposition views. "I hope the American Government will soon understand that it is more important to have the traditional friendship of the Greek people than only the free use of Greek territory," he said.

The official United States position, as expressed here, lends weight to the argument: "The national security of the United States has top priority here and will continue to have."

The friendship for the United States, which in the past was almost palpable in this hospitable country, appears to have eroded astonishingly. In the consensus of Greek and diplomatic observers, including Americans, this is the result of a view expressed by the strongly pro-American former Foreign Minister, Evangelos Averoff-Tossizza.

"In the minds of the Greeks, the regime is American, created by the Americans and supported by the Americans," he said. "Everybody tells me that the Americans have only to lift a finger to bring them down."

#### MINISTER NOTES A CHANGE

However, the former Minister, who, while hostile to the Papadopoulos Government, has been the leading proponent of a widely unpopular policy of remaining in touch with its representatives, said he did not believe that the United States could do much to topple the junta. In the days of democracy, he ex-

plained, the United States could perhaps have one Greek government replaced by another, but he said he doubted that it could do so to what he called a "police regime."

He said that the United States had contributed through what he called "stupid errors" to create the impression that it not only accepted the coup for American national reasons but also actually supported Mr. Papadopoulos and that it believed his occasional assertions early in his regime that he planned to return representative government to Greece.

Among the errors charged by Mr. Averoff was the coupling in 1970 of the full resumption of military aid, reduced after the coup, with an assertion that it was being resumed because progress toward democracy was being made.

"They should have coupled it with a statement that America hoped it would lead to such progress," the former Minister said.

Mr. Averoff differs from sterner critics of the United States in not favoring an immediate halt in military aid. But he agrees with the generally held opinion that such signs of American esteem as the visit by Vice President Agnew last autumn and earlier visits by Secretary of Defense Melvin R. Laird and the Secretary of Commerce, Maurice L. Stans, were unnecessary gestures used by the junta to bolster their standing in Greece and abroad.

#### GIVING THE GREEN LIGHT

"Agnew was the first important Western personality to come here since the coup," Mr. Averoff said. "He will give the green light to many others."

Many former close friends of the United States are more hurt and disappointed than Mr. Averoff, who described himself as a man "without illusions."

On this subject, as well as on many others, differences that formerly divided not only the principal parties, the liberal Center Union and the conservative National Radical Union, but also groups within each party have faded in the face of common opposition to the junta.

Among those who have drastically revised their views of America is Michael Papaconstantinou, a former Deputy Defense Minister and Center Union deputy. He felt so strongly that Greece needed to remain close to the United States, even after the coup, that he used his time in prison, where the junta had put him with many other elected politicians, to draft two books about the United States. He completed them after his release and both were published but his disappointment has grown so deep that he has withdrawn them.

#### A SADDENED GENERAL

On the other side of the political fence, a former general of conservative and strongly royalist tendencies returned from exile last year saddened to learn that in his absence his wife had received tokens of continuing friendship only from the European officers with whom he had served in the Atlantic Treaty Organization. The Americans, with whom he had also formed many friendships, had not been heard from, he said.

"I should not be surprised," the general said bitterly. "The mother of the junta is the Pentagon, the C.I.A. and the American arms manufacturers."

Bitterness at the United States is reflected in the attitude of Greeks who once had extensive relations with the American Embassy and social relations with its members. Individual accounts can be summarized in an accusation that in the first years after the coup the United States Embassy ostracized those who had been its friends. Since then, according to the accounts, American officials have sought to renew old friendships—often to find that the Greeks were unwilling.

The embassy has also been embarrassed by a practice, began in 1969, of having children from the American community school sing

Christmas carols for Premier Papadopoulos. The minor event is treated by state television and the pro-Government press with elaborate attention, enraging opponents of the junta.

Embassy officials tell inquiring newsmen that the idea originated with a Greek on the faculty at the grade school at the Athens air base and that the embassy had no control over the school. However, the teacher, Miss Freddi Kalogerakis, interviewed by telephone, said she was "100 per cent American," from Chicago. She expressed admiration for the junta's achievements. Her pupils are American airmen's children whose school fees are paid by the Defense Department.

#### GREEKS BITTER ABOUT ISSUE

The caroling controversy, dismissed as insignificant by American officials, was brought up with bitterness by most of the Greeks interviewed, from former Cabinet ministers to workers.

The deposed politicians, represented by Mr. Canelopoulos, George Mavros, leader of the Center Union, and Demetrios Paspasyrou, president of the last parliament, said that after a long period of ostracism, the American Embassy, led by Ambassador Henry J. Tasca, resumed social relations with them in the middle of last year.

There is a feeling among Greeks and diplomats that after an address by Mr. Papadopoulos in December, 1970, ruling out improvements in the political situation during 1971, and after Congressional staff reports critical of the embassy, an American decision was made to nurture once more relationships with deposed politicians.

The rising esteem for the opposition was underlined for a caller on Mr. Tasca recently. The Ambassador was seated before a low table with two books conspicuously displayed. One was a historical work by Mr. Canelopoulos, published last year in Britain; the other was "The Truth About Greece," an opposition work published in Switzerland.

A page had been marked with a paper clip, and the visitor's attention was drawn to what it said about the failure of the Greeks to stage effective resistance to the dictatorship. The present official American view here, in reply to accusations that the United States backs the regime, is that the nine million Greeks themselves are not resisting and will get back their democracy only when they want it badly enough.

#### RESISTANCE IS WEAK

The Greeks interviewed conceded that the junta faced no effective resistance. On about 60 occasions small explosive devices have been set off in protest and a variety of clandestine newspapers and handbills are circulated. More than 400 dissidents remain imprisoned.

Greeks, from Communists to royalists, described the opposition as passive, limiting itself largely to withholding support from the Government. A diplomat noted that the most effective opposition of which he was aware was the absence of the best qualified younger men in important technical and economic positions.

The most disillusioned Greeks ascribed the lack of resistance to apathy. Others said that political apathy was the result of political terror. "I have to tell you that torture is a fact," said Mr. Canelopoulos.

The extreme left is no more active in resistance than royalists or liberals. The Communists are split and demoralized.

Pros-Moscow Communists have lost much of their following because of the Soviet Union's "normal" relationship with the Papadopoulos Government. Soviet officials here have tried to explain Moscow's attitude to leaders of the left by stressing the hope that Mr. Papadopoulos might eventually become "neutralist" along the lines of the late Egyptian President, Gamal Abdel Nasser.

Political activity remains outlawed and deposed politicians are under close surveillance. Black, unmarked cars are parked in front of the homes of Mr. Canellopoulos, Mr. Mavros, Mr. Papasyprou and others. They usually contain three plainclothesmen who display an ostentatious interest in callers.

Students reported that the universities, considered likely resistance centers, were heavily infiltrated by young people in the pay of the security services. A belief frequently expressed in university circles is that everything that is said is overheard by informers.

Education Minister Gerasimos Fragatos denied in an interview that there were informers on the campuses. He said that the Government commissioners, usually retired officers, installed in each university since the coup were often very popular among the students.

Labor unions have been stripped of their elected leaders since the coup and are generally considered to have ceased to be a political force.

#### RESTRICTIONS ON PRESS

The press, while freed from censorship, continues to operate under martial-law conditions, with publishers and editors subject to severe penalties. Anti-Government newspapers have come under heavy economic pressure, through both taxation and the withholding of Government advertising and advertising from business concerns with rich Government contracts.

All political leaders interviewed emphasized that they did not want direct United States interference. But many people who suspect the Central Intelligence Agency of having arranged Mr. Papadopoulos's acces-

sion to power said they wanted it to depose him.

The consensus among political figures was that as long as the regime could keep alive the impression that it enjoyed American support, opposition political activity would be inhibited by the feeling that the forces against the dissidents were too strong to be tackled.

No one interviewed believed that Mr. Papadopoulos would call general elections.

In the absence of indications that Mr. Papadopoulos plans to restore democracy, many Greeks look to their allies to use their influence in their behalf. They believe that the United States wields more influence than the other members of the Atlantic alliance.

"The United States must stop all moral support of this regime," Mr. Canellopoulos said. "From then on the task—and it is our task—will be made much easier."

## SENATE—Tuesday, February 8, 1972

The Senate met at 10 a.m. and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

#### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, who has made and preserved us a nation, we thank Thee for the hallowed memories which cluster about the commemorations of this week. We thank Thee for the life and labor of the Great Emancipator, for the Union which has been preserved, for the elevation of free men under Thy rulership, for equal justice under law, for the wider opportunities for life's fulfillment opened to men and women of every race and religion, and for the measure of brotherhood achieved in this good land.

May the mantle of Abraham Lincoln cover our efforts in this age, that we may be kind as he was kind, magnanimous as he was magnanimous, firm as he was firm. Inspired by his memory, may we go to our duties uplifted and strengthened.

In the name of Him who came to set men free. Amen.

#### DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., February 8, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,  
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its read-

ing clerks, announced that the House had passed, without amendment, the following bill and joint resolution of the Senate:

S. 2672. An act to permanently exempt potatoes for processing from marketing orders; and

S.J. Res. 196. A joint resolution extending the date for transmission to the Congress of the report of the Joint Economic Committee.

The message also announced that the House insisted upon its amendments to the bill (S. 748) to authorize payment and appropriation of the second and third installments of the U.S. contributions to the Fund for Special Operations of the Inter-American Development Bank, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. GONZALEZ, Mr. WIDNALL, Mr. JOHNSON of Pennsylvania, Mr. J. WILLIAM STANTON, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House insisted upon its amendments to the bill (S. 749) to authorize U.S. contributions to the Special Funds of the Asian Development Bank, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. GONZALEZ, Mr. WIDNALL, Mr. JOHNSON of Pennsylvania, Mr. J. WILLIAM STANTON, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 2010) to provide for increased participation by the United States in the International Development Association, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PATMAN, Mr. BARRETT, Mrs. SULLIVAN, Mr. REUSS, Mr. ASHLEY, Mr. GONZALEZ, Mr. WIDNALL, Mr. JOHNSON of Pennsylvania, Mr. J. WILLIAM STANTON, and Mr. BROWN of Michigan were appointed managers on the part of the House at the conference.

#### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, February 7, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SENATOR MARGARET CHASE SMITH TO BE A CANDIDATE FOR RE-ELECTION

Mr. AIKEN. Mr. President, on July 15, 1964, it was my privilege to nominate at the Republican National Convention in San Francisco a person whom I considered fully qualified to be President of the United States.

That person was Senator MARGARET CHASE SMITH, of Maine.

Although she did not receive the nomination, she did receive the finest ovation I have ever seen given a candidate at a national convention.

I now ask unanimous consent that the nominating speech which I gave at that time be printed in the RECORD.

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

#### SPEECH BY MR. AIKEN

Mr. Chairman and Delegates: I intend to nominate for President one of the most capable persons I have ever known and one with whom I have been associated in public service for 24 years.

I don't like to start a nominating speech with a confession, but the circumstances are compelling.

In introducing my candidate, I find myself in a most peculiar position; I am severely restricted in what I can offer for your support.

I can't promise you a cabinet job, an ambassador's appointment—or even a shot at a nice government contract.

I can't even offer you cigars or chewing gum.

For a while, it looked real promising. I thought I could at least invite you all out